THE SYMBIOTIC EXPERIENCE OF RACIAL VIOLENCE: THE IMPACTS OF CANADIAN IMMIGRATION DETENTION AND DEPORTATION ON MIGRANTS AND FAMILIES

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Abstract

While Canada champions family reunification as a central pillar of the *Immigration and Refugee Protection Act* and cultivates a national imaginary as a welcoming and inclusive host, carceral practices of detention and deportation routinely separate, contain, and expel migrants despite their familial connections. This dissertation interrogates this contradiction by asking how 'the family' is constructed in political discourses on immigration, how carceral power shapes the everyday lives, relationships, and sense of belonging of migrants and their families, and how migrants and their families affectively experience Canada's detention and deportation practices.

The dissertation examines the expansion of carceral power through 'the family' as a microcosm of racial governance. Drawing on theories of racial governmentality, racial capitalism, and affect theory, I advance that the study of migration governance is necessarily a study of carcerality. I develop a racial framework for carceral migration governance, which situates contemporary migration practices within the racial histories of nation-state formation. This theoretical framework importantly centres the racialization processes that govern liberal inclusion and construct the ideal 'migrant/citizen' and ideal 'family.' I draw on two qualitative methods to examine the racialized material effects of migration governance: a documentary discourse analysis of the Standing Committee on Citizenship and Immigration's proceedings and final report on "Family Reunification" (2017), and qualitative semi-structured interviews with migrants who have experienced detention and/or deportation (n= 8) and with family members and loved ones of migrants subjected to these systems (n= 12).

My analysis demonstrates how the carceral state discursively, materially, and affectively expands into spaces of migration governance and into the lives of the families and loved ones of those it directly targets. The analysis identifies four distinct but interrelated discursive figures that produce political representations of 'the family' and 'the migrant.' I argue that these figures operate as the racialized prism through which nation-formation is enacted, and the 'family' deserving of (re)unification is imagined. I then examine the material and emotional consequences of these discourses within the contexts of detention and deportation. I demonstrate how migration governance is symbiotically experienced within the private, intimate, relational, and communal lives of racialized families. I argue that carceral power transforms the homes, communities, and relationships of families into spaces of capture, surveillance, and expulsion. I also illuminate how carceral power extends to the minutiae of the body. I document an "archive of feelings" (Cvetkovich, 2003), showing how racial carceral violence impresses upon the body, emotions, and senses, structurally producing affective dispositions that haunt families across time and space.

Dedication

For my mother.

For my family and kin, birth and chosen.

And for my brother.

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A privilege and an honour fall short to describe what it has meant for me to work with Dr. Carmela Murdocca. Carmela has met me with unwavering belief, encouragement, support, and guidance. Her intellect has been inspiring beyond measure. I do not think that my project would be as strong or academically rigorous without her interventions. Thank you, Carmela, for believing in me in times when I struggled to believe in myself. Thank you for the meticulous and careful review of my work. I am a better and stronger scholar because of it. I am forever grateful for your kindness, generosity, mentorship, and friendship.

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It is no fluke that my scholarly career led me to write about families, thinking, of course, of my own family the entire way through. We have been touched in our own ways by the hauntings I write about in this dissertation. While I may have been the one to bring this work to life, you are part of the story that brought me here and carried me every step of the way. I could not have done *any* of this without you. I love you. Mom, this one is for both of us.

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Prologue

This dissertation interrogates the racial dimensions of Canada's carceral migration governance through an examination of the construction of 'the family' in family reunification policies and the lived effects of the detention and deportation regime. This research began in 2019, at the precipice marked by the global COVID-19 pandemic, climate catastrophes, and unprecedented mainstream public attention to Indigenous, Black, and racialized people leading global movements against racism and settler-colonialism. This political socio-legal landscape gave new impetus to discussion and actions for systemic change. Rising awareness of the housing crisis emerged and revealed the privilege of having a home to fulfil lockdown requirements. The raced and classed roll-out of vaccines against COVID-19 brought into public consciousness the health-care system's history of neglect of Black and Indigenous people. The reliance on essential workers came to the fore, including migrant workers in the health, farming, and agriculture industries who confront unjust, arduous, and exploitative labour conditions. The racial distinctions that inform the freedom to move in space with dignity, free from surveillance and police brutality, gained media attention amid Black Lives Matter and Defund the Police protests. The pandemic also revealed decarceral possibilities, as we witnessed decarceration efforts in prisons and detention centres, alongside the implementation of a moratorium on deportation to mitigate the spread of the virus. While life as we knew it was forced to shut down and be re-examined, we were briefly given a window into how we might be and live otherwise. Six years post-pandemic, we are left with only remnants of what once appeared to be hopeful beginnings of reimagining.

I would conclude my fieldwork and begin writing in 2025, a time when detention and deportation practices resumed as normal. President Donald Trump would begin his second term

in office, following a campaign that demonized Haitian migrants in Springfield, Ohio, on baseless claims that "they are eating our pets" (Thomas & Wendling, 2024) and political promises to initiate a mass deportation initiative (Debusmann & Wendling, 2024) and repeal birthright citizenship legislation (Sheering, 2024). By January 31st, 2025, a short ten days after his inauguration into the White House, President Trump had signed 43 executive orders, eight of which were aimed at securing the nation-state and its borders, territorial sovereignty, and citizenry (Office of the Federal Register, 2025). Amongst these was Executive Order No. 14165 that intensified militarized efforts to detain and deport migrants to "secure borders" and "protect the American people" from the purported "disastrous effects of unlawful mass migration and resettlement." (Exec. Order No. 14165, 3 C.F.R., s. 1). Executive Orders No. 14163 and No. 14160 were also signed on the same day, authorizing the suspension of the U.S. Refugee Admissions Program (USRAP) under the pretense that the admission of refugees "would be detrimental to the interests of the United States" (Exec. Order No. 14163, 3 C.F.R., s. 3) and the eradication of the universal extension of citizenship to persons born within the United States (Exec Order No. 14160, 3 C.F.R., s.1).

Canada simultaneously tightened its borders, thereby insulating the territory of North America from 'foreign Others.' President Trump's executive orders prompted Canada's Liberal Minister of Immigration, Refugees and Citizenship Canada (IRCC), Marc Miller, to announce that Canada, too, would have "limited capacity" to welcome people looking to resettle following President Trump's border crackdown (Aziz, 2024). Canada soon thereafter became further entrenched as a partner with the United States in managing their shared border. On February 3rd, 2025, Liberal Prime Minister Justin Trudeau announced a $1.3 billion border plan that would reinforce the border with Black Hawk helicopters, drones, mobile surveillance towers, additional

personnel, and new canine teams (Public Safety Canada, 2024). This border plan also introduced enhanced coordination with the United States to stop the flow of fentanyl by implementing a "Fentanyl Czar" and the "Canada-U.S. Joint Strike Force" to "combat organized crime, fentanyl and money laundering" (Public Safety Canada, 2024, para 2). Media and political discourses framed the flow of fentanyl as a national emergency, using heavily militarized and moralized language to construct a number of converging crises: a "toxic drug crisis" (Privy Council Office, 2026, para 1), a "national crisis" (Privy Council Office, 2025, para 2) and a "border crisis" (Jaber & Levidze, 2026). The "strategic and coordinated efforts" of Canada's "Fentanyl Czar" resulted in the introduction of legislative reforms, such as Bill C-2, *The Strong Borders Act,* the designation of "transnational criminal organizations" as "terrorists," and the bolstering of law enforcement personnel dedicated to "fentanyl sprint" operations (Privy Council Office, 2026, para 9).

The atmosphere of securitization that characterized the first month of 2025 did not emerge in a political vacuum, but against a backdrop of heightened political strife and anti-migrant sentiment in Canada. In October 2024, Prime Minister Trudeau and IRCC Minister Miller announced a significant cut to immigration levels (IRCC, 2024c), affecting temporary residents (workers and students) and permanent residents (including economic streams, family reunification, and refugees) (IRCC, 2024b). This announcement came at the precipice of political and media discourses that constructed a growing "migration crisis" in Canada—migrants, particularly international students and refugees, were vilified and scapegoated for the employment, housing, affordability, and health-care crisis (Al Mallees, 2024). The reduced immigration levels prioritize economic migrants, who will constitute 62% of the new targets for permanent residents, while the humanitarian pillars of family and refugee admissions will

constitute 22% and 15% of the new targets, respectively (IRCC, 2024a). For the families of migrants, this is not an abstract recalibration of targets but a lived rupture. Indeed, the new immigration plan has implemented a number of cuts and bans on family reunification. As a result, the new plan extends – and in some cases indefinitely prolongs – the separation of temporary residents from their spouses, children, and parents (MRN, 2024). Family separation has been further entrenched following the March 2025 election of Liberal Prime Minister Mark Carney, whose government passed Bill C-12, the *Strengthening Canada's Immigration System and Borders Act.* The Act expands the government's deportation powers by enabling the mass cancellation of immigration documents and applications without evaluation, and by limiting asylum seekers' rights to a hearing and appeal (IRCC, 2026a; Pearson, 2026). For mixed-status families whose members have different immigration statuses, these measures transform immigration status precarity into a constant threat of sudden separation. Families are left to navigate the possibility that their loved one could be removed without recourse.

The current political and socio-legal landscape of migration governance draws our attention to the ever-increasing *carceral* nature of migration governance in Canada. Renewed discourses of "crises" are circulating to justify restrictive immigration and border policies in the name of sovereignty, morality, and economic and national preservation. These immigration and border policies conjure the discursive, ideological and material ghosts of sovereignty and carcerality that animate the nation-state's capacity to define who matters and who does not, who is disposable and who is not. These ghosts, of exclusion, dispossession, and annihilation, are a product of the culmination of the country's history of racial nation-state formation. It is these ghosts that the dissertation excavates for investigation.

Introduction

There are many ways to tell the story of race, the family, and migration governance. Our ability to parse out these stories rests on an understanding of the family as a site of political struggle; 'the family' is an institutional microcosm that is acted upon, moulded, and constructed by the state through legal and policy development. In Canada, families emerge in the context of migration governance in complex and paradoxical ways. On the one hand, family reunification is a legal and policy-oriented concept and is explicitly recognized as one of the main pillars of the *Immigration and Refugee Protection Act* (IRPA). The family reunification pillar of the IRPA is outlined in Section 3(1)(d), which articulates the objective "to see that families are reunited in Canada" (IRPA Section 3(1)(d)). Canada champions itself as a leading nation in immigration, committed to welcoming newcomers into the "Canadian family" and to reuniting families through various immigration programs. These include family class sponsorship (IRPA Section 12), the admission of family members as dependents of principal applicants under economic and refugee streams (IRPR Section 70(4)), and several family-based humanitarian initiatives that seek to admit and unite vulnerable people abroad with their Canadian relatives.[1] On the other hand, within the distinct carceral mechanisms of the immigration enforcement regimes of detention and deportation, state concern for family reunification seemingly disappears. Migrants are separated, detained, and deported despite their connections, relationships, and desires to be with their families and loved ones.

[1] The Department of Immigration, Refugee and Citizenship Canada (IRCC) may implement special measures in response to emergent global conflicts. These initiaitves go beyond regular immigration programs and are typically temporary in nature. IRCC currently has special measures in place for Canadian citizens, permanent residents and families affected by conflicts in Palestine, Haiti, Sudan, Iran, Ukraine, and Afghanistan. For more ongoing and past special measure initiatives, see IRCC (2024d).

This dissertation is grounded in political and socio-legal interrogations of Canada's racial carceral migration governance and examines its impact on migrants and families. Comparatively speaking, Canada provides a unique context for analyzing the relationship between race, the family, and carceral migration governance. Canada is widely recognized as a global leader in immigration policy and is often regarded as an 'exemplary' model worthy of emulation for its strong humanitarian commitments to family reunification, refugee resettlement, and immigration integration. Canada was also one of the first countries to adopt multiculturalism as an official state policy, cementing diversity as a national strength and fostering comparatively positive public attitudes towards immigration. These narratives have contributed to Canada's reputation as a compassionate and well-managed immigration destination, distinguishing it from many other countries where immigration remains deeply polarizing and inundated with nativist rhetoric. The management of migration flows, alongside a commitment to helping newcomers settle and integrate through humanitarian and multicultural legal and policy frameworks, sits at the very core of how Canada understands and imagines itself as a nation.[2] There is, however, a foundational racial violence that renders this international reputation incommensurable with the reality of the operations of migration governance. Indeed, a close examination of family reunification policies, alongside the complex and mutually interdependent regimes of detention and deportation, unearths clear exclusionary and punitive racial logics and technologies that are at work in the governance of migration, thereby contradicting the humanitarian and compassionate messaging that Canada advances. It is this contradiction that this dissertation empirically interrogates. By centring the experiences of migrants and their families and loved

[2] Bennedict Anderson (1983) introduced the concept of "imagined community" to refer the ways in which nations are imagined; they are constructed on a set of representations, ideas, and cultural signifiers that endow national subjects with a set of characteristics to form deep, horizontal comradeship.

ones, this dissertation explores the expansion of carcerality within Canadian migration governance and the extension of carceral power to the loved ones of those it is meant to directly control.

I was inspired by the literature in border studies, carceral studies, and migration studies to examine this dual process of carceral expansion, first to the space of migration governance, and second to the families and loved ones of those migration governance directly implicate. At the outset of the research project, I was particularly devoted to understanding how the expansion of the carceral state is predicated on the racialization and gendering of migrants, so that racialized families and communities are increasingly regulated, surveilled, imprisoned, deported, and otherwise subjected to forcible displacement and exclusion at the hands of the Canadian state. I focus on three distinct areas in Canada's immigration program: family reunification, immigration detention, and deportation. The focus on these three programs provides a window into how the family is governed and regulated, both at the admissions and enforcement ends of the immigration continuum in Canada. The dissertation is empirically guided by the following research questions:

1. How is 'the family' constructed in political discourses on immigration? What do these discourses reveal about the national imaginary of the Canadian nation-state?
2. How does carceral power shape the everyday lives, relationships, and sense of belonging of migrants and their families?
3. How are migrants and their families emotionally affected by carceral encounters with migration governance?

These research questions were explored through two qualitative methods: documentary discourse analysis and semi-structured interviews. The documentary discourse analysis involved an

examination of publicly available documentation detailing the infrastructure of the Canadian detention and deportation regime in order to understand the legal and policy landscape of carceral migration governance in Canada. After encountering challenges accessing information from government institutions through Access to Information (ATIP) requests, I turned to examine a study that was published by the Standing Committee on Citizenship and Immigration on "Family Reunification" (House of Commons Standing Committee on Citizenship and Immigration, 2017). This study emerged at a particularly unique time, when the newly elected Trudeau Liberal government advanced an electoral platform that promised Canadians a markedly different approach to the borders and immigration than that of their Conservative predecessor, Prime Minister Stephen Harper. Canadians were promised "inclusion" and "generosity of spirit" that would overhaul the highly securitized immigration regime of the previous Conservative Government (Office of the Prime Minister, 2015). [3] In power from 2006 to 2015, the Conservative Party of Canada, under Prime Minister Stephen Harper, focused on migrant families as potential queue jumpers and system cheaters who threatened the integrity of the immigration system (Gaucher, 2018). Deliberately departing from this narrative of securitization and suspicion, Liberal Prime Minister Justin Trudeau tasked the Minister of IRCC to "reopen Canada's doors to welcome those who want to contribute to our country's success," asserting

[3] The sweeping security regime that was crafted by the Conservative government was implemented through several immigration legislation and policy changes made between 2006 and 2015. The measures introduced had a strong emphasis on addressing issues of immigration fraud and crime. Of note, the Conservative government introduced: (1) Bill C-11, the *Balanced Refugee Reform Act,* which restricted access to legal remedies for refused refugees to contest a removal order, including barring access for one year to the pre-removal risk assessment (PRRA) and humanitarian and compassionate (H&C) applications; (2) Bill C-31 the *Protecting Canada's Immigration System Act*, which granted broad ministerial powers to the Minister of Public Safety to designate certain arrivals as "Designated Foreign Nationals" – a designation that permitted mandatory detention and restricted access to the refugee system; (3) Bill C-43, the *Faster Removal of Foreign Criminals Act*, which restricted access to appeal a removal order for those with criminal convictions; and (4) Bill C-24 *Strengthening Canadian Citizenship Act,* which granted Ministerial powers to the Minister of Citizenship and Immigration Canada (CIC) to revoke citizenship of dual nationals convicted of terrorism.

that “Canadians are open, accepting, and generous [and that these] qualities should be reflected in Canada’s immigration policies” (Office of the Prime Minister, 2015, para 13). Relatedly, the House of Commons issued an order of reference to the Standing Committee to review the issue of family reunification in Canada. Family reunification was referred to the Committee as an immigration program requiring in-depth consideration, particularly given the growing backlog and increased processing times for family class applicants. The renewed attention to family reunification under a governance model premised on generosity, inclusion, acceptance, humanitarianism, and bureaucratic efficiency offered a fruitful window of analysis into the construction and imaginary of the ‘family.’ I conducted a discourse analysis of the government transcripts of the Committee’s meeting proceedings held between February 2016 and February 2017. The semi-structured interviews were conducted with migrants who have been directly impacted by detention and/or deportation in Canada, as well as family members and loved ones of migrants who have been ensnarled in these systems over the last decade, mapping onto this shift in political party. I asked the interview participants about their experiences with the regimes of detention and deportation, their familial and interpersonal relationships, and their experiences of racism and belonging in Canada. I expand on my methodological approach and research design in Chapter 2 of the dissertation.

Situating ‘The Family’ in Canadian Immigration Law: A Brief Overview

In the context of Canadian administrative immigration law, the family influences multiple areas of migration policy development and at all stages of immigration control, including admissions, enforcement, and removal. Canada’s legal framework for immigration is set out in two key pieces of legislation: the *Immigration and Refugee Protection Act* (IRPA) and the *Immigration and Refugee Protection Regulations* (IRPR). Canadian law centres the family as

one of the main pillars of the *Immigration and Refugee Protection Act.* Both a legal and policy-oriented concept, the family reunification pillar of the IRPA is outlined in Section 3(1)(d), which articulates the objective "to see that families are reunited in Canada" (IRPA Section 3(1)(d)). Canada champions itself as a leading nation in immigration, committed to welcoming newcomers into the "Canadian family" and to reuniting families through various immigration programs. These programs include family class sponsorship (IRPA Section 12(1)), the admission of family members as dependents of principal applicants under economic and refugee streams (IRPR Section 70(4)), and several family-based humanitarian initiatives that seek to admit and unite vulnerable people abroad with their Canadian relatives.

Within immigration law, family members are defined on the basis of their relationship as a spouse, common-law or conjugal partner, dependent child (under the age of 22), parent, or other prescribed family members, including grandparents and, in rare instances, siblings, nieces, nephews, and grandchildren (IRPA 12(1); IRPR 117(1)).[4] Migrants admitted under the family class are those who have been sponsored by their family members who are either Canadian citizens or permanent residents. While family class immigration provides a steady, albeit limited, source of immigrants for Canada, representing a mere 22% of immigration admissions in 2024 (IRCC, 2025), it is important to note that the state's monitoring and regulation of familial relationships is not limited to the family class. Applicants in any immigration category – family, economic, or refugee class – are required to declare accompanying and non-accompanying family members in their applications, regardless of whether they intend to sponsor them in the future. Here, "immigration officers work under the assumption that successful applicants will apply to sponsor their immediate family members in the future" (Gaucher, 2018, p. 9). Family

[4] Siblings, nephews, nieces, and grandchildren can only be sponsored if they are an orphan who is under 18 and are not married or in a common-law relationship (IRPR 117(1)(f)).

relationships are monitored and regulated in two ways under this declaration requirement. First, family relationships are used to determine a person's admissibility. Under section 42(1) of the IRPA, a foreign national, other than a protected person, can be inadmissible on the grounds of their family member being inadmissible for reasons of security (IRPA Section 34), human or international rights violations (IRPA Section 35), sanctions (IRPA Section 35.1), or organized criminality (IRPA Section 37). Familial ties with criminalized individuals, therefore, govern a migrant's potential to be admitted to the nation-state. Second, the failure to declare a family member can result in that member being permanently barred from future sponsorship (IRPR Section 117(9)(d)). Scholars have criticized IRPR 117(9)(d), arguing that it erodes the humanitarian and compassionate objective of reunifying families (Liew et al., 2017). Regulation 117(9)(d) not only imposes family separation but also punishes sponsors who engage in "misrepresentation" via the non-disclosure of a family member (Liew et al., 2017). The punitive weight of "misrepresentation" for non-disclosure of family members is felt most acutely by refugees admitted to Canada who, for various reasons related to fear of persecution and their family members' safety, choose to omit listing their loved ones in their refugee applications (Liew et al., 2017).

At the enforcement and removal stages of migration governance, and within the more distinct carceral contexts of immigration detention and deportation, state concern for family (re)unification seemingly disappears. Migrants are separated, detained, and deported despite their connections, relationships, and desires to be with their families and loved ones. The IRPA provides the legal grounds for detaining and deporting foreign nationals. Whereas Division 5 of the IRPA, specifically sections 44 to 53, regulates the loss of status, admissibility hearings, and the removal of foreign nationals, Division 6 of the IRPA, specifically sections 54 to 61, regulates

the grounds of detention, review of detention, conditions for release, and the detention of children. Detention and deportation are governed by several government bodies with intersecting jurisdictions. The Department of Immigration, Refugees and Citizenship Canada (IRCC) has jurisdiction over decision-making under the IRPA, while Public Safety Canada (PSC) is responsible for enforcing the IRPA.

Housed in PSC, the Canada Border Services Agency (CBSA) is the designated immigration enforcement agency and is delegated sweeping police powers, including the authority to arrest, detain, gather intelligence, and conduct searches and seizures. Migrants can be detained, with or without a warrant, upon entry into Canada for examination or identity reasons and at any point while in Canada if deemed to be a danger to the public or unlikely to appear for an examination, for an admissibility hearing, for removal from Canada, or at a proceeding that could lead to a removal order (IRPA s. 55-58(1)). CBSA is also the federal authority responsible for enforcing removal orders.[5] From 2016 to 2025, a total of 119,954 removals were fulfilled by CBSA (CBSA, 2025b).[6]

Immigration detention in Canada is primarily used to facilitate the enforcement of removal orders, demonstrating how detention and deportation operate as interlocking regimes.[7]

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[5] In legal terms, deportation is referred to as 'removal.' The IRPA distinguishes between three types of orders to 'remove' people, depending on the specific circumstances: departure orders, deportation orders, and exclusion orders. I use the legal term 'removal' when summarizing legislation. Elsewhere, however, I intentionally use the term deportation for all 'removals,' not only those legally called a 'deportation order.' I do this in acknowledgement of the ways in which legal language attempts to neutralize violence and the punitive nature of legal practices.

[6] This data has also been reproduced in Appendix F, Tables F5 and F6. See also Dennler & Garneau (2022).

[7] There are three 'Immigration Holding Centres' (IHC) in Canada, located in Laval, Québec, Toronto, Ontario, and Surrey, British Columbia, and one operational "temporary designated immigration station" in Saint-Anne-des-Plaines, Québec (CBSA 2025c). While each of these centres differ, they all generally operate like medium security correctional facilities (Arbel & Joeck, 2024). The IHC in Laval, Québec is operated under a memorandum of understanding with the Correctional Services of Canada (CSC), the federal agency responsible for administering sentences under the criminal justice system, which owns the facility, and is geographically located next to CSC's Leclerc Prison, located 33 kilometers from the Montreal International Airport (HRW & Amenesty International, 2021). CBSA manages the facility and uses third-party contractors, such as GardaWorld, for the provision of certain services (CBSA 2025c; AFSC, 2023). Non-citizens who are apprehended in the regions of Québec, the Atlantic, and Northern Ontario (including Ottawa and Cornwall) are detained in the Laval IHC. The IHC in Toronto, Ontario

Publicly available statistics reveal that the leading justification for CBSA to detain a migrant is if they have been deemed "unlikely to appear" to their deportation date (CBSA, 2025d). From 2019 to 2025, approximately 80.9% of immigration detainees were held on this ground, with annual proportions ranging from 77.1% to 85.5% (CBSA, 2025d).[8] In practical terms, this means that CBSA detains people using a subjective assessment of emotional expressions. Expressions of fear or unwillingness to return to the country of origin are used to categorize a person as being a 'flight risk' (Dennler & Garneau, 2022). Notably, expressions of desires to remain with family or strong communal ties in Canada also may be used to justify detention under grounds of being "unlikely to appear," suggesting a carceral management of affective familial ties.[9]

Few studies in Canada have focused on the family in the context of detention. The literature predominantly studies the nuclear family unit, composed of parent(s) and child(ren), and focuses on Canada's practice of "housing" and detaining children,[10] the harmful impact of

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detains non-citizens who have been apprehended in the Greater Toronto Area and Northern and Southern Ontario. This detention centre is operated by a third-party contractor, Corbel Management Corp, who provides the facility to CBSA, and is located 8 kilometers from the Toronto International Airport. In 2020, CBSA opened a new detention centre in Surrey, British Columbia to replace the holding centre in the basement of the Vancouver Airport. While CBSA owns and manages the facility, it also uses GardaWorld as a third party contractor for the provision of services (CBSA 2025c; AFSC, 2023). The Surrey IHC detains non-citizens apprehended from the pacific regions and the prairies. The "designated immigration station" Centre in Sainte-Anne-des-Plaines, Québec is located *within* CSC's Regional Reception and has a capacity for 25 adult male detainees (CBSA 2025c).

[8] This table was also reproduced in Appendix F, Table F3.

[9] CBSA will assess a person's potential cooperation once deportation orders have been initiated. In these assessments, CBSA will determine whether the person appears to be uncooperative or frightened of deportation. Under the *Immigration Refugee Protection Statutory Order and Regulations* (IRPR SOR 2002-245), factors that contribute to determining someone to be a flight risk include assessing: (1) the history of compliance with previous removal orders, immigration or criminal proceedings, and immigration conditions; (2) attempts to avoid examination or escape from custody; and (3) the existence of strong ties to a community in Canada. CBSA's Enforcement Manual 20 on Detention articulates that "the presence of any of the above factors should not automatically lead to detention" (p. 19). Rather, in their discretionary assessment, CBSA officers should consider the factors "in the context of all the circumstances in the case," providing a "global assessment of the behaviour of the individual" (p. 19).

[10] Under Canadian immigration law, children are described as "housed" when they are not *legally* detained but are "accompanying" a detained parent. This includes Canadian citizen children. In theory, housed children have the freedom to leave the detention centre if their detained parent consents to have them under the care of another adult. In most cases, this is not practically nor humanely possible. From the perspective of the child, being housed is no different – and no less harmful – than being detained (HRW & Amnesty International, 2021).

separating children from their parents, and the mental health implications of detention on children (Kronick et al., 2011; 2018; Cleveland et al., 2012; Gros & Song, 2016; Kronick et al., 2024). The IRPA stipulates that "minor children," under the age of 18, are only to be detained "as a measure of last resort, taking into account the other applicable grounds and criteria, including the best interest of the child" (IRPA Section 60).[11] The IRPR elaborates on this provision by listing the special considerations that apply in relation to the detention of children (IRPR s. 249).[12] In detention, minor children are generally held with their mothers in the "family wing" of IHCs, while their fathers are held in a separate "male wing" (Cleveland et al., 2012). Here, children are separated from their fathers as the "family" sections of IHCs are reserved for children and their mothers, reflecting a gendered division of care. Detention, even if short-term, has negative impacts on children, "both directly and also because parents often become too depressed and anxious to provide adequate care" (Cleveland et al., 2012, p. 11; Kronick et al., 2011). Moreover, "children may experience long-term detrimental effects after release from detention, including nightmares, sleep disturbance, severe separation anxiety, and decreased ability to study" (Cleveland et al., 2012, p. 11; Kronick et al., 2011). These consequences

[11] The best interest of the child principle derives from the United Nation's (UN) Convention on the Rights of the Child (CRC). This principle is a threefold concept that encompasses a substantive right of a child to have his or her best interest accounted for as a primary consideration; an interpretive legal principle; and a rule of procedure that requires the decision-making process to evaluate the possible impact of the decision on the child concerned. In a 2012 review of the best interest of the child in the context of immigration detention, the UN CRC Committee found that the principle is not appropriately integrated or consistently applied in Canadian immigration detention. Furthermore, when taking into account the full scope of the best interests of the child as set out in the CRC, Gros and Song (2016) found that the IRPA's reference to the best interests of the child falls short of the standard enshrined in international law. See Gros and Song (2016) "*No Life for a Child: A Roadmap to End Immigration Detention of Children and Family Separation*." International Human Right Program, University of Toronto.

[12] These special considerations are: (a) the availability of alternative arrangements with local child–care agencies or child protection services for the care and protection of the minor children; (b) the anticipated length of detention; (c) the risk of continued control by the human smugglers or traffickers who brought the children to Canada; (d) the type of detention facility envisaged and the conditions of detention; (e) the availability of accommodation that allows for the segregation of the minor children from adult detainees who are not the parent of or the adult legally responsible for the detained minor children; and (f) the availability of services in the detention facility, including education, counseling, and recreation (IRPR s. 249).

illuminate the ways in which Canada's considerations for the best interest of the child in the context of detention fall short of the standards enshrined in international law (Gros & Song, 2016). Studies and official statistics fail to capture the impacts of family separation for adult children over the age of 18, for family members outside the nuclear family unit, and for family members who remain outside the walls of detention centres.

In 2016, the Canadian government budgeted $138 million to transform the national immigration detention framework (NIDF). The five-year budget plan focused on making detention a last resort by expanding available alternatives to immigration detention (CBSA, 2018). As a result, CBSA's ATD program grew to include a new community supervision program and two new electronic supervision tools: enhanced voice reporting and ankle-bracelet electronic monitoring.[13] The number of people enrolled in an ATD program averaged 16,208 per year between 2019 and 2025, reaching its lowest level in 2020 (13,902 total people under an ATD) before increasing steadily to a peak of 19,863 in 2025. Overall, the number of people under an ATD increased by 31.4% between 2019 and 2025 (CBSA, 2025d).[14]

Despite the promise to make detention a last resort, detention centres are expanding, migrants are being detained in "immigration stations" in federal prisons (CBSA, 2024b; Motluk & Turnbull, 2026),[15] and migrants continue to be sanctioned to indefinite detention (GDP, 2021).

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[13] I expand on the roll-out of the ATD program in further detail in Chapter 4 "The Expansion of the Carceral."
[14] This table is also reproduced in Appendix F, Table F4
[15] CBSA has the sole authority to decide where to place immigration detainees (*Ebrahim Toure v Minister of Public Safety, 2017 ONSC 5878*). CBSA has the discretion to place detainees in jails instead of IHCs, and "detainees have no meaningful opportunity to challenge or otherwise participate in the initial placement process" (Arbel & Joeck, 2024, p. 110). Until 2023, CBSA detained migrants in provincial prisons under specific circumstances, before Amnesty International and Human Rights Watch launched a national *Welcome to Canada* campaign that would pressure the provinces to cancel their bilateral agreements with CBSA. Provincial prisons, including maximum-security facilities, were typically used in instances where there was no IHC in close proximity, when there were capacity issues within the IHCs, or in cases where CBSA determined the person was a "high-risk" detainee. Migrants deemed "high-risk" and a "danger to the public" are generally those who have been convicted of a crime or those whose behaviour has been deemed 'aggressive' or as possessing a 'propensity to violence' (HRW, 2024, p. 14; CBSA ENF 20). This triaging of "risky" migrant detainees are emblematic of the processes of racialization, criminalization, and risk-assessment within the context of the criminal justice system. Indeed, data obtained from

Moreover, during the COVID-19 pandemic, and well within the time the new ATD program had been established, CBSA detained people at a higher percentage of entries into Canada than any previous year from 2012 onwards (Arbel & Joeck, 2024). Arbel and Joeck (2024) found that while the outbreak of COVID-19 led to a reduction in the absolute number of detainees in the first few months of the pandemic, the rate of detention doubled between fiscal years 2019-2020 and 2020-2021, "when Canada was weathering the worst of the pandemic" (p. 117).[16] Together, these practices inflict serious international human rights violations and have devastating impacts on the physical and mental health of detainees and their families, both during and after their incarceration. (Arbel & Joeck, 2024; HRW & Amnesty International, 2021).

Carceral Studies

My dissertation advances that the study of migration is necessarily a study of carcerality. The carceral state—referring to the institutional deployment of social regulation, coercion and punitive conditions, and governance strategies—has traditionally been tethered to the criminal

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Human Rights Watch and Amnesty International "indicates that racialized individuals, particularly Black men, are detained for disproportionately longer periods of time, and are often detained in provincial jails rather than dedicated immigration facilities" (Arbel & Joeck, 2024, p. 112; HRW, 2021). Moreover, people with mental health issues are also classified as being potential 'dangers to the public' (CBSA ENF 20) and were also commonly detained in provincial prisons to "effectively manage [their] behaviour" or to facilitate "access to specialized care" (HRW, 2021, p. 14). Migrant rights activists and civil society organizers, including lawyers, health-care providers, faith leaders, and people with lived experience, celebrated the success of the *Welcome to Canada* campaign, citing it as being a promising first step towards the abolishment of immigration detention (HRW, 2024). However, rather than move towards decarceral futures in the wake of provinces cancelling their contracts with CBSA, the federal government has responded with plans to expand carceral infrastructure with the creation of high-risk security units in existing IHCs (Patrick, 2023). In September 2024, CBSA's amendments to the 2024 budget further confirmed that CBSA would temporarily contract out federal CSC prisons to detain immigration detainees (CBSA, 2024). The 2024 budget provides CBSA with $325 million to expand federal migrant detention capacity for "high risk" persons, which includes the use of "immigration statations" in federal prisons for immigration detention (Motluk & Turnbull, 2026).

[16] Arbel and Joeck's (2024) study reports that the average length of time an individual spent in detention doubled during the pandemic, and that Canada relied more heavily on correctional facilities for immigration detention, holding approximately 40% of immigration detainees in jails – "roughly double the proportion who were held in non-CBSA facilities in previous years" (p. 100). Furthermore, Wallace (2024) reports that despite a decrease in the absolute number of people detained during the early months of the pandemic, CBSA continued to detain people deemed a "danger to the public" at a similar or even higher rates than before. Detention here, was used to "enforce back-end immigration rules" (Wallace, 2024, p. 568).

justice system. Scholars have recently pushed for an expanded understanding of carceral power, calling for a broadened exploration of its operation outside the traditional site of the prison (Beckett & Murakawa, 2012; Moran, Turner & Scheliehe, 2018; Story, 2019). The state's concern for managing, intercepting, and expelling "non-preferred," "unfit," "dangerous," "risky," and "inadmissible" populations (Miller, 2005; Thobani, 2007; Razack, 2008) has solidified the expansion of carceral power into spaces outside the criminal justice system. This phenomenon draws academics to critically analyze how techniques of carceral power reproduce themselves within non-criminal justice settings, extend beyond those officially counted in the administrative system, shape social life, and reproduce social inequality (Beckett & Murakawa, 2012; Bosworth & Turnbull, 2015; Story, 2019).

The literature emphasizes that we are living in a "carceral age," "characterized by unprecedented fluidity between forms of confinement" and a proliferation of scales in which carceral techniques are deployed (Moran, Turner & Schliehe, 2018, p. 668). Beckett and Murakawa (2012) argue that punishment operates in much more submerged, serpentine, opaque, and entangling ways, thereby permitting the state to expand its capacity to punish and contain, despite the legal logic that maintains a definition of these sanctions as 'not-punishment.' To attend to what they call the "shadow carceral state," therefore, entails that we move away from official state definitions about what is and what is not legal punishment, and the technicalities that separate civil, administrative, and criminal sanctions (Beckett & Murakawa, 2012). Carcerality, thus, refers to a broader range of systems that control, coerce, punish, incapacitate, and categorize people as dispensable or nonhuman (Richie, 2021).

The literature has demonstrated how immigration detention and deportation are both *designed* (Dow, 2007) and *felt* as punishment (or punitive) (Aas & Bosworth, 2013; Hudson,

2018). In this vein, my dissertation builds on scholarship that draws connections between prisons, detention, and deportation to demonstrate the considerable overlap between these regimes, focusing on how migration governance operates through the racial logics of carcerality, both through *design* and *feel*. Although "distinct" legal domains, criminal law and immigration law share the common function of implementing and rationalizing state sovereign power's authoritative choices about who should be members of society – that is, "individuals whose characteristics or actions make them worthy of inclusion in the national community" (Hudson, 2018, p. 37). While the sovereign's authoritative choice of national membership traditionally relies on the individual as the primary unit of organization, this reliance forecloses the role that family and family construction hold in these decisions (Gaucher, 2018). Indeed, "the definition of family used in Canada's immigration and refugee program not only influences who immigrates as part of the family class but also who becomes a citizen" (Gaucher, 2018, p. 19). The "ideal family," therefore, is, in many ways, determinative of the "ideal citizen" (Gaucher, 2018), reinforcing the parameters that delineate acceptance and inclusion in the nation-state.

The growing literature on the phenomenon of "crimmigration" (first introduced by Juliet Stumpf in 2006) demonstrates how the distinctions between criminal law and immigration law have increasingly become blurred. Crimmigration most often refers to the merging and mutually reinforcing spheres of criminal law and administrative immigration law. Criminal penalties have been imposed for border crossing infractions, including unlawful entry or re-entry, overstaying, attempting to enter with false documents, and unlawful employment (Atak & Simeon, 2018). These infractions have been defined as specific criminal offences, where people who commit these transgressions are recast as a specific type of criminal: 'illegal immigrants' or 'immigration offenders' (Aas & Bosworth, 2013). The criminalization of migration has relied on the expansion

of policing enforcement and the use of administrative sanctions that mimic criminal ones, including detention and deportation (Atak & Simeon, 2018). In addition, the creation of inadmissible and deportable crimes has considerably expanded. For example, under *the Immigration and Refugee Protection Act*, individuals may be deemed inadmissible for reasons of 'serious criminality,' which applies to a range of acts, some of which are not very harmful or serious (Benslimane & Moffette, 2019). Such offences cast a wide net, and a large majority may not even be related to violence or organized crime, but to drug offences (Maynard, 2017). Similar laws exist in the United States, where non-citizens can be deported for aggravated felonies, which now include a range of offences from shoplifting and theft to offences such as rape and murder (Menjivar et al., 2018). Additionally, certain behaviours are categorized as felonies for immigrants but not for non-immigrants, including, for example, the re-entry of a deported individual, the use of false documents or failure to appear to an immigration hearing (Menjivar, Gomez Cervantes & Alvord, 2018). These all speak to the ways in which the state has manipulated, merged, and blurred the legal domains of criminal law into immigration law to fulfill the prerogative of the sovereign.

In depicting the extension of the carceral state, punishment scholars have also pointed toward a new penology that necessarily facilitates its expansion. Namely, rather than centring rehabilitation and the correction of individual conduct, penal power under conditions of globalization has shifted to be about the sheer containment and exclusion of people from the polity (Weber & McCulloch, 2019). Western nation-states face a "liberal paradox," caught between the simultaneous need to manage the desired mobilities of commodified goods, people, and tourists and the need to restrict the undesirable mobility of the "crimmigrant Other" (Hollifield et al., 2008; Barker, 2017). The acceleration of globalization and global mobility "has

led to a growth in border control practices that are separate to, yet increasingly integrated with, systems of punishment." (van der Woude, 2022, p. 209). Penal power, notes Barker (2017), has been "brought to the border," permitting the state to "reaffirm its authority over the makeup of the population – the members of the demos, the people who constitute the social fabric – and thereby ensures its role in securing the social body" (p. 422). Importantly, this authority to affirm the makeup of the population through differential inclusion and exclusion has historically always been raced and gendered; however, literature on the carceral inadvertently obscures the racial logics underpinning this new penology, thus erasing how the carceral is historically constituted through regimes of racial violence that have shaped migratory flows, including colonialism, slavery, and empire.

Critical Theories of Race, Racism, and the Nation-state

It is imperative to consider the nature of *who* is subjected to exclusion and *who* is granted inclusion. Considering *who* is affected opens our analyses to questions of race, citizenship, gender, and postcolonial[17] relations of power that are otherwise concealed by immigration, citizenship, and criminal law (Weber & McCulloch, 2019). State power governs and regulates movement, selectively welcoming some while rejecting others (De Genova & Peutz, 2010). Despite dominant discourses that posit that "it is not racist to control immigration" and that frame immigration law as the nation-state's prerogative to exclude, "thinking carefully about (im)mobilities helps us understand the production and reproduction of racial distinctions and hierarchies in the present" (de Noronha, 2020, p. 227). Who gets to move is always a racial

[17] Throughout the dissertation, I take "postcolonialism" to signify the continuing and often veiled constitution of the West through a referent colonial 'Other.' This critically departs from an understanding of postcolonialism as a method of chronological periodization that demarcates the transition from colonialism to self-determination among formerly colonized nations. Postcolonialism does not imply that colonial and imperial relations of power are a thing of the past, but rather that these power relations are configured, produced, and reproduced, becoming an inextricable part of law, culture, and society. See Darian-Smith (1996) and Roy (2008).

question; neither the 'citizen,' the 'migrant,' 'the family,' nor the 'criminal' are raceless figures. When we consider questions of freedom to move in, out or across spaces in relation to the reach of state power, another story comes to the fore. By engaging with questions of freedom – that is, the freedom from containment, the freedom to traverse space, the freedom to move in order to flourish with dignity and equality, and the freedom to make a place for oneself in the world, we can come to understand the how the governance of mobility is imbued with race and colonial configurations (Benslimane & Moffette, 2019; de Noronha, 2020; Kalir, 2019; Moffette & Vadasaria, 2016).

Critical race theorists demonstrate the racial and colonial project of nation building. Nation-state formation and its ensuing practices of delineating citizen-subjects from 'foreign Others' are constitutively born through casting racialized 'Others' as threats to the security, morality, and civility of the national social fabric (Razack, 2008; Chan, 2005; Thobani, 2007). This is evident in Canada's explicit effort to immobilize and exclude "non-preferred races" from its land in the name of upholding a "White Canada forever" (Abu-Laben 1998; Hameed & Vukov, 2007; Li 2003; Mathieu 2010; Lawson 2013). Such efforts are reflected in the history of Canadian immigration legislation which imposed a Head Tax on Chinese immigrants, excluded Black migrants, detained Japanese Canadians in internment camps, restricted South Asian, Black Britons and West Indian migrants through the Continuous Journey provision, surveilled Muslims, and limited the reunification of Chinese and Black families. Logics of race and racialization[18] are sedimented within immigration law and form an integral part of the emergence of Canadian nationalism and the Canadian nation-state (Thobani, 2007).

[18] Throughout the dissertation, I employ the term "racial logics" or "logics of race and racialization" to refer to the knowledge that is produced about "race" as a system of differentiation. By "logic," I mean the discursive constructions mobilized to produce this racial "knowledge." Logics are a way of thinking and a way of knowing that are imbued with power. These "logics" elaborate and naturalize understandings of race and racial difference, giving

Racialized exclusions also exist within Canada's history of governing the families of migrants. The relationships that qualify as 'family' in immigration policy have been key to defining who gets to legally migrate, who gets to stay, and who is excluded from the nation. Canada's history of family reunification policies is also fraught with racial exclusions. Changes to the criteria for family sponsorship eligibility have mirrored raced, classed, gendered, and patriarchal conceptions of "desirability" in general, and the desirability of the nuclear family unit in particular. Immigration of the desirable, "right type" of family is compatible with the ideology of white supremacy that structures Canadian immigration law and projects of colonization (Schwinghamer, 2022). While immigration law facilitated the arrival, admission, and prosperity of white British and European families, racialized families were met with restrictions and exclusions from the nation (Battista & Smith, 2022).[19] Both historically and today, discourses surrounding family reunification policies are inundated with racist subtexts that problematize "immigrants from cultures foreign to Canada, [who] uphold extended familism and maintain a large family network that is contrary to the Canadian concept of [the nuclear] family" (Li 2003, p. 7).

Relatedly, the carceral regime operates not only through assertions of criminality and illegality but also through constructions of family life (de Noronha, 2020; Martin, 2012). People

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race an institutional and representative form. While these logics are historically constituted, they continually require (re)formulation, legislation, and administration depending on the impetus of the racial state. Racial logics, or governmental racialization, are "characterized by the social routinization and institutionalization of regulatory, administrative power (e.g., law, rules, policies, discipline, precepts) exercised by European ('white') assemblages over non-European ('non-white') assemblages as if this was a normal, inviolable or natural social arrangement [of inferiority and superiority]" (Hesse, 2007, p. 656).

[19] The imposition of the Chinese head tax, for example, had profound consequences for Chinese families, wherein the wives and children of Chinese labourers were excluded from entering the country (Abu-Laben, 1998). Moreover, under the 1923 *Chinese Immigration Act,* Chinese merchants were permitted to sponsor only their wives and children under the age of 18, whereas European residents in Canada could sponsor their wives, unmarried children, unmarried siblings, and parents (Battista & Smith, 2022). Similarly, restrictions placed on Japanese and South Asian migrants also restricted the immigration of their families. The racial desirability and distinctions that saturated early immigration policies thus erected barriers against family reunification, positioning some families as unwelcomed and threatening to the building of "White Canada" (Battista & Smith, 2022).

are incarcerated, detained, and deported despite their family connections to Canadian citizens and permanent residents. Furthermore, migrants sanctioned by the carceral power of the state are subject to the denigration and devaluation of their lived family relationships. As scholars have asserted, family separation, whether that be through restrictions on admissibility (Li, 2003) and family reunification (Gaucher, 2018), deportation enforcement (Chan, 2005; de Noronha, 2020), the denial of visitation in prisons (Jardine, 2019), or through child welfare systems (Maynard, 2017), is justified according to heteronormative ideas about gender, sexuality, and 'the family.' These normative ideas are mobilized and enforced in profoundly restrictive ways, rendering some family practices and displays more legible, and therefore more 'protectable' than others. In particular, "the family displays that will be most readily recognized and validated by others are those which coincide with cultural norms of 'good,' or 'proper' family life, which are culturally and politically rooted in the white, heterosexual, middle-class, two-parent family" (Jardine, 2019, p. 63). In the process, complex family relationships are forced into legal language that erase the structural forces that condition family displays and the capacities for care and support (de Noronha, 2020).

Within the politics of immigration, definitions of family take on added significance as they determine who can stay in the country and on what terms (Bonjour & Cleton, 2021; Chan, 2005; de Noronha, 2020; Gaucher, 2018; Martin, 2012). Normative ideas about gender, sexuality, and the 'family' are mobilized, enforced, and regulated at the border (Chan, 2005; Martin, 2012). Immigration and citizenship laws prioritize ties of blood, marriage, and monogamy, "and it is precisely these processes of legal definition which imbue the norm with its power and solidity" (de Noronha, 2020, p. 128). Intimate and familial relations condition how migrants access citizenship and political recognition – "the making and unmaking of families is

[…] deeply imbricated with the governance regimes which perform the nation" (Martin, 2012, p. 870). As Megan Gaucher (2018) argues, "in the case of family reunification, it is not simply a case of individuals sponsoring individuals; it is about the state producing and reproducing a desirable familial form through the provision of citizenship" (p. 19).

Racism and sexism not only determine who gets criminalized, but also whose family life is recognized as worthy of protection and whose family life is disposable. The legible family thus parallels the nation-state building practices of Western Empires, in which the micro-spaces of the home become linked to the macro-spaces of the homeland (Volpp, 2013). To this end, it remains important for researchers to move away from privileging normative family models as such approaches justify the institutional regulations, practices, and efforts of carceral regimes.[20]

In this way, a racial story comes to the fore; a story that links contemporary migration governance to the histories of slavery, settler-colonialism, and the imperatives of the global order of racial capitalism (Danewid, 2021; Golash et al., 2019; Kalir, 2019). However, official government narratives on migration and citizenship quell this story of racism and colonialism, not only in political and public discourse, but also in the very literature that attends to its problematization (Moffette & Vadasaria, 2016). My dissertation traces this racial story by examining how racism, racialization, and racial violence operate through the carceral practices of immigration, expanding beyond prisons and borders to affect racialized families and communities. I propose a framework for racial carceral migration governance in Chapter 1 to develop a more expansive account of state racism.[21]

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[20] I return to this discussion in Chapter 2 on "Methodology and Research Design."

[21] As de Noronha (2020) notes, "it is by recognizing the connections between punitive criminal justice policies and aggressive immigration restrictions – between cages and walls – that we can develop a more expansive account of state racism" (p. 4).

The Relevance of Families

In accounting for *who* is targeted by migration governance, border control, and carceral power, my dissertation also tells the story of families. It is only recently that academic literature has analyzed citizenship, the border, and the prison experience beyond those directly impacted by these institutions. In prison studies literature, until the mid-1990s, few studies have focused on prisoners' friends and family members. However, people who are criminalized are generally embedded in kinship webs and social networks that draw others into the ambit of the state's punishment apparatus (Jardine, 2019). As Condry and Minson (2020) advance, carceral "harms" are more than vicarious; they are *symbiotic* as they are enmeshed and entwined within our connections to others. What happens to an individual affects their family, and what happens to the family affects the individual in ongoing, complex, and negotiated ways (Condry & Minson, 2020). In their efforts to support and maintain relationships with their loved ones, families also experience and are conditioned by the violence of carceral power (Garneau & Lehalle, 2021), while also being tasked with inflicting carceral power onto their loved ones (Miller & Stuart, 2017; Story, 2019). By virtue of having interwoven and embedded lives, both at the emotional and material level, people are affected by what happens to others, across time and space. Furthermore, while Condry and Minson (2020) conceptualize "symbiotic harms" in specific relation to harms linked to criminal sentencing, the term can be extended to make sense of the effects and expansion of carceral power more broadly.[22] Illegality is a familial experience that can be endured by both citizens and non-citizens alike (Rodriguez, 2016; De Noronha, 2020;

[22] While Condry and Minson (2020) frame 'harm' (both individual and social) as a manifestation of state power, I intentionally depart from this framework. Rather, I conceive of the harmful effects of the exercise of state power as a form of violence. Referring to the exercise of state power as a 'harm' erases and minimizes an experience of violence that has a historical and enduring legacy at its roots. Ultimately, I am compelled by their conception of the symbiotic experience of state power, and so I draw on their work to conceptualize the experience of violence as one that can equally be experienced in symbiotic, enmeshed, and entwined ways by virtue of being in community and relation with others.

Griffiths, 2021). Immigration status can "spill over" to other family members[23] when, for instance, citizens in mixed-status families are "forced to 'live in the shadows' while their family mobility is curbed out of fear of immigration enforcement," or when they experience violent home raids (Rodriguez, 2016, p. 713). "Families must also consider how to cope if a family member is deported, whether that be familial separation or transplanting the entire family to the parental country of origin" (Rodriguez, 2016, p. 708). Families, too, are harmed by immigration systems, even though they are not directly subject to controls; "their plans, dreams, education, employment, family planning, social mobility, and physical, mental, and economic well-being are affected by their [family member's] immigration status and the stress and costs of possible separation" (Griffiths, 2021, p. 23). And yet, families often remain the forgotten subjects of carceral power and migration governance. Moreover, most of the research focusing on immigration detention and deportation stem from Europe, the United States, and Australia. As such, my research builds and merges the two interdisciplinary areas together to address the lacuna in research on both immigration detention and deportation and the forgotten familial subjects of carceral power in Canadian literature.

My dissertation theoretically and methodologically explores the link between the macro-spaces of the nation and the micro-spaces of the home by empirically investigating the racial violence of immigration detention and deportation as experienced (symbiotically) by families in Canada. This importantly fills a gap in the literature in the Canadian context. When we consider Canada's expansion of alternatives to immigration detention, the detention and deportation of refused refugees and those deemed (criminally) inadmissible, and the tightening of the Canadian-

[23] Even Condry & Minson (2020) note that mutuality is an important element of "larger and more diffuse symbiotic harms producing social injustice and inequality, damage to citizenship, and the breaching of human rights" (p. 550).

U.S border, it seems imperative to scrutinize the inhumanity of the carceral punishment system that has subsumed migration governance.

Chapter Outline

This dissertation is structured across five chapters. Chapter 1 begins by outlining the theoretical and conceptual framework guiding the dissertation. I begin the chapter with an overview of Michel Foucault's work on governmentality and carcerality before offering a critical race theory critique of the approach. While Foucault did not give sustained attention to immigration and borders, nor to the question of colonialism and racism, his conceptualization of power has advanced scholarship in migration and border studies. I outline the ways in which Foucault's analytic of power and the field of migration studies have eclipsed considerations of race, racism, and the racial violence of policing, migration governance, and border control. I turn to the scholarship on racial governmentality to theoretically centre the racial grammar of migration governance, a grammar which parcels out those deemed worthy of protection and those that must be contained and expelled. I further turn to the concept of racial capitalism as a supplement to Foucauldian analyses of border regimes and migration governance, and argue that racial capitalism is a key political economy and governing logic of migration and the border. Finally, given this dissertation's focus on the lived experiences of racial violence under migration governance and its impact on individuals and loved ones navigating detention and deportation, I turn to affect theory, with particular attention to scholarship that explores the interplay between affect, race, and the law. This dissertation is situated in the terrain of affect theory that theorizes the power of affect as a structuring force and foundation of subjectivity. Understood as interrelated phenomena that cut across both conscious and non-conscious registers (Schaefer, 2019), affect – as bodily sensation and emotion – orients people towards each other

and toward the world, producing social and material realities that impact how we relate to others, how we feel in particular situations, and how we come to belong (Ahmed, 2014). I contend that the racial subject is constituted through the practical and emotional processing of racialized encounters, through what people experience, learn, interpret, and internalize. I conclude the chapter by outlining a racial framework for carceral migration governance. The culmination of these theories permits me to examine the discursive production of disposability entrenched in migration governance and the affective marks left on those who encounter the carceral systems of detention and deportation.

Chapter 2 outlines the qualitative methodology and research design employed in this dissertation. I discuss my decision to use critical race methodology to interrogate how carceral migration governance is experienced by families as a form of racialized statecraft, and to explore the "subjugated knowledge of struggles" and counterstories of my participants (Gordon, 2008b, p. 652). I outline the two methods that I used in this dissertation: documentary discourse analysis and semi-structured interviews. I begin with a discussion of the discourse analysis I conducted of publicly available government materials before addressing the research challenges I encountered while trying to access government material through *Access to Information and Privacy* (ATIP) legislation. In the face of these access to information challenges, I turned to an inquiry into the politics of family reunification in Canada. I conducted a discourse analysis of the Standing Committee on Citizenship and Immigration's meeting proceedings and final report "Family Reunification" (House of Commons Standing Committee on Citizenship and Immigration [HOC-CIMM], 2017). Furthermore, I conducted qualitative semi-structured interviews with migrants who have experienced detention and/or deportation (n= 8), and with family members and loved ones of migrants who have been subjected to these systems (n= 12). I detail the data collection

process, research challenges and limitations, ethical considerations, and analytical approach that I employed for each method.

Chapter 3 is the first of three empirical analysis chapters. In Chapter 3, "The Political Project of Family Reunification in Canadian Immigration Law," I present findings from my analysis of the Committee proceedings and final report on "Family Reunification" (HOC-CIMM, 2017). I examine how the idea of 'the family' is conceptualized within the immigration continuum, the family compositions that are discursively constructed as legitimate for reunification, and the racial logics that underpin these conceptualizations. In the documents I examine, I identify four distinct but interrelated figures that are conjured in political discourse to animate a story about Canada's commitment to family reunification and to problematize family-class migration. These figures are: 1. the "best and the brightest" potential migrant; 2. the legitimate nuclear family; 3. the economically burdensome "drain on society" dependent family member; and 4. the bad-faith fraudulent family member. These figures are discursive representations of both 'the family' and 'the migrant,' and function as the racialized prism through which nation-state formation is enacted and the deserving 'family' is imagined. The chapter contends that these discursive figures contribute to the apparatus of racial logics that come to bear on the existence, continuation, and expansion of carceral migration governance. Moreover, while witnesses dedicated their testimony to the importance of keeping families together, highlighting the emotional, psychological, financial, and physical harms of family separation, the well-being of families subjected to the carceral and securitized contexts of detention and deportation was largely absent from the discourse. While Canada portrays itself in the national imagination as a nation-state committed to family reunification, the state devalues concerns for family relationships and family unity in carceral contexts.

In response to this devaluation and absence, the remainder of my dissertation is devoted to illuminating the stories of family separation and the longing for reunification that have been erased from the political project of family reunification in Canada. While Chapter 3 traces the racialized discourses that delineate who is desirable and deserving versus who is threatening and excludable at the selection and admissions point of the immigration continuum, the chapters to follow highlight how the racial exclusion that undergrid family reunification policies also animates the enforcement tail of the immigration continuum, including detention and deportation. Families are, too, constructed and regulated within the enforcement regimes of migration governance. Importantly, figures outlined in Chapter 3 not only operate symbolically, at the level of discourse, but are also materialized and felt in the experiential; the carceral power of migration governance operates discursively, ideologically, *and* materially. As such, it is imperative to consider lived experience to fully understand the nature of carcerality and the effects of these indelible figures. Tracing the structural and institutional, as well as the material and experiential, operations of power is required in order to capture a robust portrait of racial governance.

In Chapter 4, "The Expansion of the Carceral: Exploring the Spaces of Racial Carceral Migration Governance," I turn to the lived experiences of migrants and their loved ones who are caught in the Canadian detention and deportation regime. Here, I further develop the racial carceral migration framework proposed in the theoretical framework to facilitate a more expansive account and understanding of structural racism that forges connections between cages, jail cells, and borders. The chapter contributes to mapping the Canadian immigration carceral landscape and the far-reaching racial violence inflicted on families and communities. I show how carceral power extends to the migration governance regimes of detention and deportation,

affecting families and communities in this process. This extension transforms the intimate spaces of the home, the community, and interpersonal relationships of migrants and their loved ones. Within encounters with carceral migration governance, the conditionality of Canadian acceptance is exposed, reifying a sense of injustice, unbelonging, and disposability.

Finally, in Chapter 5, "Making Sense of Racial Carceral Migration Governance," I document an "archive of feelings" (Cvetkovich, 2003) of the racial carceral encounters with migration governance, underscoring how it *feels* to be the target of everyday racial violence and the psychic toll of living with the threat of detention, deportation, disposability, and exclusion. Importantly, the chapter theorizes the politics of carceral migration governance from the perspective of racialized affect, thereby offering a significant and unique contribution to the literature. I demonstrate how racial violence extends to the minutiae of the body and senses, revealing how the workings of state racial violence can find expression in our bodies and emotions. I argue that encounters with carceral systems produce visceral emotional and bodily experiences and sensations. The carceral systems of detention and deportation impress upon racialized bodies, shaping a racial subjectivity experienced through emotions of fear, anxiety, sadness, trauma, anger, and anguish, and through the bodily sensations of sight, smell, and decay, ultimately producing a haunting that links the past, present, and future. I emphasize that the emotions arising from carceral encounters cannot and should not be reduced to individual pathologies; rather, they reveal the structuring force of racialization, racial capitalism, and the racial violence that is embedded in carceral migration governance. The analysis examines how the emotions and sensory experiences of the carceral affect the bodies of those who encounter its systems, and how loved ones witness, process, and emotionally transform experiences of racial violence.

The dissertation concludes with a comprehensive appraisal of its unique contributions and reflects on aspects of the research that remain unresolved. I review the theoretical and empirical contributions to the fields of migration and carceral studies. In addition to the contributions made to the literature on the racial logics of carcerality in migration governance and the forgotten subjects of racial violence in the Canadian context, my dissertation uniquely conveys the importance of the role of affect and emotions in the politics and racial governance of migration. The dissertation demonstrates that affect is central to the historical and contemporary structures of migration governance and its interconnectedness to the spectres of nation-building, colonialism, and slavery. As such, in order to adequately understand how families are impacted, regulated, and governed by immigration law, affect must be understood not only as a property of the individual but also as a property of politics, power, and knowledge. The structuring affective force of racial carceral migration governance requires sustained attention and critical inquiry.

Chapter One: Theoretical Framework

My doctoral project is theoretically conceptualized at the intersection of governmentality studies, critical race theory, critical legal geographies, and affect theory. In this chapter, I provide an overview of each theoretical approach and outline how key concepts work together to form a unique theoretical framework for my research. I demonstrate how racial governmentality, racial capitalism, affect theory, and carcerality come together to assist in understanding the racial violence of carceral migration governance. A racial framework for carceral migration governance enables an analysis of how the bordering practices of carceral power, together with the networks of actors operating within them, crystallize a set of power relations implicated in the reproduction of global racial capitalism and racial hierarchies. Importantly, carcerality produces racialized subjects, structuring the affective worlds of those who are engulfed by its regimes. I centre the experiential, emotional, and affective weight of exclusion, disposability, and violence that comprise the racial carcerality of migration governance.

Governmentality and Racial Capitalism

I engage racial governmentality and racial capitalism in order to centre race within migration studies. I show how carceral practices, including carceral migration governance, operate to maintain the racial hierarchies and global inequalities necessary for capitalism. I first discuss governmentality studies and the influential work of Michel Foucault before offering a critical race theory critique of the approach. I conclude this section by demonstrating how bringing racial capitalism and racial governmentality together allows for us to capture a more nuanced account of power in migration governance regimes.

Governmentality studies are inspired by the political thought of Michel Foucault and his conceptualization of contemporary forms of power. Foucault conceptualizes power in two

influential ways. First, Foucault asserts that power is not exclusively negative and repressive, but rather productive. Second, he is "expressly concerned with decentering the state as the locus of power and of law as its instrument," asserting instead that power is ubiquitous and dispersed (Pratt, 2005, p. 9). I cover both of these in turn in the paragraphs to follow.

Foucault's theory of governmentality began with his book *Discipline and Punish: The Birth of the Prison,* where Foucault traces the shift in penal systems to analyze different forms of modern power and the redistribution of the economy of punishment. Sovereign power – the dominant form of power in premodern societies – was designed to re-establish the authority of the sovereign over its territory and subjects. The exercise of the power of the sovereign is violent, bodily, and exercised through the act of spectacle. However, the rise of the Enlightenment and Scientific Revolution popularized rational individualism, which functioned to construct a subject capable of reason (i.e., living within the law) and self-governance (i.e., providing for their own needs) (Foucault, 1975). The absolute and arbitrary authority of the sovereign "gradually gave way to liberal notions of the primacy of the individual and the advancement of individual rights within the context of democratic institutions and the rule of law" (Brock, 2020, p. 16). This intellectual and cultural shift necessitated a new economy of power and punishment. As Foucault (1975) writes, punishment that once violently "rained down upon the body" through the horrifying spectacle of public punishment "must be replaced by a punishment that acts in depths on the heart, the thoughts, the will, the inclinations" (p. 16). Power thus transformed into a force that is not exclusively negative, interdictory, or repressive. The notion of power as repression is purely a juridical, and by extension, a limited conception of power. Rather, Foucault argues that power sustains itself precisely because it is not "no all the time." As he explains, "what makes it accepted is simply the fact that it does not only weigh on

us as a force that says no, but that it traverses and produces things, it induces pleasures, forms knowledge, [and] produces discourse" (Foucault, 1975, p. 119). As such, power is conceived as a productive and technical force that extends beyond the juridical functions of the state, runs through the whole social body, and shapes what we can know and how we can know it (Brock, 2020).

Foucault uses the concept of governmentality to refer to this new, productive conceptualization of power. Whereas sovereign power is characterized by the bodily and violent exercise of power through spectacle, governmental power seeks to "shape and guide the conduct of citizens in the name of health, wealth, happiness, and welfare of the population" (Pratt, 2005, p. 12). Thus, the exercise of power shifted beyond the sovereign "to encompass a proliferation of mechanisms for the discipline of individual bodies [re disciplinary power], followed by the constitution of populations as objects of regulation [re biopolitical]" (Brock, 2020, p. 17).

Relatedly, Foucault conceptualizes power as ubiquitous and diffuse. Departing from the ways Marxists define power,[24] Foucault (1975) argues that power is exercised rather than possessed: "it is not the privilege, acquired, or preserved, of the dominant class, but [instead] the overall effect of strategic positions" (p. 26). Power is understood not as something to be possessed or wielded by the ruling class or by the powerful, but rather as a diffuse "set of relations, apparatuses, knowledge, techniques, architectures, and so on that came to be epitomized by discipline" (O'Malley & Valverde, 2014, p. 317). In this vein, the workings of

[24] Marx primarily located power in the production relation, articulating that power, as commodity and capital, can be possessed, held, transferred, and alienated (Smart, 1983). A Marxist conception of power is conceived principally in terms of the role it plays in the maintenance of the relations of production and of class domination; it is possessed by the dominant economic ruling class and is exercised over the working class to create conditions of economic subordination (Smart, 1983). Contrastingly, Foucault presents a non-economic conception of power, articulating that power is exercised rather than possessed, and "passes through much finer channels [outside of the state and ruling class] [and is] much more ambiguous since each individual has at [their] disposal a certain power, and for that very reason can also act as a vehicle for transmitted a wider power" (Foucault, 1980, p. 72).

power are no longer the sole purview of the state (Rose & Miller, 2010) but is rather increasingly accomplished by diffuse networks of actors, institutions, and authorities who negotiate, contest, resist, and equally configure government, or the conduct of conduct (O'Malley et al., 1997; Pratt, 2005). This necessarily requires a relational understanding of power, whereby power "depends on connecting ideas, people, groups, institutions, and so on in assemblages of forms, meanings and actions" (Brock, 2020, p. 23). Government is not isolated to the state and formal institutions but should be understood as all the endeavours used to shape, guide, and direct the conduct of others, including how individuals are urged and educated to govern themselves (Pratt, 2005). Importantly, the emergence of the society of government does not equate to the replacement of a society of sovereignty or the replacement of the discplinary society. For Foucault, power is heterogenous (1991), wherein different forms of power work in tandem. Thus, the reality is one of "a triangle – sovereignty-discpline-government, which has as its primary target the population and as its essential mechanism the apparatuses of security" (Foucault, 1991, p. 102).

For instance, disciplinary power is not contingent on coercion or force, but on the continuous exercise of power through surveillance, individualization, and normalization. In disciplinary societies, disciplinary power operates in microscopic, subtle, and mundane ways that make possible "the meticulous control of the operations of the body" in order to increase the utility of individuals (Foucault, 1975, p. 137).[25] Disciplinary mechanisms become de-institutionalized;[26] no longer tied to enclosed institutions such as schools, prisons, and factories.

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[25] Discipline is directed at the body and its potential: "the growth of its skills, [...] the intensification of its subjection [and] the formation of a relation that [...] makes it more obedient as it becomes more useful" (Foucault, 1975, p. 137-8). Under disciplinary power, "the human body enters a machine of power that explores it, breaks it down and rearranges it" (Foucault, 1975, p. 138). A docile body is one that is economically useful (economic utility), while politically obedient.

[26] Foucault (1975) invoked Jeremy Bentham's architectural design of the panopticon to define disciplinary power. The panopticon was not a building, but rather an architectural model and schema through which disciplinary power could be exercised. The panoptic schema may be used "whenever one is dealing with a multiplicity of individuals on whom a task or a particular form of behaviour must be imposed" (p. 206). In his original formulations, Bentham

Instead, mechanisms circulate freely and are flexible methods of control that can be transferred and adapted. Additionally, discipline can cast a wider net beyond those in enclosed institutions. For instance, schools in disciplinary societies have come to monitor not only children and students but also parents.

Foucault ultimately links the disciplinary society to a carceral system, which has influenced a focus on the carceral in Criminology, Sociology, Geography, and other disciplines. While the carceral state has traditionally been conceived as tightly knit to criminal law and criminal justice institutions (Beckett & Murakawa, 2012; Bosworth et al., 2018; Moran et al., 2018), Foucault describes a carceral archipelago that extends far beyond the prison. The carceral archipelago transports penitentiary techniques from the penal institution to the entire social body (Foucault, 1975). This diffusion takes place via "carceral circles," "which like ripples in water, extend far beyond the prison" (Moran, Turner & Schliehe, 2018, p. 668). As carceral circles widen, "the form of the prison slowly diminishes and finally disappears altogether" (Foucault, 1975, p. 298). Importantly, carcerality has a spatial dimension; no longer fixed and concentrated within institutions, such as the prison, but instead permeates the entire social body. Story (2019) uses the concept of carceral space to define "the sites and relations of power [outside the penitentiary] that enable and incentivize the systemic capture, control, and confinement of human beings through structures of immobility and dispossession" (p. 3). Carceral space and its attendant practices are made possible by a historical alignment of policies, forces, and crises that

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dreamt of transforming the panoptic schema into "a network of mechanisms that would be everywhere" (p. 209). To this end, the panoptic schema was "destined to spread throughout the social body," operating beyond enclosed places and penetrating the social body with disciplinary mechanisms. As such, the disciplinary society is those where the discipline-mechanisms have spread beyond, thereby "improving the exercise of power by making it [a] lighter, more rapid, more effective design of subtle coercion" (p. 209).

converge to produce a particular socio-economic landscape and set of social relations governing life within it.

While Foucault does not give sustained attention to immigration and borders, his theoretical and methodological contributions have made a significant mark on migration research, as evidenced in the fast-growing scholarship on the biopolitics of citizenship, borders, and the surveillance and discipline of international mobility and labour migration (Walters, 2010). The literature on border regimes and the governance of migration demonstrates how border controls operate in complex ways, displaying elements of punitive sovereign power alongside governmental techniques of risk management (Weber & McCulloch, 2018). Detention, deportation, and borders are key technologies in the continuous processes that "make up" citizens and govern populations (Pratt, 2005), in increasingly diffuse, decentralized spaces (Johnson et al., 2011; Maestri & Hughes, 2017; Mountz et al., 2013; Shachar, 2007; Volpp, 2020). Critical legal geography scholarship, largely influenced by Foucault's insights, demonstrates how border practices happen far from the physical border itself (Johnson et al., 2011). Borders become diffuse through practices such as data monitoring, immigration raids, and the exclusionary narratives and images in media and popular culture (Johnson et al., 2011; Massari, 2023). These various technologies have been described as the externalization (outsourcing) and internalization (insourcing) of the border that marks some bodies as legitimate and others as out of place. These twin processes of border controls rest on the securitized management of migration that relies on both biometric surveillance and disciplinary practices *within* the state (internalizing) as well as imperial outsourcing *beyond* the state's borders (externalizing) (Menjavir, 2014; Walia, 2021).

While Foucault contends that scholars should steer away from state-centred analyses of power, famously saying that we need to "cut off the king's head" in political theory (Foucault, 1997, p. 122), this does not mean that scholars cannot apply Foucauldian tools to a domain that coincides with the formal institutions of government, that is governed by law, and that is clearly a repressive iteration of power (Pratt, 2005). Black feminist scholars have critiqued the turn in Foucauldian and governmental studies toward a purely life-affirming conceptualization of power (Wang, 2018). Indeed, "frameworks that view power as purely generative and dispersed completely eclipse the realities of policing, the militarization of the carceral system, the terrorization of people of color, and the institutional violence of the welfare state, of the penal state and of black and brown social death" (Wang, 2018, p. 280; James, 1996). As noted by Wang (2018), "a generative configuration of power that minimizes direct relations of force can only be theorized from a white-subject position" (p. 280). While the domain of immigration is multidimensional and expansive, coercive and enabling, harsh and humanitarian (Pratt, 2005), attention needs to be paid to how racism structures and parcels out the people for whom protection is granted in contrast to those 'Others' that are marked for expulsion. Migration and carceral studies must take seriously the processes of racialization that paint the logics in which the governance of mobility rests.

Racial Governmentality

The critical potential of research on the governmentality of migration is hampered by the limited ways it has managed to make sense of race and racism (Moffette & Walters, 2018). Race and racism have not been central to migration studies. Many focus on securitization, dehumanization, and criminalization of migrants and mobilities "with only a brief allusion to the racially coded discourses at play" (Moffette & Walters, 2018, p. 93). In discussions of regimes of

detention and deportation, “the connection to racialization and the postcolonial are generally muted or presumed” (Moffette & Walters, 2018, p. 94). The racial grammar that frames security threats and the logics of securitization are rarely highlighted, leaving securitization discourses as ahistorical abstractions (Moffette & Vadasaria, 2016; Danewid, 2021). Moffette and Vadasaria (2016) contend that “the processes whereby certain issues, things or people may be framed as representing an existential threat cannot be appropriately grasped without an engagement with the epistemological framework and the modes of political ordering that emerged with colonial modernity; all of which are intrinsically connected to the project of race” (p. 3). Indeed, the philosophical grammar upon which liberal thought is articulated is profoundly racialized (Moffette & Vadasaria, 2016). Race has come to form a system of knowledge that provides the foundation for organizing the world, informing the processes that construct who and what needs protecting and, by extension, who and what needs to be securitized against. Governmental management of “problems” (Rose & Miller, 1992; Rose & Valverde, 1998), formed through specific legal practices, institutions, technologies, and political rationalities of rule, thus require and constitute racial difference (Murdocca, 2013). Mobilizing a racial governmentality framework provides a means through which we can examine technologies and discourses that seem indifferent to racial differences, or that purport to be race-neutral, but are nevertheless deeply imbricated in projects of colonialism and racism. To this end, a racial governmentality framework permits us to attend to the racial grammar of migration governance that parcels out those deemed “legitimate” and worthy of protection and those deemed “illegitimate” and therefore must be contained and expelled (Moffette & Vadasaria, 2016; Kwak, 2018).

Racial Capitalism

Racial capitalism offers a supplement to a racial governmentality analysis of border regimes and migration governance by revealing key aspects of its operation. The problematic of racial capitalism developed and gained particular significance in the 1970s and 1980s anti-apartheid movement in South Africa. The South African apartheid regime was characterized by "the total merger of capitalist exploitation and racial domination where white/colonizer/capitalist and Black/colonized/worker lived in the same society" (Levenson & Paret, 2022, p. 339). Anti-apartheid activists and scholars came to understand racist ideologies and political forms of racial discrimination as inextricably linked to British foreign investment and capitalist development in the apartheid regime (Legassick & Hemson, 1976; Levenson & Paret, 2022). The term "racial capitalism" was first coined by South African Marxists Martin Legassick and David Hemson in their paper "Foreign Investment and the Reproduction of Racial Capitalism" (1976). The authors describe racial capitalism as the political economy in which foreign capital reproduces the form of an apartheid society to facilitate capital accumulation.[27] Through their examination of the organization of labour in the gold mining industry, manufacturing industry, and household peasant production, Leggassick and Hemson (1976) demonstrate how the official state policies of *geographical* segregation also meant "the division of the working class on a *racial* basis, in which whites would be treated as fully proletarianized, and Africans not" (p. 4, emphasis in original). For example, the profit rates of the mining industry were secured on a racial division of labour where Black mineworkers were given extremely low wages, whereas white mineworkers were accorded wage rates appropriate to obtain a level of full proletarianization and to support

[27] Segregation was not only elaborated ideologically but was made official state policy through the workings of the auspices of the British imperial administration (Leggassick & Hemson, 1976).

families in urban environments. The authors assert that dismantling the apartheid state without overthrowing capitalism would leave intact structures of racial inequality and exploitation.

Black radical thinker Cedric Robinson later advanced the framework of racial capitalism in his seminal work *Black Marxism.* Robinson develops the term into a framework for understanding the *general* history of capitalism (Robinson, 2020).[28] For Robinson, the history of slavery, colonialism, and nationalism is inseparable from the development of modern capitalism. Through a historicization of the origins of race in feudal Europe, Robinson's work demonstrates how racial essentialism is a fundamental requirement for capital's advancements. Indeed, Robinson dismisses the myth that capitalism produces a proletarian "universal class," arguing instead that "proletarianization disciplined the working classes to the importance of distinctions: between ethnics and nationalities; between skilled and unskilled workers; and […] between races" (p. 42). As an order of knowledge and a way of thinking, race operates as a means to tether people to particular forms of labour. In this vein, capitalism does not operate as a colour-blind market logic but instead through the ideology of white supremacy. Race, therefore, is articulated in and through capitalism (Robinson, 2020).

As a conceptual framework, racial capitalism acknowledges that "insofar as capitalism requires inequality to function as a system of exploitation, it has always also relied on racial categories to enshrine that inequality as natural rather than produced" (Story, 2019, p. 6). Racial differences are not a secondary outcome of capitalism but rather are constitutive elements of capitalism, in which expropriative processes assign particular meanings to categories of

[28] In South Africa, scholars and activists developed the term "racial capitalism" within the particular and historically specific configuration of capitalism and racial domination in the context of an apartheid regime of settler-colonialism (Levenson & Paret, 2022). In contrast, Robinson (2020) developed a more generalized theory of racial capitalism, tracing the ways in which racialism permeates the social structures emergent in capitalism across different contexts of the international global world system.

difference. As Wang (2018) contends, “capitalist expropriation generates the racial order by fracturing the population into superior and inferior humans” (p. 121). While there are important distinctions between the racial logics that govern Indigenous and Black lives, both sets of racial logics constitute subjects as disposable. Whereas colonialism subjects Indigenous people to an eliminatory project of genocide, blood quantum, and assimilationist policies (Wang, 2018; Sharma, 2020), for enslaved Black people, “an opposite logic of exclusion was driven to increase, not eliminate, the population of slaves” (Wang, 2018, p. 117). The originary violence of transatlantic slavery reduced Black life to a commodified, interchangeable, fungible object, “that can be endlessly exchanged and made to serve innumerable purposes” (Palmer, 2017, p. 7). As a theoretical framework, racial capitalism positions race as a constitutive feature of capitalism; capitalism both requires and reproduces the racial and gendered hierarchies that underpin territorial expansion, dispossession, enslavement, policing, surveillance, and migration control (Issar, 2021; Golash-Boza et al., 2019).

Reading the governance of migration and borders through the lens of racial capitalism allows for a more nuanced account of the systems of power within which state and non-state actors operate. As scholars Bird and Schmid (2021) contend, the racial differentiations that permeate migration and border regimes are situated within the broader structural context of racial capitalism. Situating border and migration regimes within the broader processes of capitalist development “allows for a holistic analysis which connects bordering and the management of migration to the creation of particular regimes of exploitation as well as to the unfolding of nativist political projects […]” (Bird & Schmid, 2021, p. 8). Capitalism’s management of mobility has always been central to the production of racial violence. Indeed, the state facilitates the movement of capital at the same time that it restricts the mobility of the impoverished

racialized poor, *unless* they agree to inclusion as migrant workers with deflated labour power and no legal or social citizenship (De Genova, 2010).

Following Bird and Schmid (2021), my use of racial capitalism is not intended as a reductionist account in which migration governance can be neatly traced back to an overarching profit motive. Instead, tensions and contradictions exist between different logics and processes involved in the racial governance of migration. While "racial anxieties and resentments surrounding 'migration' enforce [racial] logics […], [they] are never separate from but neither reducible to economic rationalities" (de Noronha, 2020, p. 8). As such, if the framework of racial governmentality calls for a genealogical reading of racism that accounts for colonial modernity (Moffette & Vadasaria, 2016), then scholars must also include the "*longue durée"*[29] of capitalism's racialized exploitation and expropriation in this genealogical reading.[30] As Mbembe asserts, "a proper exploration of the concept of Black, or blackness, inevitably leads any historian who has paid attention to this concept to an encounter with capitalism" (Goldberg, 2018, p. 206). A genealogy of modernity must place "racial capitalism at its heart as the cauldron in which the idea of Black, of blackness, was produced" (Goldberg, 2018, p. 206). An analysis of racial capitalism is useful for thinking about the material purpose of producing, reproducing, and governing racial difference (Lentin, 2025).

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[29] Emphasis in original. I borrow this term from the work of Issar (2021). Offering a critique of neo-Foucauldian approaches to neoliberal governmentality, Issar (2021) argues that current scholarship leaves the differences that might exist between the subjectivities of different people unaccounted for. In asking "does neoliberalism configure the subjectivities of all individuals equally irrespective of race, gender, and sexuality?," Issar (2021) highlights that "neoliberalism does not homogenize all subjects as self-maximizing capitals […] but [instead] marks out some populations as manipulable and disposable material, fit to be ruled through often coercive and violent command-control techniques that neoliberal rationality itself eschews" (citing Markell, 2017, p. 525). As such, engaging with the framework of racial capitalism, he argues, is a starting point to better theorize and historicize neoliberalism.

[30] Foucault (1980) describes genealogy as a form of history that can account for the constitution of knowledges, discourses, and subjects by making enquiries into the past and tracing various power relations that form the social body. Often described as a "history of the present," a genealogical method requires that scholars analyse our present social conditions in relation to their historical foundation in order to challenge and make intelligible the taken-for-grantedness of our contemporary moment (Foucault. 1980). My dissertation is inspired by a genealogical approach to understanding contemporary migration governance.

To conclude, racial governmentality and racial capitalism work together because they both appreciate the operation of power that relies on the rationalities of racial difference that give rise to the dehumanizing and violent *ideological and material* practices of the carceral state. Such a reading allows us to adequately appreciate the historical entanglements between migration governance, colonial modernity, and structures of racial capitalism that discipline bodies, manage populations, and regulate mobility through carceral spatiality. Relatedly, racism, colonialism, and capitalism can all be described in terms of the management of mobilities – one that encompasses "a set of logics and coercive practices through which racially subjugated groups are forced to move and forced to stay" (de Noronha, 2020, p. 227). These historical entanglements manifest in the contemporary operation of the carceral industrial complex,[31] where racial capitalism operates as (one of) the governing logics of the border. My dissertation theoretically advances and continues this work by exploring how the racial governing logics and violence of migration shape and impact the lived experiences of racialized migrants and families, and how families navigate and orient themselves to the carceral spaces and techniques of detention and deportation.

Racial governmentality and racial capitalism provide frameworks to understand the discursive construction of racialized migrants and their families. These structural frameworks

[31] I borrow this term from the work of Harsha Walia (2021), where she describes the carceral industrial complex as primarily regulating racial capitalism and warehousing surplus populations. In my use of the term, I am reminded of Ruth Wilson Gilmore's (2022) reflections on the prison industrial complex, where she writes that today, the prison industrial complex no longer primarily operates to fulfil the demands for labour as much as it creates the conditions for the logics of racism to proceed. Gilmore contends that over time, a cultural attitude developed to explain political struggles, resistance, and disorder as "crime" that was to be addressed by industrialized punishment rather than corrections. As such, despite distinctions that are made between administrative detention and criminal incarceration to absolve migration controls from being characterized as modes of punishment, the logics of criminality and illegality that saturate border regimes reflect those of the criminal justice system, thereby connecting prisons, detention, and deportation under one carceral industrial complex. Through various modes of policing, confinement, surveillance, punishment, and expulsion, the carceral industrial complex operates to entrench racial and gendered hierarchies and capital interests under the guise of addressing the safety and protection of the population and the nation-state.

help me examine how specific tactical 'problems' (i.e., the migration and the movement of people) are discursively constructed. Namely, the discursive construction of the migrant subject as threatening justifies the violent carceral practices deployed by the state, such as commodified inclusion, containment, and expulsion. However, this structural framework only takes me so far, proving a limited understanding of the material, experiential, and lived realities of these discourses. As such, I turn to the literature on affect theory to understand the experiential and psychic life of inclusion, exclusion, and disposability.

Affect, Race and the Law

This dissertation is also committed to centring the lived experiences of racial violence under carceral migration governance and how it impacts those who encounter the carceral systems of detention and deportation. Spanning across a variety of disciplines and bodies of scholarship, affect theory provides a means to centre the emotional intensities within social structures that are reified as forms of being (Ahmed, 2014). In this section, I draw on social theories of affect that are concerned with race, colonialism, the nation-state, and national imaginaries. I begin by providing an overview of the field of affect theory to delineate the concepts of affect and emotion, before offering a review of critical race interventions in the field of affect theory.

Overview of Affect Theory

The field of affect theory presents divergent and sometimes incommensurable conceptualizations of the term 'affect.' Gregg and Seigworth (2010) write "there is no single, generalizable theory of affect […] there can only be infinitely multiple iterations of affect and theories of affect" (p. 3-4). Broadly understood, affect arises in the capacities to act or be acted upon; the simultaneous power to affect the world and to be affected by it (Gregg & Seighworth,

2010; White, 2008). Strands of affect theory diverge, however, in their understanding of the relations and differences between affect and concepts such as emotion, feeling, and sensation (Pellegrini & Puar, 2009). I will trace the theoretical and conceptual assumptions of each camp in the paragraphs to follow,[32] before exploring the relationship between race, racialization, and affect.

Distinctions between 'branches' of affect theory lie in the decision to use a technical or blurred definition of affect. Affect theorists who follow the work of Gilles Deleuze "tend to rigidly maintain the border between something called *affect* – that is, 'precognitive sensory experience and relations to surroundings' – and something called *emotions* – 'cultural constructs and conscious processes that emerge from them, such as anger, fear or joy'" (Cvetokovich, 2012, p. 4, as cited in Schaefer, 2019, p. 7). Deleuzian theorists such as Brian Massumi present a conception of affect that is fundamentally exterior or prior to cognition, language, and emotion; affect is instead an "autonomous, precognitive, prelinguistic, asocial, bodily intensity" by which the capacity to act is increased or diminished (Zemblyas, 2022, p. 340; Schaefer, 2019). For Massumi (2002; 2015), affect is closely linked to the concept of intensity, referring to the strength or duration of an event or an encounter's effect on a body's capacity to be moved or altered by stimuli that exist before it is consciously recognized, qualified, or symbolized. At this register of bodily intensity, affects "leave traces as emotions as they *escape* bodies, but they can never be known or experienced in and of themselves" (Schaefer, 2019, p. 16). The body remains radically open, absorbing impulses more quickly than they can be perceived, and is in a constant state of perpetual becoming, shaping individuals in ways that are not always consciously

[32] Although I have identified two camps of affect theorists in this chapter, many scholars ultimately end up applying the concept of affect in ad hoc or hybrid ways. See Schaefer 2022.

registered, experienced or articulated. The body, therefore, is affected before we consciously perceive it to be affected.

Affect understood as intensity, then, follows different logics and pertains to different orders than emotion. Massumi (2015) contends that emotion is only a partial expression of affect "in gesture and language," and therefore the two terms should not be equated (p. 32). While affect is a register of intensity, emotion is the structured form that is available to consciousness (Schaefer, 2019). In other words, emotions transform "intensity into semantically and semiotically formed progressions, into narrativizable action-reaction circuits, into function and meaning" (Massumi, 2002, p. 28). An emotional qualification of a bodily intensity "re-registers an already felt state, for the skin is faster than the word" (Massumi, 2002, p. 25). To this end, this conception of affect poses a distinction between bodily sensation and intensities (re: affect) and the perception of those intensities (re: emotions).

The second camp of affect theorists challenge this distinction between affect and emotion and instead adopt a more "casual" approach that allows interchangeability of affect with the concepts of emotions, feelings, and sensations that cut across both conscious and non-conscious registers (Schaefer, 2019, p. 61). For instance, Sara Ahmed (2014) argues that sensation, thought, emotion, and feeling form the multitude aspects of experience and bind together in sticky relation. Ngai (2005) similarly describes the difference between affect and emotion as a "modal difference of intensity or degree, rather than a formal difference of quality of kind" (p. 27). Such an understanding compels a reading that emotions, sensation, and cognition (understood as the apprehension of an encounter or the attribution of significance) cannot be easily separated.[33]

[33] Ahmed advances a rethinking of the relationship between cognition, bodily sensations, and emotions through the work of Descartes. While some have situated his work primarily in the realm of emotions as bodily sensations, "Descartes offers a critique of the idea that objects have causal properties, suggesting that we don't have feelings for objects because of the nature of objects. Feelings instead take the 'shape' of the contact we have with objects. As he

Affect and emotion bleed into one another; our ability to separate them analytically does not mean they are truly distinct (Ahmed, 2014).

Characterized as feminist cultural studies of emotion and affect (Ahmed, 2014), the work of the second camp of affect theorists is situated in the field of phenomenology, which is an approach that emphasizes "the understanding and description of things as they are experienced by a subject" (Schaefer, 2019, p. 47). Phenomenology "centralizes concern with the felt life of a body moving through the world" and emphasizes the importance of lived experience, the intentionality of consciousness, and the habitual actions in shaping bodies and worlds (Schaefer, 2019, p. 47; Ahmed, 2006). Feminist cultural studies of emotions and affect, including Ahmed's seminal work in *The Cultural Politics of Emotions*, account for affect and emotions as a form of cultural politics or world making. This intervention aids in situating emotions at the levels of the social, material, legal, and political. Indeed, Ahmed (2014) insists on departing from a notion of emotions as being innate and biological, moving away in turn from the psychologizing and privatization of emotions, which conceals their public dimension and their role in ordering social life. Ahmed (2014) argues that emotions are bound up with social hierarchy and are mobilized to make claims *about* a subject or a collective in ways that are dependent on relations of power. To this effect, this branch of affect theory is indeed an analytic of power; it is, in essence, a theory of what makes bodies do what they do (Schaefer, 2022). Thought and language are not separate from affect; "they are in full communion with it. To say that affect theory is about what bodies do means it's also about what bodies say, think, and believe" (Schaefer, 2022, p. 61). Relatedly,

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argues, we do not love and hate because objects are good or bad, but rather because they are seen as 'beneficial' or 'harmful' (Descartes, 1985, p. 350)" (as cited in Ahmed, 2014, p. 5-6). Whether one perceives or experiences something as beneficial or harmful in turn depends on how one is affected by the encounter. Ahmed continues: "whether something feels good or bad already involves a process of reading, in the very attribution of significance" (Ahmed, 2014, p. 6).

Schaefer (2019; 2022) reformulates Foucault's *power-knowledge* thesis as *power-knowledge-affect* to highlight the role of affect in structuring power and in disciplining, regulating and shaping bodies. Power, Schaefer (2022) writes, "doesn't just order us to think and believe. It both compels and entices through a vast, jumbled conjunction of force, feeling and thought" (Schaefer, 2022, p. 59). As such, power not only draws its force from systems of knowledge, but it also shapes and is shaped by affect (Ahmed, 2014; Shaefer, 2022).

Ahmed (2014) uses the concept of "impression" to avoid making analytical distinctions between bodily sensation, emotion, and thought as if they were distinct realms of human experience. Emotions, therefore, involve bodily processes of affecting and being affected, and are a matter of how bodies come into contact with objects and others. To form an impression, she argues, might involve acts of perception and cognition as well as an emotion. Ahmed (2014) urges us to remember the 'press' in impression, as "it allows us to associate the experience of having an emotion with the very affect of one surface upon another, an affect that leaves its mark or trace" (p. 6). As such, our experiences are made by the impressions left by "the sprawling ensemble of interactions trailing our bodies" (Schaefer, 2019, p. 48).[34] Indeed, bodies remember histories even though the mind might not remember them: "how the objects [of an encounter] impress (upon) us may depend on histories that remain alive insofar as they have already left their impressions" (Ahmed, 2014, p. 7).[35]

Avery Gordon (2008) similarly explores histories that remain alive as that which haunts, probing Sociologists to explore the material effects of "ghosts" and "the ghostly;" that is, that

[34] An impression depends on how objects impress upon us; "not only do I have an impression of others, but they also leave me with an impression; they impress me and impress upon me" (Ahmed, 2014, p. 6).
[35] Although a distinct type of affect theorist, I also appreciate Massumi's similar articulation of this: "To affect and be affected is to be in encounter; and to be in encounter is to have already ventured forth" (Massumi, 2015, backmatter).

which is seemingly absent but has “a seething presence, acting on and often meddling with taken-for-granted realities” (p. 8). Haunting is one way in which oppressive systems of power make themselves known and their impacts felt in everyday life (Gordon, 2008). Structures of racism, slavery, colonialism, and empire that are denied or supposedly “over and done with” hold a seething presence that requires us to follow their ghosts, tracing the “structures of feeling” back into the history that reifies them (Gordon, 2008, xvi). The ghost is therefore “a social figure, and investigating it can lead to that dense site where history and subjectivity make social life” (p. 8). For Gordon, subjectivity is always and inevitably haunted by the social and repressions of histories of violence. As she puts it, haunting is “a process that links institution and individual, a social structure and a subject, and history and a biography” (p. 19). These ghostly matters “haunt our houses, our societies, our bodies and our selves,” drawing us in affectively into the reality we come to experience (Gordon, 2008, p. xii).

Thus, affective power holds the capacity to act as a structuring force and foundation of subjectivity. Subjects are constituted through the accumulation of impressions from objects in the world, which shape the emotional textures that affect and imprint themselves on bodies (Schaefer, 2019). As articulated by Schaefer (2019), Ahmed’s theorization offers “a model of the way that the world rolls into the body, changes the body[,] which then reemerges changed into the world, reshaping the world itself” (p. 53). Emotions in circulation, or “affective economies,” affect how people are oriented towards each other and toward the world, producing social and material realities that impact how we relate to others, how we feel in particular situations, and how we come to belong (Ahmed, 2014, p. 44). For instance, depicting asylum seekers through what Ahmed (2014) calls “sticky words,” such as “flood” and “swamp,” “create[s] associations between asylum and the loss of control and hence work by mobilizing fear, or the anxiety of

being overwhelmed by the actual or potential proximity of others" (p. 46). These words construct the nation as if it were a subject and generate effects; these sticky words "create the impression of others as those who have invaded the space of the nation, threatening its existence" (p. 46). Emotions, such as hate and fear, seal others into group identities by "reopening a past history of violence and exclusion that allows us to recognize the bodies of some others as out of place" (p. 61). The emotionality of texts, or the emotionality of discourses, summons an affective economy – or conjures ghosts, to use the words of Gordon (2008) – that shapes our actions and orientations, both towards others and towards ourselves. Affect – or to be affected – and emotions, therefore, involve a (re)orientation toward something; that is, they involve a direction towards an object, a stance on the world, or a way of apprehending the world (Ahmed, 2014).

Following the intellectual trajectory of the second camp of affect theorists, I am also drawn to understanding affect, emotion, and bodily sensation as being in sticky relation and along a continuum, sharing the same fundamental logic and structure. This conceptualization explains how I explore the lived experiences of racial violence that characterize carceral encounters with migration governance in Chapter 5. In this chapter, I interweave what are commonly understood as psychological emotions (fear, anxiety, sadness, trauma, anger, anguish, etc.) with bodily sensations (sight, smell, decay). Importantly, I join those who critically depart from speaking of affect in universal terms and with the tendency to homogenize all human experience (Palmer, 2017; Zembylas, 2021). These theoretical invocations fail to recognize the particularities of racialized subjects' affective experiences and their circulation within racial colonial economies of affect (Palmer, 2017). In the following section, I turn to the body of literature that intervenes in the field of affect theory from a critical race vantage point.

Affect and Race

Critical race interventions into the field of affect theory have explored how race and racialization, as modes of knowledge, are infused with affect and emotions. Indeed, "racialization processes have been integral to, and at times constitutive of, the very conception of emotions, feelings or sentiment that have historically produced, highlighted and explained racial difference and served to uphold dominant racial ideologies" (Berg & Ramos-Zayas, 2015, p. 654). As a classificatory concept, "race" has been deployed to "hierarchize human life according to physiological characteristics, imbuing these with emotive, moral, cultural, cognitive and semiotic significance" (Blickstein, 2019, p. 153). Affect, in this sense, has been theorized as inseparable and in synchronous articulation with racialization, operating to sustain racial difference and produce dominant racial ideologies integral to regimes of colonialism, slavery, and nation-state formation (Berg & Ramos-Zayas, 2015; Ahmed, 2014; Blickstein, 2019; Zembylas, 2021). For instance, affective dispositions and the moral character of racialized people have been manipulated, represented, and stereotyped as pathological and uncivil (Berg & Ramos-Zayas, 2015). Affective imaginaries, referring to the racial colonial understandings and fantasies about the emotions of racialized 'Others,' have centred around portrayals of irrationality and the inherently more emotional, corporeal, sexualized, and childlike character of racialized populations, compared to their "rational" and "civilized" White counterparts (Blickstein, 2019). These affective stereotypes have been routinely enacted through policies of imperial nation-state formation and legal frameworks of citizenship, whereby Whiteness has been ascribed full capacity for feeling while the racialized are regarded as affectively deficient (Blickstein, 2019). In this vein, racialization "is a process that takes place at the level of affect through shaping

norms and practices […] that surveil and dehumanize the emotional expressions of non-white, racialized [people]" (Zembylas, 2021, p. 344).

Palmer (2017) furthers this affective understanding of racialization by drawing on the structural position of Blackness to argue that the capacity *to affect* and be affected is not universal. Affective capacity is written onto certain bodies differently within a given order of knowledge: "not all bodies are imbued with the same capacities for feeling, movement or sensation" (Palmer, 2017, p. 37). Emotions and affect are therefore mobilized in a governing function, holding a power to organize life and death in particular ways (Meier, 2020). Writing on the affective economy of fear, Ahmed (2014) similarly draws attention to the misreading of the affect of the Black body. She provides a reading of an encounter offered by Fanon in his theorization of racialized experience:[36]

> 'Mama, see the Negro! I'm frightened! Frightened! Frightened!' Now they were beginning to be afraid of me. I made up my mind to laugh myself to tears, but laughter had become impossible […] the little boy is trembling because he is afraid of the nigger, the nigger is shivering with cold, that cold that goes through your bones, the handsome little boy is trembling because he thinks that the nigger is quivering with rage, the little white boy throws himself into his mother's arms: Mama the nigger's going to eat me up. (Fanon, 1986, p. 111-114).

Filtered, distorted, and recoloured through the white gaze, fear expressed through the shivering of the Black body is misread as rage, subsequently forming the ground of white fear (Ahmed,

[36] Both Ahmed (2014) and Blickstein (2019) propose that Fanon's theorization of racialized experience in *Black Skin, White Masks,* is indeed affective. Fanon's work advances an articulation of affective relationality, a reading of affective embodiment and an understanding of racism's structural and visceral transmissions. Embedded in this work is "an understanding of these dynamics as a reproduction of colonial power relations" (Blicksten, 2019, p. 156).

2014). “Fanon’s body is hijacked, shattered, and returned back to him in the eyes of the white [gaze] as an affective object of horror” (Blickstein, 2019, p. 157). Racialized bodies stand as endlessly affectable, yet their own affective power is unintelligible and unthinkable (Palmer, 2017).[37] This unintelligibility, that is, the failure to apprehend the lives (or emotions) of others is itself an operation of political power (Butler, 2009). As Judith Butler (2009) articulates in *Frames of War: When is Life Grievable?*, specific lives cannot be apprehended as injured or lost if they are not first apprehended as living. These frames of apprehension, or grids of intelligibility,[38] reflect historical schemas that establish the domains of the knowable. As Butler (2009) contends, “racism […] produce[s] iconic versions of populations who are eminently grievable, and others whose loss is no loss, and who remain ungrievable. These [racial] distinctions of grieveability […] have implications for why and when we feel politically consequential affective dispositions such as horror, guilt, righteous sadism, loss and indifference” (p. 24). In this vein, affects of racialization[39] generates a hierarchical “structure of feeling” (Williams, 1977), whereby white emotions are normalized, “producing hegemonic emotional

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[37] It is important to note that Palmer formulates this critique specifically in relation to Black affect, in contrast to the how I use the term ‘racialized affect.’ Palmer does indeed caution against collapsing the “racialized ‘Other’” into a “people-of-colour framework” as it does not account for the particularities of Blackness. Palmer holds that “while it is certainly true that non-Black persons of colour and “ethnic” white subjects are often mischaracterized through stereotype, the historical and ontological condition of Blackness is one of absolute fungibility” (p. 38). Black fungibility, that is “the reduction of the Black to a commodified, interchangeable object that can be endlessly exchanged and made to serve innumerable purposes,” is the product of the originary violence of transatlantic slavery (Palmer, 2017, p. 37). I use Palmer’s work on Black ontology to think through affect and its relationship to race, racialization, and racial violence more broadly. I do this from an understanding that the racial violence of late capitalism operates through the commodified inclusion, exploitation, dispossession, and expulsion of racialized bodies; logics that came into being through apartheid, colonialism and slavery. These logics of expropriation and disposability operate as key features of racialization in the carceral contexts of migration governance. Racialized affect therefore points to the distorted and constructed notion of affect used to advance the colonial and racial projects of white supremacy (see Zembylas, 2021).

[38] I expand on the concept of grids of intelligibility further in Chapter 2, “Methodology and Research Design.”

[39] Blickstein (2019) uses the phrase “affects of racialization” to refer to “the implicitly or explicitly racializing character of the affective relations that predicate or constitute racialized processes, and to the racialized affects that such processes generate, particularly (though not exclusively) in individuals and populations naturalized as inferior or superior along historically embedded hierarchies of ascribed difference” (p. 153). As a conceptual term, affects of racialization refers both to the structural mechanisms of white supremacist affect as well as the affective impact of racialization on populations marginalized within white supremacist societies (Blickstein, 2019).

domination," while the emotions of racialized 'Others' are deemed dubious and suspect (Bonilla-Silva, 2019, p. 6). Racialization importantly proceeds through these misreadings and the unintelligibility of racialized affect, transmuting the racialized 'Other' into a disposable, ungrievable life (Butler, 2009) and a threat to be securitized against. "To find that you are fundamentally unintelligible is to find that one has not yet achieved access to the [ontological[40]] 'human'" (Kehl, 2024, p. 41).

Inseparable from histories of colonization, enslavement, and racialization (Zembylas, 2021), affect has also been an integral dimension in the formation of the nation-state (Ahmed, 2014; Blickstein, 2019; Hage, 2000). In *The Cultural Politics of Emotion,* Ahmed (2014) examines the affective economies that construct national and racial boundaries, delineating, in the process, who belongs and who is excluded. National discourses invite its recipients to adopt the "us" in the "us versus them" dichotomy by working through emotions. Through the invocation of different emotions, such as hate, fear, disgust, shame, and love, ideological frameworks instruct recipients of these discourses, imagined as the rightful subjects of the nation, on how to orient themselves to the racialized 'Other.' For example, affective economies circulate to convey that to be part of "us" means developing a rage against illegitimate 'Others' who are represented as "swarms" within the nation (Ahmed, 2014). Importantly, it is not the case

[40] The term "ontology" refers to the philosophical question of "being and "existence;" the question that ponders what it means to be human, who/what we are, and what will and will not be considered "real" (Kehl, 2024). In his recuperation of "ontology," Barnor Hesse (2007) uncovers the much-neglected relation between modern philosophy and discourses of race. Hesse (2007) advances an understanding of a "historical ontology" and, in particular, what he calls the "onto-colonial" to describe "the modernity of social realities historically brought into racialized being by colonial regimes of demarcations, designations and deployments […] that went into the administration, defining, and interpreting of 'racial membership' with regard to citizenship, morality, juridical institutions, domestic arrangements and relations of intimacy" (p. 659). Similarly, the work of Sylvia Wynter rehistorizes the human, noting that the idea of Man formulated at the precipice of modernity was also the foundational step for bringing racism into being. Race, as such, "became the ground through which the secularizing West would give to the question as to who and the what we are" (McKittrick, 2015, p. 93), and importantly, would signify distinctions between Europeanness and non-Europeanness (Hesse, 2007); human and non-human (McKittrick, 2015).

that anybody is invited into the conception of "us." National narratives "depend on longer histories of articulation, which secure the white subject as sovereign in the nation, at the same time as they generate effects in the alignment of 'you' [re 'us'] with the national body" (Ahmed, 2014, p. 1-2). In white settler nations, white citizens are cast as the ultimate authority *over* multiculturalism and *over* the nation and its tolerance. White citizens are exalted as "the only ones to have the unquestioned authority to worry: worry about national society, worry about the presence of others who may spoil national society, and worry about who gets in and who gets to stay" (Sharma, 2020, p. 244). Racialized 'Others' become national objects to be moved or removed according to white national will and desires (Hage, 2000).

Furthermore, national discourses of multiculturalism mobilize the positive emotion of love, operating to bind subjects with others in relation to an ideal nation. As argued by Ahmed (2014), "the nation and national subject can only love incoming others – 'embrace' them – if the conditions that enable security are already met" (p. 135). This security "demands that incoming others meet 'our' conditions. Such conditions require that others 'contribute' to [the nation] through labour, or by showing they are not bogus asylum seekers" (p. 135-136). Only when such conditions of integration and assimilation are met by drawing their proximity to Whiteness will migrants be accepted into the nation, both physically and affectively. Migrants' failures to 'integrate' are narrated as failures to love the host culture and to 'return' the nation's love through gratitude (Ahmed, 2014). Importantly, "gratitude involves not just feelings of appreciation but also the structural position of indebtedness" (Hochschild, 2003, as cited in Ahmed, 2014, p. 143), drawing our attention back to the ways in which emotions are not merely personal feeling states but structuring forces in the organization of social life. It is by having the 'right' emotion that allows one to pass into the national community (Ahmed, 2014). Emotions become the attribute

of collectives, operating to construct “being” a citizen or a national subject through “feeling” (Ahmed, 2014).

Race also fashions an emotional subjectivity; the racial subject emerges because people experience, learn about, interpret, and internalize racialized encounters not just practically but emotionally (Bonilla-Silva, 2019). This importantly connects to the contention that histories of enslavement, colonialism, and empire are not only discursive intellectual and political projects but are also profoundly felt, experiential, and embodied (Berg & Ramos-Zayas, 2015). As Rotter (2019) writes, empire was an embodied experience: “people in imperial spaces not only think about each other; they meet each other hand to hand, face to face, body to body; they form through their senses impressions of others and have feelings about them” (p. 2). Dominant discourses shape subjects, lived social realities, and bodily experiences (Kesselring, 2017). Indeed, the socially informed body is both a product of history and the folding in of societal structures into bodily behaviour (Bourdieu, 1977; Kesselring, 2017). Social values and dispositions are anchored in and through the body, impressing upon the body to shape the horizon of feeling (Ahmed, 2014).

Writing in the context of the racial affective violence of the border, Meier (2020) explores the embodied life of the border, highlighting the political distribution of exposure to emotional harm in the daily lives of asylum seekers. In particular, Meier (2020) argues that borders are the affective technology of racial differentiation, in that the emotions, feelings, and emotional realities they produce force asylum seekers to “live within conditions of death” by “setting up a system of endless discomfort and depletion” (p. 1-2). Racialized bodies are affectively differentiated through state practices of border violence that circulate and multiply emotions of discomfort, worry, shame, fear, and pain (Meier, 2020). This occupation of emotional and mental

space, argues Meier (2020), is a slow violence that gradually depletes the lives of those who negotiate and embody the border. As a form of slow violence, affective border violence is experienced "as an ongoing, invisible and gradual violence that often stays hidden from public eyes" (Meier, 2020, p. 6). The racial violence of the border produces a decay that is either out of place, out of tempo, or both (Hage, 2021);[41] a violence that is dispersed across time and space and is typically not viewed as violence at all (Nixon, 2011). Affect, as such, is central to understanding the historical and continuing colonial politics of racialization and dispossession (Blickstein, 2019) as well as the racialized violence inflicted by state actors, such as the police, border guards or immigration officials, that render racialized bodies vulnerable to state-sanctioned production of emotional depletion (Meier, 2020), slow violence (Nixon, 2011), decay (Hage, 2021), and premature death (Gilmore, 2007).[42]

Racialization, then, including its affective dimension, is implicated in the construction and experiences of racial subjects and the affective worlds of those subjects, and produces a materiality that is felt and embodied. In this vein, we can come to understand a "structure of feeling" not only as a hierarchy of legible emotions (Bonilla-Silva, 2019) but also as the connection between felt experience, emotions, and systemic political and legal structures. In other words, feelings are both structur*ed* and structur*ing.* Raymond Williams (1977) describes a "structure of feeling" as a practical social consciousness that is a *shared emotional and lived*

[41] Ghassan Hage (2021) writes about decay as a process which has a temporality, a pace or a tempo, and a spatiality, a mode of occupying and evolving in space. He notes that we are all decaying, it is the normal order of things. However, what comes to be analytically registered as decay is that which "is happening at what we consider an unusual rhythm, often too quickly, but sometimes too slowly, and a decay that is progressing outside the confines of where we expect it to exist. We are therefore speaking of a decay that is either 'out of place,' or a decay that is 'out of tempo,' or both" (p. 3). As such, though we are all decaying, state racism accelerates the decay process for those disposable racialized subjects. As Ruth Wilson Gilmore (2007) writes, racism "is the state-sanctioned or extralegal production and exploitation of group-differentiated vulnerability to premature death" (p. 28).

[42] I cannot help but think here of the cries of George Floyd, pleading for his mother, his affective expressions unintelligible to Derick Chauvin's knee.

experience rather than a private, idiosyncratic or isolating personal experience. A "structure of feeling" urges us to be concerned with ideological meanings and values as they are actively lived and felt. This does not invoke feeling against thought but rather emphasizes thought (or ideology) as felt and feeling (Williams, 1977). As Blickstein (2019) writes, "racialization is never just an isolated emotional state or feeling lodged within an individual human subject or body but is necessarily a relational dynamic of affecting and being affected that is spatially, geopolitically, and environmentally situated." (p. 152). A "structure of feeling," therefore, is a way of designating "those elusive, impalpable forms of social [and as I argue, legal] consciousness which are at once as evanescent as 'feelings' suggests, but nevertheless display a significant configuration captured in the term 'structure'" (Eagleton, 1981, p. 48).

By way of this dual meaning of a "structure of feeling," "recognizing that the affects and emotions of colonized communities and subjects are routinely ignored in White European bourgeois theories of affect highlights the need to re-theorize affect in ways that pay attention to '*a grammar* for Black feeling'" (Palmer, 2017, p. 51, emphasis in original). My dissertation seeks to create an "archive of feelings" (Cvetkovich, 2003)[43] of the racial carceral encounters with migration governance, underscoring how it *feels* to be the target of everyday racial violence and the psychic toll of living under threat of detention, deportation, disposability, and exclusion. Moreover, I explore how the lived experiences of navigating these regimes shape a specific legal

[43] In *An Archive of Feelings: Trauma, Sexuality and Lesbian Public Cultures,* Ann Cvetkovich (2003) builds on Raymond Williams' (1977) "structure of feeling" to describe the emotional and affective dimensions of cultural memory that are often absent from official records and historical archives. These dimensions "are hard to archive because they are lived experiences, and the cultural traces that they leave are frequently inadequate to the task of documentation" (Cvetkovich, 2003, p. 9). An "archive of feelings" incorporates personal memories that preserve and express a collective emotion. As Cvetkovich (2003) writes, "memory becomes a valuable historical resource, and ephemeral and personal collections of objects [or of stories] stand alongside the documents of the dominant culture in order to offer alternative modes of [subjugated] knowledge" (p. 8). The stories shared by the migrants and loved ones interviewed for this research project constitute this cultural, social, legal, and political shared experience and legal consciousness of carceral racial violence. My dissertation is as much about producing "an archive of feelings" as it is about analyzing one (Cvetkovich, 2003).

consciousness – that is, an individual's understanding of the legal regime of detention and deportation and its impacts on their daily lives.[44]

Racism manifests as a bodily and lived encounter. The colonial and carceral racial violence of the law contaminates, haunts, touches, caresses, and whispers to one another, seeping into and affecting intimate spaces, "where the state seemingly excuses itself" (Gordon, 2008, p. 6). As my dissertation will show, racial carceral power is visceral and bodily, as well as social, legal, political, and economic. The spaces where carceral racial violence haunts, touches and lingers encapsulate spaces where the law normatively excuses itself – that is, intimate spaces of the mind, the homes, the bodies, and the family life of those who encounter the carceral regimes of detention and deportation, shaping in turn how families relate to one another and navigate daily relational life. I seek to make clear that the emotions produced in carceral encounters are not reducible to private or individual psychological states (or pathologies, as the state might frame them), but rather reveal the structuring force of the law, racialization, and racial violence, informed by past and ongoing histories of colonialism, slavery, empire, racial capitalism, and carcerality, and their enduring manifestations.

A Racial Framework for Carceral Migration Governance

My dissertation theoretically calls for an understanding of the dialectical interplay between migration governance and carcerality, which involves tensions and contradictions

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[44] There has been considerable debate and differing assumptions in the scholarship on the aims and methods of legal consciousness (Silbey, 2005; Chua & Engle, 2019). Legal consciousness as a theoretical concept first developed within law and society in the 1980s and 1990s "to address issues of legal hegemony, particularly how the law sustains its institutional power despite a persistent gap between the law on the books and the law in action" (Silbey, 2005, p. 323). Legal consciousness literature has since expanded to be a more flexible paradigm with multiple applications rather than a monolithic approach (Chua & Engel, 2019). In Chapter 4 of the dissertation, I predominately focus on the empirical measures of legal consciousness, including the experiences of migrants and families and their understandings of immigration law. However, I extend my analysis to situate these cultural understandings of the law within the racial structure of legality and governance that produce these perceptions, thereby contextualizing how (immigration) law's hegemonic *racial* force is constructed, sustained, reproduced or contested (see Silbey, 2005).

between racial and economic logics and processes, all congealing under a legal regime of racialized violence and exploitation that is the carceral industrial complex. Criminalization, mass incarceration, detention, and deportation, converging under one carceral industrial complex, should be viewed in historically specific contexts as modes of racial governance that fulfil racial-colonial projects of exclusion, exploitation, accumulation, dispossession, and annihilation. Situating migration governance within a framework of racial capitalism allows for a more nuanced understanding of the systems of power and racial logics within which state and non-state actors are enmeshed, and the political rationalities, technologies, and practices of the carceral industrial complex.

In particular, my dissertation investigates how carceral spaces of the border shape racial ordering and the production of excludable (i.e., disposable or ungrievable) family life. Importantly, if we understand bordering work as having been territorially diffused and shifted to other spaces beyond the physical lines on a map, then we can see *carceral* spaces as necessarily *including* the multiple spaces of the border. Indeed, bordering practices also operate to entrench relations of power in the name of capture, control, confinement, and, ultimately, expulsion. The carcerality of migration governance reproduces racialized ideologies about who is dangerous (re: racialized migrants and their families) and how these dangers should be addressed spatially (re: through detention, confinement, spatial regulation, and deportation). The governance practices of the carceral state are made possible by a historical alignment of policies, forces, and crises that converge to produce a particular socio-economic landscape and set of social relations characterized by police enforcement, detention, and deportability that all dominate the conditions of life for non-citizens and their loved ones. To this end, we should understand the carceral industrial complex as a set of relations that are productive for racial capitalism and racial

ordering, and manifest in various spaces, as opposed to being tethered to a single building or place (Story, 2019; Walia, 2021).

Importantly, my dissertation explores the affect and emotions of racial carceral migration governance. The production of disposability entrenched within migration governance leaves affective marks or traces on those who encounter the carceral systems of detention and deportation. These encounters are shaped by histories of racial violence that "stick," so that the contact with the carceral industrial complex "is shaped by past histories of contact, [sometimes] unavailable in the present" but which nevertheless form the apprehension of an encounter (Ahmed, 2014, p. 7). To this end, this dissertation examines the structures of racial carceral subjectivity and its affective experiences through documenting an archive of feeling and the psychic toll of experiences of racial violence that characterize the carceral regimes of detention and deportation in Canada.

Chapter Two: Methodology and Research Design

This dissertation addresses a critical empirical gap in migration literature by investigating the lived experiences of detention and deportation of migrants and their families in Canada. I approached the dissertation research committed to centring the stories of migrants and their families, given that qualitative research that explicitly includes these groups as participants is relatively new and limited in Canada. A qualitative methodology is best suited for this type of inquiry. Qualitative research aims to work within the context of human experiences and the ways in which meaning is made from those experiences (Bhattacharya, 2017). At the same time, in acknowledgement of the histories of settler-colonialism and slavery that form the foundation of Canada's nation-state building and migration governance, I was committed to centring theories of race and racism in my contributions to migration and carceral studies. Among the various qualitative methodologies, I decided to use critical race methodology for my dissertation to unearth, understand, and interrogate how the carceral expansion of migration governance is experienced by families as a form of "racialized statecraft" that assigns ontological characteristics to racial (and) carceral subjects through othering, denigration, stigmatization, and vulnerability to premature death (Gordon, 2008, p. 652).

Critical race methodology is a theoretically grounded approach that centres race and racism in all aspects of the research process by incorporating the tenets of critical race theory in the research design. In particular, critical race methodology (1) acknowledges the ordinariness, centrality, and endemic nature of racism; (2) challenges dominant ideologies and liberal claims of objectivity, race neutrality, and equal opportunity; (3) is committed to social justice, offering liberatory and transformative responses to racial, gender, and class oppression; and (4) recognizes the centrality of experiential knowledge of people of colour as legitimate, appropriate,

and critical to understanding and analyzing racial subordination (Solorzano & Yosso, 2002; Martinez, 2020). Critical race methodology, therefore, offers space to conduct and present research that is explicitly grounded in the experiences and knowledges of racialized people (Solorzano & Yosso, 2002). Such an approach is "critical to understanding racism that is often well disguised in the rhetoric of normalized structural values and practices," such as the race-neutral presentations of the sovereign's authority to regulate and govern migration (Martinez, 2020, p. 3). In this vein, critical race methodology allowed me to investigate "subjugated knowledge of struggles" (Gordon, 2008, p. 652; Foucault, 1977). Foucault (1977) defined subjugated knowledge in two ways. First, "subjugated knowledge names what official knowledges represses within its own terms, institutions and archives" (Gordon, 2008, p. 652). In other words, subjugated knowledge includes "historical contexts that have been buried or masked in functional coherences or formal systemizations" (Gordon, 2008, p. 652). Second, subjugated knowledge also refers to marginalized knowledge – that is, knowledge that has been discredited and disqualified as being "below the required level of scientificity" (Foucault, 1977, p. 7). Subjugated knowledge is knowledge "from below and from outside the institutions of official knowledge production" (Gordon, 2008, p. 652).

Aligned with providing accounts of subjugated knowledge, a primary objective in critical race methodology is to challenge dominant perspectives through framing experiential knowledge as counterstories (Twyford et al., 2022). Counterstories, as described by Solorzano and Yosso (2002), challenge dominant discourses on race and further the struggle for racial justice by telling the stories of those people whose experiences are not often told (i.e., those on the margins of society). Twyford, Tanima, and George (2022) further advance counterstories in the context of the (re)tellings of racialized narratives of asylum seekers, arguing that the collection of

counterstories can dispute the dominant narratives told by policymakers and government officials. In essence, counterstories are a means of sharing subjugated knowledge, experiences, and accounts of the social world (including law and policy) to challenge systems of domination (including law's differential impacts) and to make those experiences the basis for social change (Millier et al., 2020). Martinez (2020) further adds that a critical race methodology should always envision a multiplicity of audiences beyond the ivory tower, so as to speak *with* rather than *for and over* those who the work is for, about, and inspired by.

A critical race methodology, therefore, produces research that investigates the situated standpoint experiences of racialized people as it is lived by them. This approach intentionally theorizes racialized experience and subverts dominant, Eurocentric paradigms that perpetuate white supremacy by dismissing the lived experiences of racism through claims that they represent "perceptions" and "subjective experiences" (Pillow, 2003a; Nagra, 2017). As Nagra (2017) contends, personal narratives are in fact "evidence of real forces in society, not merely subjective experiences or isolated individual experiences" (p. 37-38). As such, this methodological framework permitted me to capture the subjugated knowledges and counterstories of migrants and families subjected to migration governance; the "fluid subjective worlds of people's lives, as experienced, interpreted, recalled and mediated by them" (Mander, 2010, p. 252).

While critical race methodology was imperative to ground theories of race and racism and the lived experiences and knowledges of racialized people in the research design, there are some limitations to the methodological approach worth mentioning. Laura Gómez (2004; 2012) importantly highlights that there exists a gap in law and society scholarship between how race is theorized and how researchers operationalize race in empirical research. By prescriptively

centring experiential knowledge of racialized people – understood as those who are racialized as non-white – race is empirically operationalized as biologically rooted and fixed. In other words, race empirically becomes a priori scientific truth rather than conceptualized as a social construction (Gómez, 2012). Moreover, operationalizing race as identity, for the purposes of speaking to 'racialized' people, further detracts from an understanding of race as a structural process. This "risks reifying race as an essential quality of individuals, rather than accounting for the discourses and interactions surrounding racialized meanings in a particular context" (Morris, 2007, p. 415). As sociologist Edward Morris (2007) asks: "how can we impute a particular race onto someone [or onto ourselves] […] without making race appear as an individual essence rather than a social creation?" (p. 411).

In an effort to address these limitations, the analysis employed in the dissertation connects race to the process of rac*ism* and racialization. I focus my analysis on the historical, structural, and affective significance of race and racism, delineating the racial logics that constitute the relationship between law and society and that structure racial governance. Race, therefore, is empirically treated as "a key constituent of power that shapes legal [and political] discourse, practices and racial colonial white settler nation building" (Murdocca et al., 2023, p. 38). Moreover, while race is indeed a social construction designed to differentiate people according to physical markers of difference, such as skin tone or accent, racial categories are made meaningful through differential distribution of opportunities, resources, and freedoms. Though race is socially constructed through political, economic, and historical contexts, racial categories are experienced as concrete and material abstractions that have real material consequences for those racialized into relations of domination and subordination (Gomez, 2010).

This dissertation intends to document those real material consequences of the social structural construction of race within the context of racial carceral migration governance.

I draw on two qualitative methods in support of the research questions and objectives set out for this dissertation: documentary analysis of immigration law and policies, and semi-structured interviews. These two qualitative methods were necessary in order to map the racial logics of the Canadian detention and deportation system and the ways carcerality symbiotically impacts families subjected to these regimes. In the next section, I detail the data collection process and analytical approach employed for each of these methods, and the various research challenges I confronted along the way. While I present this information in two separate phases below, these stages of the research were conducted simultaneously rather than in a neat linear succession.

Phase 1: Documentary Discourse Analysis

I began the project with the collection, review, and analysis of publicly available documentation detailing the infrastructure of the Canadian detention and deportation regime. It was important for me to review these materials so that I could understand the legal and policy landscape of migration governance in Canada, the discursive constructions emerging from these policies, and the ensuing effects on racialized families and communities in Canada.[45] I first searched for legislative and policy documents that are publicly available on official Government of Canada websites. I systematically reviewed the website information and documents listed in Table 1 below.

[45] Experiences are anchored in historical, social, cultural, and political contexts. Without attending to these contexts, the reader would not be able to fully interpret or understand the realities of people's lives (Mander, 2010). The analysis therefore investigates the connection between law, policy, and lived experiences to articulate the material and affective life of immigration law.

Table 1: Publicly Available Information and Documents Published by the Government of Canada

1. CBSA's National Immigration Detention Framework (NIDF) (first published in 2017 and modified in 2022). Following a review of the detention program in 2014-2015, the Government of Canada (GOC) budgeted an investment of $138 million dollars to support the development and implementation of the NIDF. The NIDF was designed with the goal of "creating a better and fairer immigration detention system," and outlines the fundamental pillars and initiatives of the framework, including an enhanced alternatives to detention (ATD) program, investments in detention infrastructure, and the commitment to public and stakeholder consultation and program transparency.
2. A Summary Report of the Framework and Stakeholder Roundtable Discussion (published in 2017) This report provides a summary of roundtable stakeholder consultations (that took place between August and December 2016) on the key initiatives of the NIDF: (1) alternatives to detention; (2); infrastructure; (3) national detention polices and standards; and (4) transparency.
3. Consultation on CBSA's National Immigration Detention Framework: Summary Report of Consultations with Canadians (published in 2017) This report provides a summary of CBSA's consultation with "Canadians, including members of the public, non-governmental organizations, academics, and government and CBSA employees" via the "Consulting with Canadians" government survey portal. The report summarizes results along the key areas of (1) detention program and framework transparency; (2) alternatives to detention; (3) health, mental health, and addiction counselling; (4) detention of minors; and (5) long-term detention.
4. Alternatives to Detention (ATDs) (last modified in 2019) This document is an executive summary of a privacy impact assessment that examines the expansion of two alternatives to detention to a national level – voice reporting (VR) and community case management and supervision (CCMS) program – and the introduction of the electronic monitoring (EM) program as a pilot in the Greater Toronto Area.
5. CBSA Enforcement Manual ENF 10 Removals (last modified in 2017)[46] CBSA employees consult operational manuals for guidance in the exercise of their functions and in applying the *Immigration and Refugee Protection Act* (IRPA) and their Regulations. The ENF 10 manual on "Removals" is the internal guidance document

[46] Note: This document has since been updated following my review of the document. I reviewed the document for this project in 2023. Updates to the manual were made in February 2025. A summary of updates to the manual can be found on pages 7-8 of the manual. None of the changes impact the findings presented in the research.

outlining the procedures to enforce "the removal of foreign nationals from Canada who have contravened the IRPA and its Regulations and who are the subject of an enforceable removal order." The document details how to plan, organize, and direct removals, as well as the process to verify and confirm the departure of those who are the subject of a removal order.
6. CBSA Enforcement Manual ENF 20 Detention (last modified in 2023). This document is the internal guidance document detailing how to manage immigration detention cases once a decision to arrest and detain has been made. The document also outlines CBSA's detention policy and describes the administrative and legal framework within which detention operates.
7. CBSA Enforcement Manual ENF 34 Alternatives to Detention (first published in 2018, last modified in 2023) This document is CBSA's internal guidance document that outlines the elements of the alternatives to detention program and provides information and guidance on how ATDs should be used.

These documents reflect current trends in the infrastructure of migration governance in Canada and provide key insights into the series of reform policies that the Trudeau Liberal Government enacted upon its accession to parliament in 2015. I also endeavoured to obtain material specifically related to the Alternatives to Detention Initiative (ATD) under the National Immigration Detention Framework (NIDF) through Access to Information and Privacy (ATIP) requests. In 2016, the Liberal government budgeted $138 million to transform the National Immigration Detention Framework (NIDF). The five-year budget plan focused on making detention a last resort, in an effort to foster "a better, fairer immigration system that supports human and dignified treatment" (CBSA, 2017). A key pillar of the NIDF was the identification of alternatives to detention. This resulted in the roll-out of an expanded ATD program in 2018 to provide "risk-based" and "nationally consistent programming" to those deemed "suitable for release from detention" (CBSA, 2017). The Canada Border Services Agency's (CBSA) ATD program grew to include a new community supervision program and two new electronic

supervision tools, including enhanced voice reporting and electronic monitoring using an ankle bracelet. Given that this program heavily relies on the carceral surveillance technologies of voice reporting, electronic monitoring, and community supervision, I thought it imperative to analyze the program, and its accompanying framework (the NIDF), to understand the expansion of carceral power in the Canadian context. I submitted requests to CBSA, the Department of Immigration, Refugee and Citizenship Canada (IRCC), Correctional Service Canada (CSC) and the Immigration and Refugee Board of Canada (IRB). I began by filing the following ATIP requests in June of 2023:

1. All reports (including drafts), briefing notes, PowerPoint presentations and question period notes (QP cards), record of consultations, research, memorandum, internal and external communications, record of meetings, public and private statements, stakeholder consultations and engagements, and legal opinions consulted in developing the National Immigration Detention Framework.
2. All reports (including drafts), briefing notes, PowerPoint presentations, QP cards, record of consultations, research, memorandum, internal and external communications, record of meetings, public and private statements, stakeholder consultations and engagements, related training materials, and legal opinions consulted in developing the Alternatives to Detention (ATD) initiatives, including the Community Case Management and Supervision Program, the Voice Reporting Program, and the Electronic Monitoring Program (including the EM Pilot Program in the GTA).
3. The CBSA and IRB have discretion to prevent someone from being detained or to release someone from detention under an alternative to detention (ATD)

> consideration. I request: (1) All decisions/reasons rendered in years 2018- 2023 regarding decisions to adopt an alternative to detention, and (2) Statistical information for years 2018-2023 regarding (i) the number of people enlisted in an alternative to detention program, disaggregated by program and country of origin, ethnicity/race, (ii) the number of applications made for an ATD, (iii) the number of applications for an ATD granted, disaggregated by whether it occurred before an arrest, after an arrest or while the person was in detention, and (iii) the number of applications for an ATD that have been denied.

I started with these requests in anticipation that I would be able to review and analyze the documents I received in a phased approach. It is not uncommon for researchers to find new pieces of information from preliminary ATIP requests and subsequently file additional ATIP requests (Larsen, 2013). However, I filled these ATIP requests during a time when IRCC's ATIP division was being flooded with requests (Cardoso & Dootlittle, 2023). Over the years, lawyers, immigration consultants, and individual IRCC clients have learned that they can better navigate the immigration system and their immigration applications by using access legislation. This strategy emerged in the face of the obscurity of the system and the minimal explanation provided by IRCC for refused immigration applications. Through access legislation, however, the department is required to respond to ATIP requests, which can reveal why cases have been rejected or delayed. As reported by the Globe and Mail, IRCC has seen a 763% increase in access requests over the last decade, from roughly 20,000 requests in the fiscal year ending in March 2012, to about 177,000 requests in the 2022 fiscal year (Cardoso & Doolittle, 2023). In their report, Cardoso and Doolittle (2023) state, "the influx of filings has become so overwhelming that IRCC now accounts for 80% of all access requests made to the federal

government" (para 10). The volume of requests the department receives is only growing, morphing into a problem beyond its control. Indeed, the majority of the federal disputes handled by the Office of the Information Commissioner, which is the complaint and guidance body for access legislation, are now related to immigration requests (Cardoso & Doolittle, 2023). As a key collaborative partner responsible for regulating immigration matters, CBSA is also experiencing higher request volumes across the department. Moreover, in February 2024, information in 40 CBSA servers was temporarily lost and inaccessible following infrastructure maintenance (CBSA, 2024a).

Consequently, I was confronted with month-long and year-long delays in obtaining the information I requested from IRCC and CSBA. While I have since been able to obtain the statistical information requested (under point 3 above), I am still waiting for the remaining requests, over three years later. Walby and Larsen (2012) note that while access to information laws provide the public with the means to exercise a "right to know," these same laws also act to maintain and legitimize secrecy and are subverted and circumvented in the interests of information control. Access regimes "emerge as sites of contestation situated between the public pursuit of transparency and the culture of secrecy in government" (Walby & Larsen, 2012, p. 1). ATIP requests are treated as sources of risk and uncertainty as they "create the potential for 'disruptive disclosures' that may contradict carefully crafted official messages" (Larsen, 2013, p. 38). In other words, ATIP requests are a pervasive source of uncertainty and political risk (Walby & Larsen, 2012). As a result, various "techniques of opacity" are mobilized to effectively inhibit timely and comprehensive access to information (Walby & Larsen, 2012, p. 20). These techniques of opacity include a range of formal and informal methods, including systemic chronic delays, rigid and narrow interpretations of requests, direct efforts by public service ATIP

officers to "steer requesters away from particular parts of the live archive through negotiations," and are even embedded directly in ATIP law through redaction and exemption clauses (Walby & Larsen, 2012, p. 20). Larsen (2013) proposes that this culture of secrecy and the barriers to obtaining information from ATIP requests are indeed sources of data itself, inviting researchers to situate their understanding of texts – or lack thereof – in relation to the mechanisms that govern their (non)disclosure. In the context of the ATD Program, one can infer the existence of potential disruptive disclosures that would contradict official messaging and framing of these initiatives as providing "a better, fairer immigration detention system that supports the humane and dignified treatment of individuals" (CBSA, 2017). I explore this framing further in Chapter 4, "The Expansion of the Carceral."

The delays in obtaining information from the ATIP requests I submitted ultimately impacted the document collection strategy I planned at the outset of the project. While filing a complaint to the Office of the Information Commissioner of Canada is an available legal avenue to seek reprieve for either the process or outcome of an ATIP request, formal investigations do not necessarily result in the release of information. Instead, federal court proceedings must be initiated to compel a release of information (Larsen, 2013). For this reason, and in consideration of the time constraints of a doctoral dissertation, I decided to abandon the collection of this data. I instead pivoted to alternative methods of obtaining records from public institutions, including the Government of Canada's *Open Government* database, which provides access to completed access-to-information requests that were previously released. Moreover, academics, activists, and journalists have sought to push back against the growing secrecy and barriers to accessing information from the Government of Canada by creating and sharing data repositories containing ATIP summaries and documents that have been obtained from previous requests. I additionally

consulted previous ATIP requests related to Canada's deportation process from my time as a research assistant, where I helped create a data repository containing statistics and documents related to deportation.[47] The Globe and Mail's *Secret Canada* project is also a database containing ATIP and Freedom of Information (FOI) summaries from hundreds of public institutions across the country.[48] This dataset helps researchers locate ATIP and FOI requests that were previously filed and completed. Searching the database for keywords related to topics of interest generates a record of all previous requests filed and an associated file number that can be used when communicating with public institutions. My keyword search for "Alternatives to Detention" generated 23 records in the *Open Canada* database and 22 results in the *Secret Canada* database that summarized previous ATIP and FOI requests made on the topic.[49] However, similar to my own attempts to file new information requests, my requests for files from these databases were also met with challenges. While requesting previously filed and completed information requests should, in theory, facilitate the timely receipt of documents, I still faced delays and barriers through this process.

In the face of challenges accessing information from CBSA, I turned towards an inquiry on the politics of family reunification. The decision to explore the politics of family reunification was twofold. First, I was led to investigate family reunification following research I conducted on the racist history of immigration laws in Canada and in my review of the *Immigration and Refugee Protection Act* (IRPA). I became interested in understanding how the objective of family reunification in the *IRPA* was operationalized by government policies and initiatives. Section

[47] The data repository can be accessed at https://refugeelab.ca/projects/deportation-data. The repository contains removal statistics, removal inventory, outcomes of immigration applications, CBSA internal guidance documents and select CBSA job descriptions. ATIP requests were made between September 2020 and May 2022.
[48] This dataset is a collection of already completed ATIP and FOI summaries spanning Canadian ministries and departments, municipalities, and educational, transit, hospitals, police, crowns, and corporate institutions.
[49] Notably, most of these results were requests for statistical information and therefore did not correspond to the types of records that I was seeking access to meet the objectives of my research.

3(1)(d) of the *IRPA* articulates the objective to "see that families are reunited in Canada" (IRPA S.C. 2001, c. 27). I was curious about the instances where 'the family' is imagined in the immigration continuum and those instances where families might be forgotten. Moreover, I was also interested in examining how 'the family' is constructed in these initiatives – that is, which family compositions are legible and formally recognized in immigration law and the racial logics that might be underpinning this conceptualization. This line of inquiry further became important to pursue by virtue of the narratives and counterstories that were being shared by interview participants. In my interviews with migrants, families, and loved ones (discussed below), perceived national narratives and imaginaries of Canada as being a nation-state committed to the value and well-being of families emerged. Participants were profoundly aware of Canada's international reputation as a "compassionate," "humanitarian," and "welcoming" nation-state for migrants, as well as its commitment to family reunification. I found it curious to trace this national imaginary of Canada and to consider how 'the family' is constructed within political rationalities and discourses surrounding family reunification in order to understand the dissonance between dominant national discourses and the lived experience of migrants and their families.

To investigate the politics of family reunification in Canadian immigration law, I traced the historical development of immigration law and family reunification policies in Canada, starting with the Immigration Act of 1908, where the first definition of 'family' emerges in immigration law. In tracing the evolution of legal definitions and exclusions of "family members" in immigration law, I discovered that the last and latest report done on this policy objective was conducted by the Standing Committee on Citizenship and Immigration in 2017. The Standing Committee on Citizenship and Immigration (CIMM) oversees the management,

operation and activities of the Department of IRCC and the Immigration and Refugee Board of Canada (IRB). As a parliamentary body, the Committee has the power to study, report, and make non-binding recommendations to the Government of Canada when matters are referred to them through an order of reference issued by the House of Commons.[50] The review of family reunification was referred to the Committee as an immigration program requiring in-depth consideration, revealing key policy and legislative concerns about the issue for the newly elected majority Liberal Government under Prime Minister Justin Trudeau. However, it is worth noting that no legislative bill was proposed by Parliament, despite the Liberal Government's promise of a markedly different approach to immigration from their Conservative predecessor, Prime Minister Harper. As such, while the Committee has the power to make recommendations to the Government of Canada, these operate as advisory guidance and do not necessarily impact or create law on their own. Although these recommendations are not binding, the Government of Canada is nonetheless required to officially respond to the reports and recommendations published by the Committee.

The family *sponsorship* program was referred to the Committee on February 23, 2016, and was studied during a total of ten meetings between October 4, 2016 and February 8, 2017. Pursuant to Standing Order 108(2), the Committee agreed that the study would include:

1. An examination of the quota system and its impact on family reunification;
2. Consideration of the recent use of the Super Visa Program as an alternative to the parent and grandparent sponsorship program;
3. An examination of the value of parent and grandparent immigration for families and for our country;
4. An examination of obstacles to entry to Canada of spouses and partners for both temporary and permanent residence;

[50] The House of Commons may refer any subject it wishes to any committee through an order of reference. The House routinely refers matters including (1) bills and review of existing legislation; (2) issues requiring in-depth consideration; (3) reports and other documents tabled in the House pursuant to a statute; (4) estimates, which include the funds requested for government programs and activities; and (5) non-judicial government appointments (Janse & Leblanc, 2025).

5. An examination of the criteria for sponsorship of dependent children, adopted children, siblings, and other relatives;
6. An examination of age and financial thresholds for sponsorship;
7. An examination of the processing times for sponsorship, citizenship and other visas; and,

that the Committee report its findings to the House; and, that pursuant to Standing Order 109, the government table a comprehensive response thereto. (CIMM Minutes, 42-1, No. 3).

I conducted a discourse analysis of the Committee's meeting proceedings (HOC-CIMM, 42-1) that informed their final report on "Family Reunification (HOC-CIMM, 2017). While the Committee's initial motion was to undertake a review of the family *sponsorship* program, the focus evolved to encompass the broader policy issue of family *reunification* in Canada, as evidenced in the final title of their report. This slippage is noteworthy. Indeed, there are many ways that families can be (re)united in Canada. Canada's objective of family reunification is met by numerous programs, including family class sponsorship, the admission of family members as dependents of principal applicants under economic and refugee immigration streams, and several family-based humanitarian initiatives that seek to admit and unite vulnerable people abroad with their relatives in Canada. However, the equation of family reunification with the family sponsorship program reveals where family (re)unification is imagined along the immigration continuum, and by contrast, where it is not. Put differently, the narrowing of family (re)unification to the family sponsorship program constructs family (re)unification as a concern of immigration admission, thereby rendering the family separation produced through immigration enforcement (i.e., detention and deportation) invisible and beyond the scope of policy consideration. I explore this slippage further in Chapter 3.

The Committee heard from a total of 48 witnesses. Witnesses included the Minister, Deputy Minister, and Director Generals from IRCC, members from the Canadian Bar Association, academic and legal experts in immigration law, various civil society organizations,

and individuals with immigration experience. These meetings provided insights into the pressing issues and concerns held by witnesses regarding immigration law and policy. The Committee published the results of their study in 2017 in the form of a publicly available report. Shortly after the publication of the report, the Government of Canada responded to the findings and recommendations put forth by the Committee. I also examined the Committee's final report and the Government's response to investigate which witness testimonies and recommendations received political acknowledgement at the time.

Together, these materials helped support the project's objective to understand the expansion of carceral migration governance and the discursive politics of family reunification that saturate immigration law and policies in Canada. I performed a discourse analysis of these documents to understand and attend to the dominant discourses, grids of intelligibility, logics, and practices that contribute to the construction of (family) migration as a "problem"[51] requiring governing intervention that, in turn, justify the expansive techniques of carceral power. Foucault (1980) defined discourse as a web of ideas and practices that produce knowledge and meaning with a particular claim to truth. Foucault (1980) explained that:

> In a society such as ours […] there are manifold relations of power which permeate, characterize and constitute the social body, and these relations of power cannot themselves be established, consolidated, nor implemented without the production, accumulation, circulation and functioning of a discourse. There can be no possible

[51] Because this inquiry is guided by racial governmentality scholarship, discourse analysis is a fitting method. In particular, critical governmentality scholars tailor their questions to examine how a particular 'problem' (for e.g., that of migration) came to emerge as a target for government and what role legal institutions, functionaries, and calculations play in these strategies of regulation (Rose & Valverde, 1998). As contended by Moffette (2018), "problematizations emerged through historically situated discursive and non-discursive practices that provide specific ways of *thinking* and *acting* upon a set of difficulties – that is, practices do not simply emerge as policy responses to a predefined policy problem; rather they play an integral part in defining and redefining this problem" (p. 8-9).

> exercise of power without a certain economy of discourses of truth which operates through and on the basis of this association.

Moreover, other governmentality scholars have advanced that the language that constitutes political discourses is more than rhetoric – "it should be seen as a kind of intellectual machinery or apparatus for rendering reality *thinkable*" and therefore *knowable* and *contestable* (Rose & Miller, 2010, p. 276, emphasis mine). Expanding on the Foucauldian understanding of power/knowledge, Butler (1990) contends that the intellectual machinery that renders reality knowable and thinkable can be thought of as grids of intelligibility that delimit "the very field of description that we have for the human" (p. 17). Intelligibility can be understood as the historical schema that establish domains of the knowable. Furthermore, racial governmentality scholars focus on how race has come to form a system of knowledge that provides the foundation for organizing the world and rendering reality and the human thinkable (Moffette & Vadasaria, 2019). In other words, problematizations (e.g., the construction of migration as a problem), formed through specific legal practices, institutions, technologies, and political rationalities of rule, require and constitute racial difference (Murdocca 2013). Discourse analysis therefore provides a method through which we can discern, "what is counted and how it is counted [as being] expressive of specific and distinctive ways of [racial] thinking, acting and organizing" the world (Prior 2003, p. 48), and how the values, norms and "truths" associated with these ways of racial thinking produce grids of intelligibility and political rationalities that become embedded within practices of governing (Huot, Bobadilla, Bailliard & Rudman, 2016). Problematizations can be analyzed in terms of their political rationalities, which are "the changing discursive fields within which the exercise of power is conceptualized [and] the moral justifications for particular ways of exercising power by diverse authorities […]" (Rose & Miller, 1992, p. 175). Through

this method, I was able to analyze the signification of the racial subject through grids of intelligibility, political rationalities, and discursive power that distinguish who and what qualifies as 'the family' deserving of (re)unification and inclusion in the nation-state. The analysis of the meeting proceedings involved tracing the actors, discourses, and knowledges that contributed to the support or opposition of family reunification policies in Canada. A *racial* governmentality framework crucially situates these discourses within a history of racialized knowledge production and reproduction. This approach informs the analysis presented in Chapter 3.

Discourses not only regulate knowledge of the world and our shared understandings of events, but they also constitute distinctions and subject positions (Goodwin, 2010). As Bacchi (2012) argues, "the ways in which 'problems' are constituted elicit particular forms of subjectivity influencing how we see ourselves and others" (p. 22). Subjectivity, therefore, is an internalized social position that is both located within and created by discourse (Gass, 2014) and grids of intelligibility (Kehl, 2024). Moreover, governmentality scholars Williams and Lippert (2006) assert that the governmentality tradition, and its preoccupation with textual analysis, must be balanced with a concern for the lived realities of subordination affected by certain governmental practices. Similarly, O'Malley, Weir and Shearing (1997) contend that there must be a concomitant methodological focus on texts of government *and* the messy actualities of governance and social relations. It is precisely these lived realities of subordination and "knowledge of struggles" (Gordon, 2008) that I was determined to uncover in this project.

The construction of the 'migrant problem' to be governed through law and policy has implications for the daily lives of migrants (Huot et. al., 2016). I was interested in uncovering how these discursive constructions have implications on the daily lives of migrants and their families, with a particular focus on how these discourses are mobilized, internalized, negotiated

and contested.[52] To honour this objective, my dissertation is primarily anchored by the narratives of family members and migrants and their encounters with the Canadian detention and deportation regime. In order to capture the material impact that problem representations have on people's lives (Bacchi, 2012) and the messy actualities of governance and social relations (O'Malley et al., 1997), I conducted in-depth, semi-structured qualitative interviews.

Phase 2: Qualitative Semi-Structured Interviews

The second phase of my research involved conducting semi-structured qualitative interviews with migrants directly impacted by detention and deportation, as well as family members and loved ones of migrants who have been ensnarled in these systems.[53] My decision to interview migrants, family members, and loved ones was motivated by the project's objective to centre the narratives of those subsumed under the legal weight of carceral migration governance. I considered interviewing legal actors, including lawyers, immigration consultants, government officials (such as members of parliament or public servants in the Department of Immigration, Refugees and Citizenship Canada and the Canada Border Services Agency), and civil servants in non-governmental organizations. Though these actors equally configure government, or the conduct of conduct (O'Malley et al., 1997), I decided to limit my interviews to migrants, families, and loved ones because I wanted to capture subjugated knowledge and experiential knowledge in the form of counterstories. This decision also allowed me to link the political economy and discursive, socioeconomic dynamics of racial carceral power, accumulation, dispossession, and expulsion to "the dialectic of social death and social life as these meet in the ontological and epistemological status of the prisoner" (Gordon, 2008, p. 651). The 'prisoner,'

[52] Or, in other words, how people "talk back" to dominate discourses through counterstories (Twyford et al., 2022).
[53] This approach has been extensively used to study the lived experiences of detainment and deportation (Bosworth, 2014; Hasselberg, 2016; Turnbull 2018).

here, is understood as all those who occupy zones of captivity, including the status worker, the enemy, the criminal, and the migrant who is modified and mutated in profound ways by these forces (Gordon, 2008, p. 651). Interviewing people with direct experience is a key part of understanding the infrastructure of racial governance. I was equally able to unravel the contradictions between dominant political discourses (explored in Chapter 3) and the lived material effects of these discourses (explored in Chapters 4 and 5).

Semi-structured interviews allowed for the collection of stories that are grounded in interviewees' personal experiences, all while remaining theory-laden and attached to my research objectives (Galletta, 2013). The flexibility of the semi-structured interviews was particularly appealing as it created the space for narratives to unfold in unanticipated ways. I developed an interview guide (see appendix A and B) that I relied on as a guidepost for the interviews. However, I also tailored my questions to fit the experiences of each participant. I allowed participants to guide the discussion so that they could freely share the stories and experiences they found relevant to them all while addressing the themes in the interview guide. This approach required that I listen carefully to interviewees and pay particular attention to the "details, events, observations, insights and emotions" within their narratives (Galletta, 2013, p. 48). This allowed me to unearth deep and rich accounts of the meanings attributed to their lived experiences (Galleta, 2013).

Interviews were conducted between July 2023 and September 2024 and took place on Zoom, an online video-call platform. I audio-recorded the interviews as this allowed me to better focus on listening to my participants rather than worry about taking rigorous notes. This also helped frame interviews in a more conversational tone, which was especially important in the distant and sometimes awkward context of doing interviews online. I completed a total of 20

interviews for the project. Table 2, found on page 86, provides detailed information related to the participants.

Despite my initial plans to only interview family members of migrants who have been impacted by detention and deportation in Canada, I naturally came to interview migrants who had directly experienced carceral migration governance. This was, in part, a result of my recruitment strategy. I did not decline interviews when people expressed interest in participating in the study. As such, I only became aware of the participants' stories, personal characteristics, and positioning to the research during the interview itself. However, I also recognized that migrants had stories of their experiences navigating family separation from their carceral encounters with the state, which was a key thematic of my research. Moreover, the accounts of migrants directly impacted by detention and deportation provided rich accounts for understanding the expansion of racial carceral migration governance. For these reasons, I decided to expand the scope of participants to also include migrants with direct experience of detention and/or deportation.

I also had the initial intention at the outset of the project to prioritize racialized people in my study, in the spirit of critical race methodology. While I aimed to remain true to this intention, because I ultimately interviewed all those who expressed their interest in participating, I did end up interviewing people who are white.[54] Interestingly, all white interviewees (n= 4) were friends of racialized migrants who were subjected to detention and deportation. One participant who identified as a friend was Black (n=1). All of the "traditional" family members,

[54] To attend to the challenges of operationalizing race in qualitative research, Morris (2007) argues for greater transparency in how race is measured and an increased reflection on how this concept is socially situated. Interestingly, in recounting their migration journey (or lack thereof if they were born in Canada), participants provided details about their own racial identity in relation to where they were born and how they were approached by those policing the border and admissibility (i.e., immigration decision-makers, CBSA agents or local police agents). I take this to be reflective of how regimes of migration governance structurally produce and reify race and racial difference, corresponding to an understanding of who belongs and who can move, how, and with what effect.

including spouses (n= 2), adult children (n= 2), siblings (n= 2) and nephews (n= 1), I spoke to were racialized, alongside all interviewees who were directly targeted for detention and deportation by the state (n= 8).

Ultimately, I excluded one participant from the analysis because they did not fit the criteria of experience I was looking for. This participant was living in a refugee camp in Kenya. They had fled from Congo after their father and brother were killed by the military. This participant came across my recruitment materials and reached out to me on their own accord. In our interview, we spoke about their advocacy experience assisting refugees and their general perceptions of deportation. Although this person worked in an advocacy role in the field of migrant justice and shared their experiences of family separation as a result of fleeing from Congo, I did not include them in the analysis because they had not experienced detention or deportation in Canada, nor had they acted as a support person for someone who experienced detention or deportation in Canada. The semi-structured interviews included in this dissertation, then, consist of 19 total participants: 8 people who were directly impacted by detention and deportation and 12 family members, friends and loved ones.[55]

[55] The breakdown of participants shared here is higher than the overall total of 19 participants because one participant was interviewed in a dual capacity: as someone who was directly impacted by a deportation order and also experienced the deportation of her husband (and father to her children).

Table 2: Select Demographic Characteristics of Participants

Total Participants	**19**
Directly Impacted	**8**
Detention/Alternative to Detention	2
Deportation Order (no detention)	2
Deportation (no detention)	3
Deportation (with detention)	1
Family and Loved One	**12**
Spouse	2
Adult Child	2
Nephew	1
Sibling	2
Friend	4
Community Member	1
Gender	
Men	8
Women	11
Racialized Identity	
Black	9
White	4
LatinX	1
Southeast Asian	1
South Asian	1
South Asian Muslim	1
Middle Eastern	2

I sought participants who have an eclectic relationship to migrants under carceral migration governance in order to attend to the different ways families or 'loved ones' are constituted. I felt it was important to move away from privileging traditional family models, given that this is a privileging that is reinforced and mobilized in detrimental ways to justify the institutional regulations, practices, and exclusion efforts of carceral regimes. As Jardine (2019) explains, "those whose family lives diverge from [a] nuclear model of the family, such as migrant families, blended families […], non-heterosexual families, or working-class families may have their family displays misrecognized, ignored or delegitimized" (p. 64). When family life is defined as nuclear, other forms of intimate relationships are rendered invisible. This also leaves unaddressed questions of how non-monogamous, non-sexual, and queer forms of intimacy and care might be recognized in law, including friendships (de Noronha, 2020). Following Luke de Noronha's (2020) critical direction 'against family,' I opened my participant selection in expansive ways to disrupt the state's legislation of the heteronormative nuclear family. I included people's wider networks of mutual support, including friends and community members. While lawyers and NGO workers might be considered part of people's wider networks of mutual support, I opted not to interview them for the project because of the line of professionalism that delineates their relationships with clients. Decentring the privileged compositions of the nuclear family and instead centring those people that we turn to for mutual care and support "can open up politics, allowing for different relationships to become legible and valued" (de Noronha, 2020, p. 139). This is necessary to transgress state definitions of belonging and the violent logics of the border that delimit people, their families, and their communities.

My recruitment strategy primarily relied on a variety of informal yet effective means of ethically recruiting research participants through trustworthy gatekeepers and a combination of

purposive and snowball sampling techniques. I reached out to various non-governmental community organizations across the country, as well as my personal network of legal professionals and community service providers who work closely with these populations, in the hopes that they could help connect me to participants. The early phases of recruitment involved cold contacting via e-mail, along with all the anxieties that cold contacting can provoke. I also offered to have conversations with the gatekeepers I reached out to in order to build rapport and gain their confidence and trust to connect me with possible participants or other legal advocates in the realm of migrant justice. I hoped I would be able to convey my sincere intentions and personal ties to the research project in these informal conversations. Aware of the ethical stickiness that comes from recruiting participants through gatekeepers (Clark-Kazak, 2021), I also made sure to acknowledge the power relations between gatekeepers and my desired participant pool. I communicated that I did not want people to feel pressured by the gatekeeper to participate. Indeed, people may feel obliged to participate in research that is presented to them by gatekeepers, thereby undermining the voluntariness of consent (Clark-Kazak, 2021). To safeguard against this, I provided gatekeepers with a written script they could share with potential participants that contained my contact information and instructions on how they could voluntarily reach out to me on their own accord should they wish to participate. My meetings with gatekeepers also led to fruitful conversations about different avenues I could take to recruit participants, such as canvassing media articles to identify other legal advocates, journalists, and community organizations I could reach out to that I did not already have on my list to contact. Finally, I provided my recruitment materials to gatekeepers for them to share amongst their own networks as they saw fit (i.e., through e-mail listservs, personal networks, social media platforms, etc.).

My recruitment strategy also involved advertising my project and call for participants poster on different social media platforms, including Facebook, Twitter (X), Instagram, and LinkedIn. I found most success on Twitter (X) and LinkedIn social media platforms as my recruitment material more easily targeted other legal and migrant advocacy professionals who were not in my immediate network. The 're-post' functions on these platforms made it so that those in my own professional networks could share it with their professional networks. I was able to recruit a few participants this way. It is worth noting the potential biases that exist in this particular recruitment strategy. Only people connected to certain social networks were exposed to and informed about my call for participation. However, the breadth of my reach to networks outside my own through listservs, reposts on social media platforms, and contacting community networks spanning all 10 provinces in Canada offers a reasonable safeguard to this recruitment bias.

To my dismay, I confronted racist harassment on the Facebook page I created to advertise my research project. In an effort to reach broader networks of people, I decided to pay advertisement fees on Facebook. Admittedly, I was unfamiliar with the advertisement process on Facebook and opted to go with the basic advertisement set-up, selecting only a budget and schedule for the length of the advertisement.[56] I decided to run the basic advertisement setup for a total of 7 days as a first step in order to learn from the initial advertisement run and adjust the setup in subsequent runs as needed. The first two days of the advertisement schedule generated little engagement; a few people had "liked" the post, but nothing more. On the morning of the third day, I woke up to two racially charged comments. I toggled the 'hide comment' function as I did not want these comments to deter possible participants. However, every morning after this,

[56] More advanced advertisement setups include selecting an advertisement objective and a target audience.

I would wake up to more comments exposing how white supremacy, xenophobia, and racist anti-immigrant sentiment are alive and well in Canada. I continued to persistently hide the comments when they were posted. I became worried that my e-mail address was made public on my recruitment poster. One user was soliciting people to "help [them] get this ad down." The comments under the Facebook post paint a historical and contemporary picture of racial discourses that frame the figure of the 'unwanted migrant Other' in Canada. The comments, included in Figure C3 in Appendix C, reflect racial discourses of the illegal and criminalized migrant who threatens the homogeneity of a desired 'White Canada.' They expose how "policing the migrant crisis" and the fortification of borders are indeed attempts to configure the racial formations of white supremacy (Danewid, 2021). The figure of dangerous, 'illegal' and threatening 'foreigners' invokes a "racist common sense" to frame migrants as the cause of social ills and the failings of neoliberal austerity (Danewid, 2021).[57] The criminalization of migration functions as a racial prism through which white Canadian citizenship is constructed, whereby settler-colonial entitlement to land, employment, and resources reproduces a racial citizenship undergirded by the logics of racial capitalism (Danewid, 2021; Walia, 2021). The comments reveal how Canadian citizenship is constructed through the logics of racial capitalism to justify that scarce resources cannot be afforded to migrants, that migrants are responsible for the scarcity, and that migrants must be expelled from the nation-state. Ultimately, I did not renew the advertisement on Facebook as a result of this experience and out of precaution that Facebook's

[57] Revisiting the insights of Stuart Hall, who theorized the growth in repressive state structures as a revanchist response to breakdowns in racial hegemony, Danewid (2021) argues that the ongoing expansion of border regimes is a hegemonic strategy of racialized crisis management. Specifically, she argues that "the imposition of ever more restrictive immigration policies, increased surveillance and heightened forms of deportability are attempts to defend white bourgeoisie order and to police a (neoliberal) racial formation in crisis" (Danewid, 2021, p. 2). Danewid (2021) asserts that "in the same way that mugging functioned as the racialized prism through which white fear was articulated and worked through in the 1970s, social anxieties today find voice in and through immigration controls. What Hall described as the law-and-order society has today developed into an expansive penal and national security state with enhanced powers to deport, detain, surveil and abandon" (p. 8).

algorithm and artificial intelligence learner had designated my ‘target audience’ to be xenophobic white nationalists.

As a final step of my recruitment strategy, I mobilized the snowball sampling technique. At the end of each interview, I asked participants whether they knew other people, friends or family members who might be open to an interview with me. I encouraged participants to share my e-mail address with their loved ones so that they could reach out to me on their own accord if they were interested. I was able to access two additional participants using this technique, each from separate circles of mutual support, thereby limiting over-representation of one ‘family’ in the dataset.

As anticipated, recruiting research participants was a key challenge. It was difficult to predict which recruitment strategies would be the most successful. Migrants and loved ones confront many fears and anxieties as it relates to the immigration system; many may fear reprisal by immigration authorities and are acutely aware of the continued precarity and uncertainty related to obtaining legal status in Canada, whether that be their own legal status or that of their loved one. Consequently, specific ethical issues arise in migration research due to legal precarity, the criminalization and politicization of migration, immobility, and power asymmetries (Clark-Kazak, 2021). Migration often entails precarious, temporary, or semi-permanent legal status. In the context of detention and deportation, the right to remain in a nation-state can be denied or revoked. Experiences that are shared as research findings may open avenues where shared stories can cast doubt on the credibility or veracity of the information provided in immigration related applications, claims, and appeals (Clark-Kazak, 2021). Moreover, the criminalization of migration in combination with the expansion of migration carcerality heightens the surveillance and scrutiny under which people are placed.

Undoubtedly, my desired research participants fall under 'hard-to-reach' populations by virtue of the sensitive, vulnerable, and highly stigmatized and precarious nature of their circumstances (Hasselberg, 2016). Even with the ethical precautions that I took in designing the research project (discussed below), I confronted this 'hard-to-reachness' throughout the entire recruitment process. Many cold e-mails to gatekeepers went unanswered despite my persistence. Three interviews that I had managed to secure resulted in no-shows, followed by no response when I followed up with them via e-mail. As shared by one participant I interviewed, anonymity was very important. He shared that this contributed to his initial hesitation in participating in the interview – a hesitation which I felt throughout our conversation by way of his decision to keep his camera off.[58]

The impact of precarity and fear further became clear as I struggled to recruit people who had experienced immigration detention, in contrast to the relative 'ease' I had in recruiting a higher number of participants who had experienced deportation in some capacity. Perhaps the finality of deportation created the conditions for people to feel they had the security and capacity to speak about their experiences, compared to the conditions of precarity, insecurity, and temporal limbo that detention presents. As Clark-Kazak (2011) articulates, "participating in research diverts time and energy away from survival activities and also involves emotional labour of retelling one's experiences over and over" (p. 131). Legal proceedings to stay a deportation order or to be released from detention are all-consuming, and participating in a research project with a stranger, while dealing in real-time with the carceral state, may be the last thing on people's minds and too risky. Together, these factors contributed to the small sample size (n= 19) of this research project, which restricts the generalizability of the research findings.

[58] A total of three participants opted to keep their cameras off during the interview.

Given the legal precarity and risks associated with participation, it was extremely important for me to reassure potential participants that I was trustworthy and had taken the necessary steps to ensure their anonymity, confidentiality, and privacy were maintained throughout the research process. My decisions throughout the research project were guided by a commitment to protect and preserve the stories of people who are the object of the state's carceral power. Throughout the project, I remained acutely aware of how "discussions and policies about migration are heavily politicized" and that "data, statistics and individual stories may be taken out of context or used to support xenophobic, racist or anti-immigration policies" (Clark-Kazak, 2021, p. 127). I obtained permission from and thoroughly followed the guidelines given by York University's Research Ethics Board, and I consulted Christina Clark-Kazak's (2021) guidelines on procedural and relational ethics in migration studies. I employed the ethical principles of informed consent, privacy, and harm reduction in my study.

Informed consent was sought out and maintained throughout the study. As described by Clark-Kazak (2021), "voluntary, informed consent means that those who consent to participate in research do so out of their own free will, with an understanding of the aims of the research and its potential risks and benefits" (p. 129). Before agreeing to participate in my research, all potential research participants were provided an informed consent form that included a detailed description of my research project, including any potential risks and harms that may be associated with their participation. I also offered to meet with interested participants before the formal interview to go over the form and answer any questions they may have had about the project. I intentionally drafted the informed consent form using accessible language, avoiding, where possible, the use of technocratic language that could have jeopardized understanding and, by extension, the principles of informed consent. I also provided participants with a "Your Rights

in Research" document prepared by the Canadian Council for Refugees (CCR, 2017). This document, available in English, Arabic, Spanish, Somali, Pashto, Swahili, Farsi, and Dari, explains in accessible language the concepts that are included in consent forms. This helped further ensure that participants were equipped with knowledge, confidence, and resources to consent to the research.

I expressed to my participants that their consent is "an ongoing relational process, rather than a one-off event" (Hugman, Bartolomei & Pittaway, 2011, p. 663). I told my participants that their participation in the study is voluntary and that they can choose to stop participating at any time, including after the interview is completed. In addition to seeking written consent through the consent form, I also sought verbal consent before the interview began by reviewing the information on the informed consent form and answering any questions participants had.

Before the interview began, I took the time to explain the procedural steps I would take to ensure their identity remained anonymous and confidential and how their privacy would be maintained. I explained to participants that all notes, interview audio recordings, and transcripts were kept confidential and encrypted with password protection. Audio recordings were destroyed once the interview was transcribed. I also spent time explaining my transcription process, sharing that I would remove any potential identifying information, such as workplace, educational institutions, and names during my transcription of the interview. I found this helped participants freely express themselves during the interview, or, at the very least, helped alleviate some reservations about participating. At the end of the interviews, I discussed the selection of a pseudonym[59] with participants and went over with them the potential identifying information that

[59] I encouraged my participants to choose their own pseudonyms by prompting them to answer the question: "In another lifetime, what would you like your name to be? Or what is the name of your alter-ego?" This generated both lighthearted and equally deep conversations post-interview and gave me a window into the personality and essence of my participants that otherwise did not come out during the interview. I heard of childhood stories, celebrity

would be removed. The only identifying information disclosed in the dissertation is the participants' familial relationships, as it is relevant to the analysis of my research findings. I offered to share a copy of the transcript with participants, but very few took me up on this.

Interviews typically lasted between 60 and 90 minutes. Each participant had their own individual interview, even in instances where they were related. I primarily followed the participant's line of conversation during the interview, finding, much to my surprise, that interviewees commonly spoke about their experiences without needing many interventions or prompts from me. I would begin the interview by asking participants to tell me about what brought them to the research project and what motivated them to speak with me. I also asked them to tell me about their migration journey (or lack thereof, if they were born in Canada). This would prompt participants to "start from the beginning" and recount the events that they deemed relevant to their experience. I interjected with follow-up questions when clarity was needed or when something stood out to me that I wanted to explore further. I turned to my interview guide if the conversation got "stuck." In general, each interview covered themes related to participants' experiences interacting with the regimes of detention and deportation, their family life and interpersonal relationships, and their experiences of racism and belonging in Canada.

Marginalized communities are asked to repeatedly retell their painful, often traumatic and emotionally taxing experiences and encounters with state violence. To further put participants at ease, I made an effort to be open about my critical approach to the research and my own personal attachment to the research project. I often confronted a deep desire to convey to participants that I was on "their side" – to express my abolitionist politics about the border, detention and

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crushes, and symbolic names people felt tied to. While most participants participated in the pseudonym selection activity, a few left it to me to decide on a pseudonym for them. I did not employ a methodical strategy to select these names and instead I opted to spend time scrolling through list of names on Google. I selected names that "felt right" and aligned with my encounter with the participant. I hope I have picked a name that does them justice.

deportation practices, carcerality, and punishment (though few shared such "radical" political positions). Some participants asked me questions related to this, but I also sometimes volunteered information during conversations with participants where appropriate. I was initially hesitant to divulge this information and struggled with questions about how much to disclose for fear of tainting the data or "compromising the researcher perspective" (Berger, 2015, p. 225). However, I grew more open to sharing information with my participants, and I found that sharing with them which parts of their stories resonated and touched me or, in some instances, parts of their stories that I could relate to, made the interview more conversational. Furthermore, my identity as a mixed-race Black woman, which I cannot conceal, helped forge an environment of trust, commonality, and shared understanding with the racialized participants I spoke to.[60]

Dennler (2020) emphasizes that "while it would be unethical to purposefully make research encounters abrupt, socially awkward, and uncomfortable, there is also something exploitative about making them more comfortable. The participant enjoys the conversation and leaves feeling positive about it, but the researcher leaves with richer data" (p. 49). I did not decide to share information about myself to gain richer data, but to embody something close to a decolonial relational politics that is crucial to research, advocacy, and communal relationships. As Linda Tuhiwai Smith (2021) writes, meaningful decolonializing practices "rest upon the principles of relationships, connections, reciprocity, and accountability" (p. xiii). An ethical praxis of relationality, therefore, must go beyond institutional procedural ethics (Clark-Kazack, 2021) towards a praxis that is rooted in value, respect, reflexivity, and positionality that are

[60] Berger (2015) contends that the position of the researcher may impact the research in three major ways: (1) participants may be more willing to share experiences with a researcher whom they perceive as more empathetic to their situation; (2) it may affect the information that participants are willing to share based on commonalities or differences related to race, gender, age, etc.; and (3) the worldview of the researcher affects their use of language, how they pose questions, and the meaning-making of the data. I elaborate on my positionality further in the following section.

fundamental for the integrity of both the research and the researcher (Smith, 2021; Bilotta, 2019). A relational ethics requires us to speak to the transcorporeal and emotional textures of research engagement (Taguchi, 2012) and to "get the story *right* [and] tell the story *well*" (Smith, 2021, p. 283, emphasis mine). I decided to lean into this throughout the research process to forge bonds with the people I spoke to, approaching them as human and person first, before research participant. Building genuine, empathetic social relations forged in bonds of trust, respect, compassion, love, and mutual aid deconstructs the rigid borders that separate us from one another and that sustain the structures of colonialism, slavery, and empire.

People who were interviewed were given a small honorarium.[61] This practice, while important, consistently felt inadequate to appropriately thank someone for discussing the intimate and emotional details of their experiences. I confronted the inadequacy of the honorarium in many conversations with participants after the interviews were over. Many participants refused to accept the honorarium, asking me instead to donate it to a cause close to them. These causes were related to the experiences they shared with me. For instance, Brave, a deported father, asked that I donate to a charity he used to donate to, but could no longer support due to the financial precarity that he is now confronting post-deportation. Nigel, also a father, who was apprehended by CBSA and deported after returning to Barbados to attend his brother's funeral, asked me to donate his honorarium payment to the Canadian Cancer Foundation, in honour of his late brother. Other honorariums were donated to civil society organizations aiding refugee newcomers and fundraising initiatives, including initiatives to financially support international students and to help people with their immigration related legal fees. Moreover, I became conscious of the researcher-researched power dynamics in some post-interview

[61] I offered participants an honorarium of 20 Canadian dollars.

conversations, particularly with deported people who inquired about different legal avenues to return to Canada. It dawned on me that this could also be a motivator for these interviewees to participate in the research – though deported, they did not let go of their desire to be reunited with their families in Canada. While I had taken the precautions to incorporate resources for my participants in the form of a list of community support organizations (Appendix D), I had not prepared for these sorts of requests for legal assistance. I felt that some participants were hoping I could provide them with tangible legal advice or strategies. My role (or perception of my role) as 'expert' came to its head in these interactions and generated internal feelings of helplessness. I attempted to compensate for my own feelings of inadequacy and helplessness by connecting participants with legal professionals better suited to help them than I was. These interactions further deepened the ethical stickiness of conducting this research project with the objective of obtaining a doctoral degree from a university and the internal conflict that arises when forced to remain in the role of researcher rather than advocate. I grappled with this personal tension of wanting to be a "saviour" in these instances. This remains an ethical dilemma that I do not feel I have adequately addressed.

Once the interviews were completed, I transcribed and coded them thematically using NVIVO software. Braun and Clarke (2006) define thematic analysis as a method for identifying, organizing, describing, and reporting themes found within the data set itself. My data analysis involved several close readings of interview transcripts followed by journaling exercises where I noted themes, emotions, and topics that emerged.[62] I began by using codes relevant to my research questions and organized my data deductively according to the 'signposts' of my interview guides. Following this initial coding practice, I expanded my code set to emerge from

[62] I expand on this analysis practice in the final section of this chapter, "*A Note on Positionality, Data Interpretation, and Embodied Analysis."*

the data during subsequent readings of the transcripts. This approach permitted themes to inductively flow from the lived experiences of my participants. I moved between existing theoretical knowledge and the empirical data in order to see how my findings could inform and refine theories and conceptualizations within the fields of migration and carceral studies. This captures the essence of critical race methodology as it permits the shift of the researcher position from the one of 'expert' to one of co-expert and, more fittingly, 'learner', in that "the participant is the one who has had the experience, [and therefore] is considered the expert on [their] experience and can share it with the researcher" (DeCuir-Gunby et al., 2019; deMarrais, 2003, p. 57).[63] Moreover, while the interview data was analyzed thematically, I also treated the data within the relationship of power, knowledge, and governance. Indeed, because power is ubiquitous and diffuse, "we are all, to some degree, caught up in its circulation" (Hall, 1997, p. 50). This means that participant narratives shared in the interviews also required an interrogation of how knowledge was exercised by means of "technologies of the self." Foucault (1997) describes "technologies of the self" as a set of practices through which individuals make themselves subjects – that is, the different ways individuals "by their own means or with the help of others, acted on their own bodies, souls, thoughts, conduct, and way of being, so as to transform themselves in order to attain a certain state of happiness, purity, wisdom, perfection, or immortality," or, as in the case of this dissertation, political inclusion (p. 225). The analysis of interview data found in Chapters 4 and 5 entailed excavating the different "technologies of the self" that regulated the intimate spaces, relationships, and everyday lives of carceral racial subjects. The interview data was analyzed to understand how racial discourses of carceral migration governance were internalized, negotiated, and contested in the constitution of the

[63] Scholars who incorporate critical race methodology also typically use standard qualitative methods such as semi-structured interviews, with the resultant data coded to produce a thematic analysis (Millier et al., 2020).

subject. In other words, I analyzed the data to understand how racial carceral subjects constitute themselves within and through a system of racial violence and carceral power that regulates their bodies, their thoughts, their emotions, and their conduct.

A Note on Positionality, Data Interpretation, and Embodied Analysis

As academics, we are often faced with questions of how and why we engage in research, but as scholars of color the answer to both questions is rooted in the same story. For us, research begins with experience and commitment to justice, which necessarily means combating, subverting, or examining relationships of power. This starts with White supremacy and colonization.

– Bryan McKinley, Jones Brayboy, & Jeremiah Chin in *A Match Made in Heaven*

Rooted in critical race methodologies and relational ethics, my methodological framework compels the interrogation of my positionality. I came to this research as someone who has experienced the incarceration of a loved one in the Canadian criminal justice system. As a mixed-race Black woman born in Canada, I am simultaneously a descendant of British and French settler-colonizers and of Caribbean immigrants who benefited from immigration policies. I hold the privilege of having secured legal status in Canada, a privilege that is accompanied by a passport that does not restrict my mobility. I have always occupied this space of duality; insider-outsider; Black-presenting but holding a proximity to whiteness by way of colourism, language, and citizenship status. Approaching this research topic has proven no different.

Throughout the research project, I was able to experientially and emotionally relate to the familial experience of carceral power and structural racism, but could only approach the violence of migration governance at a distance. These shared and distinct experiences undoubtedly influenced the research process and outcomes, working to bridge common ground and understanding in certain areas over others. Berger (2015) argues that shared personal experience to research topics affects the process of data collection and analysis, as it allows researchers to

approach the study with some knowledge about the subject and an awareness of certain things to address. Entering the research from this "shared experience" position allows researchers "to hear the unsaid, probe more efficiently, and ferret out hints that others might miss" (Berger, 2015, p. 223). Relatedly, I was guided by my own experience to explore the expansion of carcerality to family members. My encounter with the carceral system as a family member undoubtedly shaped my research questions and objectives and, to an extent, the questions I selected to be part of my interview guide. This shared experience made me more sensitized to certain dimensions of the data (Berger, 2015), ultimately influencing my decisions to probe my participants to delve deeper into certain topics. Reflexivity practices such as journaling on themes of family, racism, nation-making, and carceral encounters, as well as speaking with peers and mentors, were a critical part of my research practice. These reflexivity practices were important in order for me to strike a careful balance between using my intimate familiarity and deeper understanding of the phenomenon while at the same time ensuring that I did not impose my own experience and expectations on participants (Pillow, 2003b; Berger, 2015).

These shared, but also distinct, experiences of carcerality that my participants described affected me deeply. Not only were my participants describing vivid emotions and sensations during the interviews, but I often left interviews deeply unsettled and wrought with heavy emotions of sadness, worry, grief, helplessness, and anger. Ayata, Harders, Özkaya and Wahba (2019) advance that qualitative interviews are situated affective encounters, whereby both the interviewer and interviewee are vulnerable to affecting and being affected. Feelings and emotions must be considered as part of the interview process, and ignoring or repressing them risks producing distorted data (Lee-Treweek & Linkogle, 2000; Ayata et al., 2019). The relationship between interviewer and interlocutor is dynamic and "always shaped by different

relational intensities," producing embodiments, intensities, and dissonances in the interviewing process (Ayata et al., 2019, p. 65) and in the production of knowledge (Gould, 2015; Taguchi, 2012). These stories of racial violence and injustice, along with their emotional texture and the emotions that they invoked in me, haunted me throughout the interview data collection phase, the analysis phase, and the writing phase. These vivid emotions forced me to critically reflect on what was happening in the research process, becoming, in turn, a source of knowledge that prompted a line of questioning about affect, emotions, sensations, and feelings that ultimately shaped the project (Gould, 2015).

In conducting this research, it quickly became apparent how much emotion, feeling, and sensations shaped the carceral encounters of my participants; how much they shaped my own personal encounters with the carceral system; and how much they were shaping the interactions that I was having as a researcher engaging in the co-constitution of knowledge with my research participants. Following the interviews, I took notes on the moments in the conversation that particularly stood out to me and the emotions that were present, both from my participants and from myself. While transcribing the interviews, I added to these notes and reflections as it felt as if I was hearing the stories for the first time again. My transcription process also involved noting the affective atmosphere of the conversations by transcribing non-verbal forms of communication, such as moments of crying, sighing, laughter, abrupt stops or pauses in the conversation, etc. During the data coding and analysis, I could *feel* this affective atmosphere and the reverberations of the affective intensities that I experienced during the initial interview. In this vein, I pursued what Taguchi (2012) describes as *becoming-with* the data – that is, attending to an embodied engagement with the materiality of the research data, rather than reading it from a distance or as separate and apart from it. In *becoming-with* the data, "the researcher is attentive

to those bodymind faculties that register smell, touch, level, temperature, pressure, tension and force," where the data is itself "understood as a co-constitutive force, working with and upon the researcher, as the researcher is working with the data" (Taguchi, 2012, p. 267 & p. 272). Following these emotions rather than turning away from them ultimately shaped the theories that I turned to to interpret the data, and deepened and enriched my analysis. Indeed, these emotions significantly informed my decision to ground my interpretation of findings in affect theories of race and racialization. It became clear to me that my participants were reckoning, emotionally, with what it means to be a racial carceral subject, or what it means to love a racialized, and by extension, criminalized, migrant in white-settler nation-states.

As a researcher, I recognize that I mediate the meaning of my participants' lived experiences. In the chapters that follow, I describe what my participants were experiencing in their own words, frequently choosing to cite their voice at length, unedited, using block quotes, or merging their words in my own formulated sentences. Ultimately, I also bring theories of carcerality, affect, and racial governance to analyze and interpret the underlying structural, political, and legal conditions that bring these experiences into being. I hope my decision to bring the voices of my participants to these pages by quoting their stories at length and embedding their words in my sentences helps retain and preserve the integrity of their experiences. I do not claim to capture the full range of legal, social, and emotional experiences of migrants and families living under threat of detention and deportation in Canada, particularly because of the small sample size of the research project. Instead, I explore the phenomenological experiences of my participants in detail, documenting in turn subjugated knowledges and situated standpoint experiences to create an "archive of feelings" of racial violence in Canada. I have aimed to advance theoretical and empirical knowledge on the racial carcerality of migration

governance in Canada while staying true to the stories participants shared with me about their own desires for life, security, love, and family in the midst of state-sanctioned racial violence.

Chapter Three: The Political Project of Family Reunification in Canadian Immigration Law

On November 1, 2016, Ma Lean Andrea Gerente, a daughter of a Filipino caregiver, presented a submission to the Standing Committee on Citizenship and Immigration (the Committee) concerning the Committee's review of family reunification policies in Canada. The undertaking of this review of family reunification was prompted by the federal election of Liberal Prime Minister Justin Trudeau in 2015. With respect to matters of immigration and the border, the Liberal Party's 2015 election campaign focused on an overhaul of the highly securitized immigration regime of the Conservative Harper government (2006-2015). The Conservative government passed a number of legislative changes and policies that resulted in an increasingly securitized border and the implementation of expansive powers to exclude, criminalize, detain, and deport migrants from Canada. These included Bill C-11, the *Balanced Refugee Reform Act,* which restricted access to legal remedies for refused refugees to contest a removal order, including barring access for one year to the pre-removal risk assessment (PRRA) and humanitarian and compassionate (H&C) applications; Bill C-31 the *Protecting Canada's Immigration System Act*, which granted broad ministerial powers to the Minister of Public Safety to designate certain arrivals as "Designated Foreign Nationals" – a designation that permitted mandatory detention and restricted access to the refugee system; Bill C-43, the *Faster Removal of Foreign Criminals Act*, which restricted access to appeal a removal order for those with criminal convictions; and Bill C-24 *Strengthening Canadian Citizenship Act,* which granted Ministerial powers to the Minister of Citizenship and Immigration Canada (CIC) to revoke citizenship of dual nationals convicted of terrorism.[64] Family class migrants were also targeted

[64] Other sanctions implemented by the Conservative Government include "the detainment of refugee passengers on the MV Sun Sea (2010), the attempted passing of the *Preventing Human Smugglers from Abusing Canada's*

under the premise of maintaining the "integrity and security" of the immigration system. Then Minister of Citizenship and Immigration Canada (CIC),[65] Jason Kenney, introduced policy measures that focused on cracking down on marriage fraud in spousal sponsorship applications (D'Aoust, 2017), as well as restricting the sponsorship of parents and grandparents in the interest of protecting the economy from 'resource drain' (Fitzpatrick, 2013). Under this national crackdown on family sponsorship, migrant families were constructed as potential queue jumpers and system cheaters who threatened the integrity of the immigration system (Gaucher, 2018). In response, the Liberal Party ran a campaign centred on "opening [Canada's] door to prosperity," with a "new plan for [the] immigration system that is grounded in compassion and economic opportunity for all" (Liberal Party of Canada, 2015, p. 62). As part of their campaign, the Liberal Party promised to "take immediate steps to reopen Canada's doors [and make] reuniting families a top priority" (Liberal Party of Canada, 2015, p. 62). Notably, the Liberal Party advanced an electoral platform that promised Canadians a markedly different approach to borders and immigration than that of their Conservative predecessor.

After the Liberal Party won the election, the priority to overhaul the immigration regime with a renewed "generosity of spirit" was reiterated to the Committee during the new Minister's mandate letter briefing. The mandate letter included a list of 12 priorities for the new Minister of IRCC to undertake, almost half of which were focused on the issues of families (Office of the Prime Minister, 2015). The Committee heard from the Minister of Immigration, Refugees and Citizenship Canada (IRCC)[66] that streamlining processing times for family class immigrants was

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Immigration System Act (2010), the elimination of health care coverage for refugee claimants (2012), […] the elimination of 280,000 immigration applications in order to relieve "backlog" (2012), […] the refusal of Syrian refugees (2015), the *AntiTerrorism* Bill (2015), and the *Zero Tolerance for Barbaric Cultural Practices Act (*2015)" (Gaucher, 2018, p. 67).

[65] Now Immigration, Refugee and Citizenship Canada (IRCC).

[66] The Liberal government renamed the Department of Citizenship and Immigration Canada (CIC) to the Department of Immigration, Refugees and Citizenship Canada (IRCC) after they took office in 2015.

the “number one priority” for the new government (CIMM Evidence, 42-1, No. 2; CIMM Evidence, 42-1, No. 30). Resultingly, pursuant to Standing Order 108(2), the Committee agreed to undertake a study of the family *sponsorship* program and to report its findings to the House of Commons.

In her oral submission to the Committee, Ma Lean Andrea Gerente recounted her story of family separation from her mother, Maricon Gerente. Maricon arrived in Canada in 2008 to work under the live-in caregiver program, leaving one-year-old Ma Lean Andrea and her sister behind in the Philippines. While waiting for a determination on her permanent residency application, Maricon fell terminally ill in 2013. Gerente shared that “after many months and years of waiting, my mother was granted permanent residency on her deathbed” (CIMM Evidence, 42-1, No. 36, p. 3). Gerente and her sister were only permitted to enter Canada with a temporary resident permit rather than the permanent residency status typically accorded in family reunification cases, and had to appeal to the Federal Court for permanent resident status. Gerente was concerned that certain groups were being forgotten in the government’s commitments to family reunification. She shared with the Committee:

> Nothing is more painful than a separated family. It’s worse than a divorced family. The long years of waiting have serious psychological and physical impacts on families, especially on us, the children. I remember having nightmares regularly while waiting anxiously to hear the good news from my mother about her PR [permanent resident] approval. The torture of waiting caused my sister and me great emotional suffering. We are now permanent residents of Canada. My mother is gone, but we're still here. I'm aware that the current government has attempted to speed up the family reunification program, and we are pleased by your commitment to reducing waiting times for family class immigration. I learned that family reunification for live-in caregivers and refugees is separate from the family class, and we are now concerned that these groups *will be forgotten* (Ms. Ma Lean Andrea Gerente, as an Individual, CIMM Evidence 42-1, No. 36, p. 3, emphasis mine).

Gerente’s submission prompts further questions: who else is forgotten in the context of family reunification? What forms of family separation are legible to state intervention and which are

rendered invisible? How are families imagined as deserving of unification, and which families – and the separation they experience – are excluded from this imaginary?

In this chapter, I interrogate the conception of the family in political discourse concerning immigration law by analyzing the political rationalities that informed the Standing Committee's review of family reunification in Canada. The Committee heard from a total of 48 witnesses over the course of ten meetings between October 4, 2016 and February 8, 2017. Witnesses included the Minister, Deputy Minister, and Director Generals from IRCC, members of the Canadian Bar Association, academic and legal experts in immigration law, various civil society organizations, and individuals.[67] The renewed attention to and prioritization of family reunification that propelled this study, under a governance model premised on generosity, inclusion, acceptance, humanitarianism, and bureaucratic efficiency, offered a fruitful window of analysis into the construction and imaginary of the 'family' and of the politics of family reunification in Canada. Moreover, this is the latest study on family reunification in Canada since 2017. I analyzed the government transcripts of the Committee's proceedings (House of Commons, Standing Committee on Citizenship and Immigration [HOC-CIMM], 42-1), the Standing Committee on Citizenship and Immigration's final report on "Family Reunification" (HOC-CIMM, 2017) and the Government of Canada's response to the report (Government of Canada, 2017).[68] I examine how and where 'the family' is imagined along the immigration continuum, the family compositions that are deemed legitimate for unification, and the racial processes that underpin these conceptualizations. As this chapter will demonstrate, the politics of family reunification in Canada expose how racism and liberalism are co-constituted through the vantage point of the

[67] A list of Standing Committee members and witnesses has been provided in Appendix E.
[68] Though the recommendations provided by the Committee are not binding, the Government of Canada is required to provide a response to these recommendations.

desirable family worthy of inclusion and unification. Liberal inclusion into the Canadian nation-state, through family reunification practices, is predicated on a conception of the "desirable family," a deeply racialized conception of belonging. I demonstrate how conceptions of the family are tethered to racialized liberal notions of the ideal "good immigrant" subject/citizen, which necessarily implicates the ideal, desirable and "good" family. These logics operate to delimit those who have the *right* – those who are "*worthy"* – to have and be family and those who are not. Implicitly, these delimitations also convey for whom family separation, as the natural opposite of family (re)unification, is justified. I begin with a brief historical overview of Canada's treatment of family migration, before tracing the vestiges of racial exclusion in the contemporary moment.

In the documents I examine, I find that four distinct, but interrelated, figures[69] are conjured in political discourse to animate a story about Canada's commitments to family reunification and the problematizations of family class migration: 1. the "best and the brightest" potential migrants; 2. the legitimate nuclear family; 3. the economically burdensome "drain on society" dependent family member; and 4. the "bad faith" fraudulent family member.[70] These figures are discursive representations of 'the family' and 'the migrant' and function as the racialized prism through which nation-state formation is made possible, underwriting in turn, a

[69] My use of the "figures" referent is inspired by the work of Sherene Razack. In *Casting Out: The eviction of Muslims from western law and politics,* Razack (2008) traces three allegorical figures that have come to dominate the social landscape of the 'war on terror' and its ideological underpinning of a clash of civilizations. These figures – the dangerous Muslim man, the imperilled Muslim woman, and the civilized European – produce "the narrative scaffold for the making of an empire" and supply the governing logic that work to expel Muslims from political community, "a casting out that takes the form of stigmatization, surveillance, incarceration, abandonment, torture and bombs" (p. 5). The figures that I explore in this chapter similarly produce "narrative scaffolds" for the national conceptions of "the family" of migrants and underwrite exclusion from the nation-state.

[70] Though I delineate these figures in four manifestations, I wish to note that these figures are deeply interrelated; the conjuring of one implicitly anchors and solidifies the others. Indeed, as will be shown in this chapter, operating in the background of the figure of the legitimate nuclear family, for example, is the figure of the "drain on society" dependent family member. The governing racial logics of each figure haunt, linger, and find presence in the transfiguration of the others.

story about where and how families are imagined along the immigration continuum. These figures are discursively thread together by way of a racialized ontology[71] that is at the heart of the representation of the migrant and facilitates the expansion of carceral migration governance in Canada. I conclude the chapter with a review of the outcomes of the study and the Government of Canada's response to the recommendations put forward by the Committee. Notably, I find that legislative and policy changes following the Committee's review of "Family Reunification" were limited, suggesting that this was a political policy spectacle more than a commitment to a meaningful overhaul of the securitized immigration regime of the Conservative Harper government. The reality that much of the crimmigration infrastructure of the Harper government remains intact, and has even been bolstered by the Trudeau government (Dauvergne, 2025), paired with the discursive figures that animate a racial politics of family reunification in Canada, reveals how the expansion of racial carcereal migration governance is a bipartisan agenda in settler-colonial Canada.[72]

A History of the Present: Family Reunification in Canadian Immigration Law

In his opening remarks to the Standing Committee on Citizenship and Immigration, the Honourable John McCallum, then Minister of Immigration, Refugee and Citizenship Canada, asserted Canada's official commitment to family reunification. Minister McCallum stated that "the long-standing goal of reuniting families has been an important part of the history of

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[71] The articulation and production of the figure of the migrant (or migrant subjectivity) is one that exists in tethered relation to a set of ontological discourses pertaining to racial difference (see footnote 40). To be marked as 'migrant' is to be marked as 'stranger' and 'outside the 'human,'' which is to be marked as raced.

[72] I echoe the findings of Catherine Dauvergne's recent article "The Banality of Crimmigration—Can Immigration Law Recover Itself?" Dauvergne (2025) contends that crimmigration forms the basis of a new form of bipartisan consensus in Canada. Dauvergne examines Justin Trudeau's Liberal government (2015-2025) and finds that most of the Harper-era crimmigration measures were left in place, and that the advancement of crimmigration continued unabated. The findings in this chapter add to Dauvergne's work by articulating how even humanitarian initiatives, such as family reunification laws, continue the expansion and logics of racial carceral migration governance. Importantly, I centre race and racism in this analysis to trace the history of the present.

Canada's immigration system" and that "it remains fundamental to that system" (CIMM Evidence, 42-1, No. 30, p. 1). Against this formal and stated objective of family reunification in Canada, a review of the country's history of immigration policies tells a different story. Minister McCallum's statement obscures Canada's history of racial exclusion through family reunification policies. While the objective of family reunification was formally included in law in the 1976 *Immigration Act*, the concept of family reunification as a pillar of immigration has existed to varying degrees since 1908. The immigration admission of relatives first appeared in 1908 with the introduction of 'relative' as a legal category of immigrant. Later, in 1910, the first definition of family and enumeration of specific relatives who could act as the "head of the family" was introduced. A restrictive approach to family immigration was adopted during this time. Family was defined in nuclear terms as "mother, father and children under the age of 18" (Battista & Smith, 2022).[73] The entry, inclusion, and settlement of migrants and their kin was contingent on the ideology of white supremacy and the construction of the model settler (Abu-Laben, 1998a; Schwinghamer, 2022). Indeed, the prosperity of the white family saturated early immigration law, whereby white women from Europe were actively recruited "on the grounds that they were women of 'good stock' who could serve the nation as future wives of white men and future mothers of white children" (Abu-Laben, 1998, p. 72). The prosperity of the white family was also made possible by the *Empire Settlement Act* of 1922, which enacted an agreement between the British Parliament and the Commonwealth countries to facilitate and incentivize the settlement of agriculturalists and farm labourers throughout the British Empire.[74] In contrast,

[73] The foundation of the figure of the legitimate nuclear family is crystalized here, which also is a container for racialization. I return to this figure later in the chapter.

[74] One of the programs introduced under this Act was the "3,000 Families Scheme," which provided settlement in Canada of 3,000 British families. British families who arrived under this scheme were guaranteed financial aid from the British government for purchase and placement on farms (Knowles, 2016).

racialized families were met with restrictions and exclusions from the nation. The imposition of the Chinese head tax, for example, had profound consequences for Chinese families, wherein the wives and children of Chinese labourers were excluded from entering the country (Abu-Laben, 1998). Moreover, under the 1923 *Chinese Immigration Act,* Chinese merchants were permitted to sponsor only their wives and children under 18, whereas European residents in Canada could sponsor their wives, unmarried children, unmarried siblings, and parents (Battista & Smith, 2022). Similarly, restrictions placed on Japanese and South Asian migrants also restricted the immigration of their families. The racial desirability and distinctions that saturated early immigration policies thus erected barriers against family reunification, positioning some families as unwelcome and threatening to the building of "White Canada" (Battista & Smith, 2022).

It was only in the wake of the Second World War that Canada officially (and seemingly) 'embraced' family migration. In response to the influx of displaced people from the war, the Canadian government opened the categories of admission of relatives and regarded family reunification positively, positioning Canadian efforts on the international stage as a champion of separated families (Daniel, 2005). Importantly, however, it was immigration of the 'right' type of 'desirable' families to whom the Canadian government was open to extending its compassion. While sponsorship was *theoretically* open to migrants worldwide, in practice, national origin was a determining criterion of selection (Abu-Laben, 1998). Aligning with the structurally racist history of the nation, it was European male labourers, agriculturalists, and their immediate families (spouses, unmarried children, parents and orphaned nieces and nephews) that were eligible for entry into Canada during this period (Abu-Laben, 1998). Asian and Black Canadians who sought sponsorship for their parents were subjected to an age limitation (their mothers had to be over the age of 60 and their fathers over the age of 65) in order to be eligible for family

reunification, whereas there was no age limitation for their European equivalent (Daniel, 2005). Against this backdrop of supposed compassion, the racial logics of inclusion and exclusion continued to make themselves explicit in the name of preserving the white character of the population.

The valorization of family reunification started to decline in the second half of the 1950s, when family sponsorship applications were overwhelming immigration offices (Knowles, 2016). Immigration officials posited that certain national groups and their families were taking advantage of the system, reifying racial discourses of a dangerous, uncontrolled invasion of cultures incapable of proper integration and assimilation into Canada (Knowles, 2016). Notably, the restrictions placed on family reunification during this time occurred during a period of economic downturn in Canada, which caused anxiety amongst Canadian officials about the significant influx of unskilled and uneducated immigrants arriving in Canada (Hawkins, 1988).

Economic fluctuations frequently delineated whether the concept of family is to be expanded or contracted in a given period. From 1957, the government unsuccessfully attempted to table several provisions to control the escalating sponsorship movement by restricting the admissible classes of relatives (Knowles, 2016). Notably, "it was not the immediate (close) family that was targeted, but rather extended family members, as their arrival in large numbers was blamed for a number of social [and economic] ills that supposedly hampered immigrants' integration" (Daniel, 2005, p. 85). Scholars have characterized this trend as the "tap-on, tap-off" approach, whereby the economy serves as the justification for changes to immigration levels (Daniel, 2005; Abu-Laban, 2024). Economic justifications that inform Canada's "tap-on, tap-off" approach operate as convenient race-neutral mechanism for exclusion.

The racial neutrality afforded by the "tap-on, tap-off" approach was necessary for the 1960s period of liberalization of immigration law, which marked a significant shift away from immigration selection explicitly predicated on race, ethnicity, and nationality (Aiken, 2007). Introduced in the 1962 Immigration Regulations Order in Council PC 1962-86, overt references to racial exclusions were eliminated and replaced instead by administrative qualifications centred on education and skill.[75] However, vestiges of racial exclusions were preserved in family sponsorship regulations. In particular, family sponsorship provisions accorded a broad definition of relatives eligible for sponsorship only to people immigrating from the Americas and Europe, allowing these groups to sponsor a wider range of relatives compared to their non-European counterparts (Knowles, 2016). By contrast, immigrants from Africa and Asia were subjected to a more limited scope of acceptable family sponsorship (Schwinghamer, 2022). Racial distinctions and preferences for family sponsorship would remain in the books until the implementation of the 1967 Immigration Regulations five years later.

Up until this point, the bulk of the substantive changes to liberalize immigration law emerged from cabinet and ministerial orders in council rather than legislation. By the 1970s, elected officials were determined to develop an act that laid out an immigration philosophy reflective of the liberalization reforms that had been introduced over the years, and replace the previously slated *Immigration Act of 1952*, which was principally concerned with listing the

[75] It is important to note that these changes emerged on the precipice of several shifts in the international landscape rather than moral qualms over racism, including the rise of national liberation resistance movements that were happening across the globe in many colonized countries. The rise of these resistance movements challenged the colonial subject's racialization as 'inferior,' subsequently forcing the dismantling of the British and other European empires (Thobani, 2000). Concerned with their international reputation, the government could no longer justify selecting immigrants on the basis of race or national origin, nor could they risk the repercussions that discriminatory immigration provisions would bring to their international relations within the United Nations (Knowles, 2016). Moreover, the post-war economic boom also resulted in the decline of emigration from Europe, leaving Canada concerned about the lack of immigration levels to contribute to the growth of the economy (Thobani, 2000). It is in these changed circumstances that the Canadian state pragmatically removed overt references to race in immigration policy.

classes of people to be excluded from Canada. In an effort to configure an immigration philosophy that would govern the new piece of legislation, Minister Robert Andras tabled four discussion documents referred to collectively as the Green Paper of 1975. The findings of the Green Paper would come to inform the newly tabled *Immigration Act* of 1976, which established for the first time in law the main objectives of Canada's immigration policy. These included promoting Canada's demographic, economic, social, and cultural goals, as well as the priorities of family reunification, diversity, and non-discrimination (Knowles, 2016). Arguably, it is here that Canada's assumed duty to "see to it that families are reunited" crystallized itself permanently into the Canadian national imaginary by way of being cemented in legislation. The 1976 act articulated in writing the independent objective of family reunification.[76] This objective remains a central pillar within Canada's current immigration act: the *Immigration and Refugee Protection Act, 2001* (IRPA), and its accompanying regulations: *Immigration and Refugee Protection Regulations* (IRPR).

It is these hauntings and ghostly matters (Gordon, 2008) that are invoked in Minister McCallum's opening statement to the Committee. Canada's commitment to family reunification is highlighted in contemporary official discourse as embodying "the humanitarian aspect of Canada's immigration policy and is presented as a hallmark of the nation's compassion," obscuring, in turn, the highly racialized contingencies associated with this compassion (Daniel,

[76] The Green Paper asserted that: "[w]hen Canada accepts immigrants, we consider ourselves duty-bound also to accept those close relatives who would normally be dependent on them in a society such as our own" (Department of Manpower and Immigration 1974, p. 52, as cited in Chen & Thorpe, 2015, p. 86). The 1976 act articulated that the policies, rules, and regulations of the act were designed and administered "to facilitate the reunion in Canada of Canadian citizens and permanent residents with their *close relatives* from abroad" (emphasis mine). The emphasis placed on the 'closeness' or familial proximity of relatives, replacing the previous criterion of dependence, is telling of the racially charged concern with extended familism that is contrary to the Western conception of the nuclear family unit. I explore the racial logics of the nuclear family unit in further detail in this chapter.

2005, p. 684). Minister McCallum evoked this national imaginary[77] of Canada, continuing his submission to the Committee by stating:

> If you ask why we are welcoming new families, it's not just because we're kind, humanitarian people, because we think it's right that people should be reunited with their immediate families and should be able to bring their parents here. Hopefully we are that, but there's also a very economically important dimension to this. We are competing for strong immigrants with other countries around the world, with Australia, U.K., the United States. If we have strong immigrants we want to bring in and say, 'but you can't bring your family', or 'it will take you two years to bring your family,' they may well go somewhere else (Hon. John McCallum, Minister of Immigration, Refugee and Citizenship, CIMM Evidence, 42-1, No. 30, p. 1).

Kindness and compassion construct the affective economies that circulate to form and represent the Canadian nation-state and its "humanitarian" practices through racializing logics. Emotions in circulation, or "affective economies," affect how people are oriented towards each other and toward the world, producing social and material realities that impact how we relate to others, how we feel in particular situations, and how we come to belong (Ahmed, 2014, p. 44). As politicized emotions, the nation's appropriation of kindness and compassion exalts its subjects as possessing these qualities. As Thobani (2007) argues, this "endow[s] political currency on [these] characteristics as possessed by nationals, but not by their 'Others'" (p. 107). Importantly, however, the discourses that shaped the submissions in the Committee meetings, including Minister McCallum's statement above, collapsed the illusory divide between the humanitarian

[77] I use the term national imaginary to reference how Canadian national identity is formed on a number of cultural mythologies ("imaginations") that erase the violent practices of dispossession, exclusion, and extermination that comprise the history of the Canadian nation-state. Bennedict Anderson (1983) first introduced the concept of "imagined community" to refer the ways in which nations are imagined; they are constructed on a set of representations, ideas, and cultural signifiers that endow national subjects with deep, horizontal comradeship. Building upon the national imaginary, the work of Sunera Thobani (2007) centres race and racialization in the imagined national community. Thobani (2007) asserts that the exalted Canadian national subject rests on the classification of the Western imaginary within binary opposition to the excluded racialized 'Other.' The West is imagined to be founded on democracy and values of integrity while the 'Other' is not. Similarly, Canadian nationhood is imagined as being characteristic of honesty, inclusion, generosity, and compassion, permitting the exaltation of this identity over inferior racialized and culturalized 'Others' (Thobani, 2007).

categories of immigration and the economically "useful" categories of immigrants.[78] Here, Minister McCallum's emphasis on the economic dimension of family reunification, in contrast to his hopeful (rather than definitive) assertion that Canada is committed to "welcoming new families because we are kind, humanitarian people," exposes the limits of the nation-state's humanitarianism, generosity, and compassion, invoking the figure of "the best and the brightest" migrants that Canada must "compete" for.

Canada's Commitment to Reuniting Families: Building the Nation with "the Best and the Brightest"

Government officials present immigration categories and pathways as neatly distinct (i.e., economic, family, and humanitarian admissions). However, it is clear that economic considerations remain a primary justification for the "tap-on, tap-off" immigration system in Canada, even within family reunification policies (Daniel, 2005). Tracing the legislative and policy changes of Canadian immigration law, Abu-Laban, Tungohan, and Gabriel (2023) demonstrate how, by the 2000s, the Canadian government's desire to be globally competitive was propelled by the neoliberal logics of a "marketized immigration model" that prioritizes immigrant selection based on their perceived economic value to the country. Consequently, family and humanitarian immigration admissions have become secondary and tertiary considerations (Abu-Laban et al., 2023). While family class immigration rose significantly in the 1970s, becoming the dominant migration flow representing 40-50% of total immigration to Canada (Deshaw, 2006),[79] immigration trends since the 2000s reflect that Canada has

[78] This discourse is further populated in the figures of the "best and the brightest" and of the "drain on society" discussed later in this chapter.

[79] Although these figures suggest a strong commitment to family reunification through sponsorship, restrictions placed on family reunification were insidiously facilitated by way of other immigration programs outside of family sponsorship, including deportation enforcement and regulations of the domestic worker program. See Deshaw (2006) and Lawson (2013).

increasingly prioritized economic migration over family reunification. Between 2008 and 2024, the economic class consistently accounted for more than twice the number of family class migrants. While the economic class accounted for roughly 53% to 67% of annual admissions, the sponsored family class comprised only 20% to 32%.[80] These admissions patterns illustrate the extent to which immigration policy has privileged labour-market objectives over family reunification.

However, it is not only that family reunification has become less of a priority, as Abu-Laban and colleagues (2023) contend. This marketized immigration model has also profoundly *shaped* family reunification policies. Throughout the Committee hearings, witnesses articulated that reforming family reunification policies was a political strategy that could help Canada advance in the international race for talent. For example, Ms. Bronwynn Bragg, the former Research and Policy Manager of the Ethno-Cultural Council of Calgary, presented findings from their organization's research titled "Families Together/Families Apart." Bragg submitted to the Committee that the distinctions between economic and family class migrants were hindering the success of Canadian immigration policies. Bragg stated:

> What I heard in our interviews was that the majority of the people we spoke to were skilled immigrants. They were working. They were professionals. They wanted to bring a grandparent to Canada because they had chosen to come to Canada because of the ability to have family reunification. Instead of seeing these two [economic and family class migration] as separate spheres—as I know we do, and that's unfortunate—we need to understand that as part of our ability to attract the labour market ready, English speaking, highly educated, skilled immigrants whom Canada allegedly wants to include in our community, we need to be keeping our family reunification programs robust in order to continue to attract those migrants (CIMM Evidence 42-1, No. 37, p. 5).

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[80] Tables F1.1-1.3 provides yearly data of the number distribution (target and admissions) and percentage distribution (target and admissions) of Canada's three immigration streams from 2008 to 2028. Data from 2025 to 2028 only reflect immigration target distributions, given that 2025 data has not been published, and we are yet to know the final admissions numbers for 2026-2028. However, the targets for 2025 to 2028 reflect the trend of prioritizing economic class migration over the family class. See Appendix F.

Although family class migrants, since the 1990s, have come to be presented as less or non-productive precisely because they are not chosen for their "skills" (Abu-Laban, 2024), economistic appeals nevertheless work their way into their selection. Families are leveraged as strategic game pieces in the global competition for capital expansion and only become legible through the economic fruit they bear for the nation-state. Family reunification policies, therefore, must remain "robust in order to continue to attract those migrants." Similarly, Minister McCallum presents the international global policy risk that restrictive family reunification policies pose – those risks being Canada's inability to attract the (economically) "strong" immigrants that Western nation-states are "competing for." As Shachar (2006) contends, in the competitive scramble for the "best and the brightest," advanced industrial countries (re Western nation-states) embark on a "race for talent" to gain or retain advantage over their international competitors in the global economy. Despite the newly minted Liberal government's attempt to dismantle the immigration policies of their Conservative predecessor, the discursive imaginary of the ideal migrant – the economically suitable, competitive immigrant who possesses the promise of economic self-sufficiency (re: a possessive individualism) – remained intact.

This liberal conception of the "good" ideal migrant, by extension, implicates the desirable family worthy of reunification. As articulated by the Executive Director of the New Brunswick Multicultural Council, Alex Leblanc:

> If we as a country are looking to get the best and the brightest to address our labour market gaps, to help us grow our economy, to start new businesses, we should be recognizing that those people have family connections, and their families are important to writing that Canadian story, to the fabric of our country and our communities. I think if that's the vision—that we want the best and the brightest—then we have to understand that they're going to want to bring their family members (Alex Leblanc, Executive Director of the New Brunswick Multicultural Council, CIMM Evidence 42-1 No. 34, p. 5).

The "Canadian story," therefore, is imagined as welcoming migrants and their families based on their economic strengths and potential (i.e., the best and the brightest that the Global South has to offer). As one of the discursive grids of intelligibility, the figure of "the best and the brightest" is conjured to render families legible to the nation-state. The figure of "the best and the brightest" immigrant is invoked to create a national identity that welcomes immigrants and their families, provided they contribute to economic growth and address labour market gaps. The underlying logic informing this political rationale is one that exalts migrants who best evoke the ethos of neoliberalism (Abu-Laban, 2024), in that they are economically autonomous and "labour market ready." The logics engendered by this figure are highly racialized. Indeed, the historical and contemporary violence of racial capitalism – of labour extraction and commodified inclusion – are transformed into positive liberal discourses of a welcoming nation-state committed to family reunification. Migrants are conscripted into processes of capital accumulation and the expansion of global capitalism through the race-neutral language of "skill," "education," and "language." These attributes are treated "unproblematically as concrete and measurable attributes of an individual, acquired through education or training" (Guo, 2015, p. 238). However, critical race scholars have contended that skill (Guo, 2015), education and professional credentials (Li, 2008), and language proficiencies (Creese & Kambere, 2003; Fleming, 2010) are discursive categories that operate as floating signifiers for race, allowing for the reproduction of white supremacy and dominance in a liberalized, "post-racial" immigration regime (Abu-Laban, 2024).[81] The

[81] Examining the discursive construction of knowledge and skill in immigration law, Guo (2015) contends that a racialized regime of skill has saturated the nation-building project to produce normative, white, docile corporate subjects who conform to Canadian norms and workplace cultures. Through the deskilling and devaluation of immigrants' international credentials and prior work experience, racialized immigrants face significant barriers to access the Canadian labour market. Similarly, Li (2008) found that knowledge and skills associated with foreign credentials have been racialized to the extent that the market value of foreign credentials varies depending on immigrants' national origin. According to Li (2008), credentials and skills held by migrants of the West (i.e., British and European) bring a net earnings advantage, whereas credential and skills held by migrants of the Global South suffer earning penalties. Finally, Creese and Kambere's (2003) and Fleming's (2010) work is useful to understand

discursive framings of the desirable immigrant – the "labour market ready, English speaking, highly educated, skilled immigrants" – operate, therefore, as floating signifiers of value and worthiness that not only obscure the racial production of difference but also the ways in which differential "skill-levels" are themselves *effects* of the larger system of racial capitalist accumulation and systems of racial domination. Through invoking the figure of the "best and the brightest," the logics of racial capitalism are obscured and naturalized in this quest for talent, and instead are insidiously broadcast in this rhetoric. The "new universal imagined community" is built on the backs of the "best and the brightest," who are included on the basis that their labour can be extracted for the advancement of capital expansion – their talent, in the process, cast away and disposed of through structural deskilling practices and the denigration of credentials.

Families, in turn, are tethered to these racialized liberal notions of "ideal migrant" that emerge in the figure of the "best and the brightest." Implicit in this construction of the desirable market-ready migrant is the rejection and exclusion of those migrants who do not possess seemingly "innate" characteristics of economic and self-autonomy. However, even within this already exclusionary inclusion of "the best and the brightest" migrants, the presented openness to economically competitive migrants does not equate to the unrestricted inclusion of their family members. For instance, Chief Executive Officer of the non-governmental Centre for Newcomers, Anila Lee Yuen, articulated:

> If Canada wants to continue to attract the best and the brightest immigrants in the world, we can't do that by looking at them as individuals. We have to do that by looking at what is going to make them happy and fulfilled, and want to come to this country. That means allowing them to have the people they love, including their parents, come with them. I

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the emergence of English dominance in the production of "good immigrant-citizen," in which English speakers dominate over the subordinate non-English speakers (or those who are perceived as non-English speakers by way of their accent). As observed by Creese and Kambere (2003), language proficiency is constructed through the racialization of accents, whereby foreign accents emblematic of Whiteness, such as British and Australian accents, are privileged in contrast to racialized African accents, which are commonly perceived as indicative of limited English skills and by extension, a lesser degree of integration and belonging in the nation.

> don't know what an exact number would be, but I think that it's important that we look at the family as a whole unit. I wouldn't say unlimited, because we do have our own criteria for safety reasons and other reasons, as well. I would say, at least for the people who are here, that we've already allowed them to come, so let's try to increase their quality of life so they can really be the best possible Canadians they can be (Ms Anila Lee Yuen, Chief Executive Officer of Centre for Newcomers, CIMM Evidence 42-1, No. 31, p.13).

Ms. Anila Lee astutely notes to the committee that migrants are not isolated individuals, urging for the recognition that the "best and the brightest" exist in families and for the recognition of the "family as a whole unit." Families are imagined as contributing to an individual's quality of life, and, in particular, to their affective life, bringing happiness, fulfillment, and love. Immigration law in general, and family reunification policies in particular, are cast as measures that should be mobilized to bestow the affective properties of happiness and fulfilment to newcomer migrants. However, Lee fractures this affective property and quality of life, affording it to those people "who are [already] here" – that is, those people for whom inclusion has already been extended. The discursive pairing of the figure of "the best and the brightest" with "the best possible Canadians they can be" uncovers how the construction of the desirable migrant is tethered to the desirable national characteristics imagined as belonging to the Canadian citizen subject. As Thobani (2007) asserts, "[i]n this, the technique of power naturalizes itself and appears as guileless, unexceptionally and ordinarily reflecting an ethical polity that is based on the inherently superior qualities of national subjects and not on the repertoire of governance" (p. 9). The qualities of "the best and the brightest" are scripted onto the Canadian subject and naturalized as the essential possession of the individual subject who forms the national community. This technique of power "politicizes certain human qualities, defining the national community as a whole as possessive of these regardless of the actual attributes of individual members" (Thobani, 2007, p. 10). Families, therefore, are imagined to bestow the individual with the capacity to embody the economic and self-sufficient liberal subject.

Ms. Lee purports, however, that regarding the family as a "whole unit" cannot be done in ways that are "unlimited" due to "safety [and] other reasons." Here, the figure of the "best and the brightest" is complicated by another distinct, securitized, and equally racialized figure that emerged in the discourse: the legitimate nuclear family. This figure emerges in racialized spatial logics that are preoccupied with concerns over the unboundedness of migration, or a migration governance structure that lacks control over the volume and form of family unification. I turn to this figure next.

Conceptualizing the Family: The Legitimate Nuclear Family

Debates concerning how to define "family" have historically been at the heart of family migration policies. The list of family members eligible for sponsorship has shifted over time and has largely reflected the racially charged concern with extended familism, which is contrary to the Western conception of the nuclear family unit (Chen & Thorpe, 2015; Neborak, 2013). Aligning with the marketized immigration model and the "tap-on, tap-off" approach that has come to fundamentally shape immigration law and family reunification policies, definitions of family members eligible for sponsorship increasingly restrict the relatives who would qualify as family members or restrict immigration levels for each category of family member.[82] Importantly, these restrictions reify the nuclear family unit as the legitimate family formation.

[82] For example, in the fall of 1990, the Conversative Mulroney government introduced a five-year plan that disclosed the government's intention to change the balance between family class immigrants and independent immigrants (Neborak, 2013). To accomplish this, the Conservative government imposed a 'Canadian style' definition of family to restrict the relatives who would qualify as family members, thereby permitting the attribution of higher levels of economic migrants. This 'Canadian style' definition reified the nuclear family unit as the legitimate family formation. This trend would continue under the 1994 elected Liberal government, which announced that it would be lowering immigration levels and shifting the pendulum away from family reunification toward independent economic migrants who had the education, skills, and language proficiency to adapt readily into the Canadian environments. Under these immigration changes, parents and grandparents, classified as non-dependents, would no longer be part of the family class, requiring them instead to apply as independent immigrants (Neborak, 2013).

This debate similarly populated the Committee meetings. Government officials from IRCC and Conservative Members of Parliament (MPs) pushed for narrow conceptions of the family unit that exalted the nuclear family model (CIMM Evidence 42-1, No. 30; CIMM Evidence 42-1, No. 37). Through the invocation of an affective economy of resentment toward the funding of 'Others,' these witnesses reinforced the deservingness and exaltation of the nuclear family by framing families as economic burdens to the state. By contrast, non-governmental advocates, legal representatives, and members of civil society generally pushed for a broader conception of family that included extended family networks, advocating primarily for the value of parents and grandparents (CIMM Evidence 42-1 No. 31; CIMM Evidence 42-1 No. 35; CIMM Evidence 42-1 No. 37).[83] To advance the value of non-nuclear family members, and the value of parents and grandparents in particular, witnesses invoked a discourse of culturalization, which insidiously animates racial logics through invisible signifiers of race and racial difference.

The Culturalization of the Extended Family: The Case for Parents and Grandparents

The debate over the definition of family at the Committee hearings primarily centred on the parents and grandparents of principal applicants. Prior to the election of Liberal Prime Minister Trudeau, the previous Conservative Prime Minister Stephen Harper government introduced a series of regulatory reforms in 2012 and 2013 that made it increasingly difficult to

[83] It is worth noting that the sponsorship of parents and grandparents formed the majority of submissions related to the expansion of the definition of family beyond the nuclear unit. Only two witnesses made submissions that included other family members, such as aunts, uncles, and siblings. Dalhousie University's Canada Research Chair in Child, Family and Community Resilience, Dr. Michael Ungar (as an individual) submitted that family reunification is "actually a lot more than just about the grandparents, which I think is sometimes the picture here;" "it's about aunts and uncles and brothers and siblings and spouses" (CIMM Evidence 42-1, No. 37, p.5). Similarly, the Vice-President of the Canadian Association of Professional Immigration Consultants, Mr. Deepak Kohli, argued that "it appears counterintuitive that while we consider parents and grandparents rightfully part of the family, we don't consider siblings […]" (CIMM Evidence 42-1, No. 35, p. 11). As such, the conception of family is narrow and limited even in progressive appeals to push the definition of family beyond the nuclear unit.

sponsor parents and grandparents. Amongst these provisions included a two-year moratorium on incoming parent and grandparent sponsorship applications and a cap on the annual application intake level for this stream. Moreover, Conservative CIC Minister Kennedy also introduced the Super Visa, which grants parents and grandparents an extended temporary visa of ten years and requires them to return to their home countries every two years to apply for the visa renewal, pending a medical examination and the purchase of private insurance (Chen & Thorpe, 2015). The regulatory changes also introduced a 30% increase to the minimum income level necessary for sponsorship applicants, as well as increased the financial undertaking for parents and grandparents to twenty years instead of ten (Chen & Thorpe, 2015).[84] The introduction of these reforms spurred frustration among Asian and South Asian constituents and became a prominent media topic and a major election campaign issue (Fournier, 2011; Grewal, 2015). Upon his succession as Prime Minister, Justin Trudeau mandated that IRCC "bring forward a proposal to double the number of entry applicants for parents and grandparents of immigrants to 10,000 a year (Office of the Prime Minister, 2015).

It is therefore unsurprising that non-governmental advocates, legal representatives, and civil society members pushed for a conception of family beyond the nuclear family that included parents and grandparents of the sponsoring applicant. This policy position was also supported by non-Conservative MPs throughout the hearings. To advance the value of non-nuclear family members, and the value of parents and grandparents in particular, witnesses constructed their statements to support the sponsorship of parents and grandparents in cultural terms, citing that

[84] Scholars have noted that the effects of racialized poverty, in which racialized people are faced with higher unemployment and more precarious work, have resultingly produced negative admissibility determinations for racialized families (Chen & Thorpe, 2015; Neborak, 2013). Notably, applicants from the United States and European counties have higher approval rates compared to the substantially lower rate of approval for applicants from Africa, Asia, and the Middle East (Battista & Smith, 2022; Neborak 2013; Chen & Thorpe, 2015).

the concept of the nuclear family is largely a Western construct. For instance, Chantal Desloges, a legal professional, submitted:

> The concept of the nuclear family being just two parents with children is largely a Western European construct. It is not the norm in most of the world and particularly not in areas of the world from which most of our newcomers in Canada originate. However, it's exactly on that construct that we've built our definition of family in the immigration and refugee protection regulations. Maybe it's time to rethink that (Chantal Desloges, Lawyer, Desloges Law Group as an Individual, CIMM Evidence 42-1 No. 35, p. 4).

Similarly, Dr. Michael Ungar, an academic from Dalhousie University, submitted that

> At the end of the day, we have to understand the cultural meanings of what family reunification and indeed what family means. As we know, even within the mosaic of our own country of people who are already here, what a family is and who is important to completing one's family depends very greatly on who you are and what kind of meaning you bring to that word (Dr. Michael Ungar, Canada Research Chair in Child, Family and Community Resilience, Child and Youth Refugee Research Coalition, Dalhousie University, CIMM Evidence 42-1 No. 37, p. 3).

In their efforts to extend recognition of the value of parents and grandparents as members of extended family networks, witnesses mobilized discourses of culturalization, whereby culture comes to signify race and racial difference. As biological and scientific racism were increasingly challenged and debunked in popular discourse, the “contours of racist ideologies” shifted to be expressed in a cultural rather than biological inflection (Gilroy, 1990, p. 266). Razack (1998) describes this shift as the culturalization of racism, wherein articulations of overt racism through notions of biologically based inferiorities coexist with “a more covert practice of domination encoded in the assumption of cultural or acquired inferiority” (p. 60). As a process of racialization, culture is politically conceived as a fixed property of social groups rather than an intrinsically fluid, changing, unstable, and dynamic “relational field in which [groups] encounter one another and live out social, historical relationships” (Gilroy, 1990, p. 266). In the “multicultural” “mosaic” of Canada, race is expressed in the semantic field of culture, cultural differences, and cultural traditions. Indeed, multiculturalism preserves a racial hierarchy even as

it appears to dissolve it (Razack, 2008). As such, racial discourses can be expressed without any overt reference to race itself (Gilroy, 1990).

The confluence between race and culture is further illuminated in the submissions made by the Canadian Alliance of Chinese Associations. The Committee heard from two members of this joint organization of Chinese communities, Mr. Dianqi Wang and Mr. Zaixin Ma:

> In the West, a family usually consists of only parents and their children, but in many other countries and traditions, a family includes parents and grandparents. For example, a Chinese family often consists of four generations, even five. We live together and take care of each other. This family model is also followed by new immigrants after they arrive in Canada (Mr. Dianqi Wang, Executive Director, Canadian Alliance of Chinese Associations, CIMM Evidence 42-1 No. 31, p. 2).

> Kinship is emphasized in Chinese communities and families. We're not as so-called independent as in the traditional Western concept. We would like to live close by, together in the same building. We can look after each other, keep the kinship. In the Caucasian concept, the officials of Caucasian background may not understand this. Why do you need to get your parents and grandparents over here to live altogether? (Mr. Zaixin Ma, Advisor, Canadian Alliance of Chinese Associations, CIMM Evidence 42-1, No. 31, p. 7).

Cultural family traditions and kinship, in contrast to the traditional Western family based in individualism (re: independence), are seen as naturally occurring – biologically and culturally linked [85]– rather than as the product and extension of colonial modernity and liberalism. Families and race become matters of difference rather than questions of social construction and hierarchy (Gilroy, 1990). Moreover, white (nuclear) families and their binary racialized 'Others' are constructed as incompatible and mutually exclusive entities. To speak of the nuclear family in nationalist discourse is to speak of the *white Western* family, and to speak of extended families is

[85] I must take a moment here to explain my reference to biology. While the witnesses are ultimately making a cultural argument around the construction of families, Mr. Zaixin Ma's statement reveals the ways in which cultural arguments easily slide into biological racism. Indeed, Mr. Ma's invocation of the word 'Caucasian' holds a biological referent; a racial way of describing white people who form the 'traditional western' culture. Culture talk therefore can hold residues of biological race.

to speak of the racialized non-white family. Family "writ large becomes race" (Collins, 1998, p. 65).

Together, these submissions highlight an appeal to Canada's multiculturalism and "cultural mosaic" as a generative political strategy to gain recognition for extended family compositions. The logic of these statements serves to maintain the national imaginary of a tolerant and open Canada, whose state brokers merely need to be informed and educated about non-Western cultures and traditions. However, as Bannerji (2000) writes, "multiculturalism is itself a vehicle for racialization. It establishes the Anglo-Canadian [white] culture as the ethnic core culture while 'tolerating' and hierarchically arranging others around it as 'multiculture'" (p. 78). In a similar fashion, government officials' prioritization of the nuclear family unit is a racializing process that establishes the white family as the normative ideal 'culture,' while tolerating the extended family as an inferior racialized 'Other.' The presentation of different family compositions in the Committee hearings as mere differences in culture from the West renders invisible the historically explicit exclusion of non-nuclear family members from the nation, an exclusion that has, historically, been clearly racialized. Instead, this discourse mythologizes Canadian nationals as tolerant and open to diversity, erasing in turn the state's active participation in the destruction of Indigenous, Black, Chinese, and racialized families.[86] Indeed, the exaltation of the nuclear family unit is firmly rooted in the ideology of the settler-colonial nation-state. The constitution of the nuclear family as an ideological and juridical subject enabled the racial violence of colonialism, slavery, and imperialism through the

[86] Indeed, one must wonder whether the significant push and attention paid to the inclusion and recognition of Chinese families throughout the Committee hearings silently signaled to redress the legacy of exclusion of Chinese migrants and their families in Canada. This redress, however, is equally haunted by contemporary forms of anti-Asian racism, including the increased scrutiny of Canada's political and economic relationship to China, and the moral panics spun around the technology, surveillance, and artificial intelligence of the Chinese government.

institution of the family. Colonial scholars regarded the nuclear family as essential to the well-being of society and equated the absence of this family structure with disorganization, impoverishment, and uncivilization (Lafont & Pruitt, 1997). Enlightenment writers marked the Black and 'Aboriginal' family as a primitive form of family, existing at the bottom of the evolutionary continuum (King, 2018). The Black and "Aborigine" family formed a scientific category that marked a space of subhumanity outside of the normal, European family (King, 2018). Communal living and extended family structures within Indigenous communities were defined "as promoting immorality and primitivity, and their child-rearing practices were condemned in the exaltation of the middle-class nuclear Canadian family as the national norm" (Thobani, 2007, p. 123). Rather than being a private space, the family "is intimately connected to the state and animates its [racial] power" (King, 2018, p. 75; Gaucher, 2018).

Moreover, the culturalization of family compositions also obscures how some racialized communities turned to extended family networks as a mode of survival and resistance to structural racial oppression. Extended familialism, communal care, and fictive kin, including care networks (often women-centred) extending beyond the boundaries of biological relations, have served a critical function in confronting and surviving intersecting oppressions of race, gender, class, and nation (Collins, 2000). As Patricia Hill Collins (2000) articulates in *Black Feminist Thought,* the role of othermothers – that is, women who assist bloodmothers by sharing mothering responsibilities, such as grandmothers, sisters, aunts, cousins, and even close family friends – has been central to the institution of Black motherhood. These modes of extended kin and care networks have "taken on a sacred significance within Black social life due to its heralded role as a protective mechanism to Black vulnerability and violation" (King, 2018, p.

70). As such, beyond mere cultural practices and tradition, the extended family network helps make life livable amid the racial violence of the state.

Furthermore, in her essay "Black 'Feminisms' and Pessimism: Abolishing Moynihan's Negro Family," Tiffany King (2018) interrogates the viability of the notion of family itself, arguing for the denaturalization of the family as a normative organizing institution. King (2018) contends that "the family is beyond redemption;" even in its transgressive formations (i.e., non-nuclear, non-white, non-patriarchal, and non-heteronormative), the appellation of family "fails to arrest the historic and ongoing violence of the Western family" (p. 71). King's (2018) critique of the family exposes the violence that creates its conditions of possibility. In particular, King (2018) argues that such revisions and refashionings of the family align with liberal epistemes and economies of intelligibility. Writing in the context of the Black queer family, King (2018) argues that "the Black 'queer' family must perform everyday life along the coordinates of civility, taxpayer, legal guardian and responsible consumer-investor in order to survive" (p. 71). Consequently, "Black people's entrance into the category of the familial functions as *a ruse of incorporation* that conceals the historical and enduring surveillance and violence to which Black sociality is subjected" (King, 2018, p. 71, emphasis mine).

This ruse of incorporation (King, 2018) appears in submissions made during the Committee hearings. To make the extended family, and in particular, parents and grandparents, 'worthy' of inclusion, witnesses mobilized liberal grids of intelligibility to construct the family deserving of reunification. Parents and grandparents were framed as an economic-generating institution and a cornerstone of the national qualities of multiculturalism. Witnesses frequently advanced the economic and cultural benefits of reuniting families with parents and grandparents to frame the value of these family members. The value of parents and grandparents was

emphasized because they took care of children at home, offset the costs of childcare, and were cultural teachers of tradition, language, and identity that helped foster a sense of belonging and "adaptation to life in Canada" (Ms. Bronwyn Bragg, Former Research and Policy Manager, Ethno-Cultural Council of Calgary, CIMM Evidence 42-1, No. 37, p. 2).

> Because of various racial issues with accessing the employment market and because of racial inequities, a lot of people who are in our communities are stuck in poverty. If you completely bar family reunification, parent and grandparent reunification, they're never going to have the extended family structure that will be the sufficient condition to let them get out of poverty. Mothers are not going to be able to enter the workforce if their parents are not able to take care of the children since they can't afford childcare. What I want to be concerned about is how the economic analysis is nuanced. It's not black and white (Mr. Vincent Wong, Staff Lawyer, Metro Toronto Chinese and Southeast Asian Legal Clinic, CIMM Evidence 42-1, No. 35, p. 9).

> First and second generation visible minority youth face a number of barriers in adjusting to and gaining a sense of belonging in Canada. Grandparents play a vital role in supporting these young people, particularly through critical transitions. They are also transmitters of cultural identity and language, both of which support ethnocultural youth in their adaptation to life in Canada (Ms. Bronwyn Bragg, Former Research and Policy Manager, Ethno-Cultural Council of Calgary, CIMM Evidence 42-1, No. 37, p. 2).

> The Chinese family model is good and beneficial for both the family and society. The most obvious benefit is that parents or grandparents can help with childcare when both father and mother need to work. They can also help with household chores. Canadian society lacks childcare resources and it can also be very expensive. The issues caused by this can be alleviated by parents or grandparents immigrating to Canada. The children can also learn their mother tongue and cultural traditions through their grandparents. This not only enriches our multiculturalism but also helps Canada in international trade and global exchange in different sectors by cultivating talent that understands different culture (Mr. Dianqi Wang, Executive Director, Canadian Alliance of Chinese Associations, CIMM Evidence 42-1 No. 31, p. 2).

Advocates constructed the family deserving of reunification on the premise that extended family members, such as parents and grandparents, assist newcomers (re migrants) to become "good," "productive," and "adapted" neoliberal subjects by facilitating their entry into the labour market.

The raced and gendered structures of domestic unpaid labour are also reified in these constructions – it is *mothers* who are able to enter the workforce through the feminized care labour of parents and grandparents. These statements are readily assimilated within the logic of the nation-state, given that they do not threaten or destabilize the self-sufficient family, even when the state directs resources away from public health, education, social welfare, and childcare. Moreover, advocates for parent and grandparent sponsorship asserted that parents and grandparents not only "enrich" Canada's multiculturalism and the "transmission of cultural identity" but also assist the nation's capacity for productivity and advancement in the international global market. Here, we can observe what Bannerji (2000) meticulously called "capitalist state multiculturalism which speaks in the name of culture, tradition and identity" (p. 1). Indeed, multiculturalism is transformed within the global capitalist world order and packaged as appealing and advantageous by virtue of allowing the nation-state to gain proximity to 'Others.' The "cultivation of talent that understands different cultures" operates as a strategic means for the state to extract from the racialized 'Other' through a cultural lens of understanding. While advocacy strategies that frame the value of extended family members in these ways may be necessary to advance 'progressive' policies for family reunification, they nevertheless reproduce the very racial logics and normative power that sustain the logics of racial capitalism, the exclusion of racialized migrants, and the exaltation of the nuclear family unit in the first place. As such, families are required to perform and demonstrate their proxy to the "ideal citizen" (i.e., their proxy to civility, market-driven, taxpaying citizens) in order to be included in the nation. Rather than disrupt the liberal ethos of productivity, consumption, accumulation, and class mobility, these discourses reproduce the logics of racial capitalism and the nation-state, thereby reproducing the family as a site of violence by allowing the state to determine its very

existence (King, 2018). In other words, these discourses "reconfirm public intimacies predicated on whose connections matter [and for what ends] and whose don't" (Sarah Ahmed in Antwi et al., 2013, p. 115).

Confined by the desire to make their claims legible to the state, submissions made by NGOs and migrant advocates in the Committee hearings both reproduce the racial exclusionary processes of the nation-state and elide the role the nation-state plays in *producing* the very conditions of racial violence and exclusion that advocates are seeking to transform. The cultural readings of family that saturated the Committee hearings suppress more transformative political demands for racial justice. Culture can be accommodated, tolerated, and even celebrated without significant political and economic transformation of racial inequality and racial dominance. Consequently, the demands for justice advanced by advocates become overdetermined by the agenda of the state (Bannerji, 2000). As Bannerji (2000) articulates "as long as multiculturalism only skims the surface of society, expressing itself in traditional ethics, such as arranged marriages[,] ethnic food, clothes, songs and dance, [or in this case, traditions of extended familialism], it is tolerated by the state and "Canadians" as non-threatening" (p. 78). However, if the demands for justice go beyond cultural tolerance, through for instance, demands for better childcare that would help chip away at the racialization of poverty, "they produce violent [exclusionary] reactions, indicating a deep resentment toward the funding of 'Others'" (Bannerji, 2000, p. 79).

Prioritizing the Nuclear Family: The Case Against Parents and Grandparents

The affective economy of resentment toward funding of 'Others' in a multicultural Canada emerged in the discourse within the submissions made by IRCC government officials. IRCC representatives reinforced the deservingness and exaltation of the nuclear family by

framing extended families as economic burdens to the state. For instance, the Minister of IRCC articulated that "we [i.e., Canada] don't have all the money in the world. We have to choose priorities. My top priority was the nuclear family, the immediate spouses and the immediate dependants**"** (Hon. John McCallum, Minister of Immigration, Refugees and Citizenship, Evidence CIMM 42-1, No. 30, p. 3). Minister McCallum later continued:

> One can always make the case for [a] broader [definition of family]. It's difficult to do that, because then the numbers become so very large. […] To broaden the definition of "family" to include.... I don't know how far you want to go—cousins? The problem is that it would become so large (Hon. John McCallum, Minister of Immigration, Refugees and Citizenship, Evidence CIMM (42-1) No. 30, p. 5).

The Assistant Deputy Minister of Operations, Mr. Robert Orr, echoed this concern about expanding the scope of admissible family members beyond the nuclear family:

> I think we would have to look at something like that fairly carefully. Again, it's a matter of choices, and it's a matter of, I think, the levels space as well. If we do that, what numbers are we going to be dealing with? It would probably be quite a complicated program to deal with, and one would have to make choices in terms of levels space, funding, and so on, so there are issues there (Mr. Robert Orr, Assistant Deputy Minister, Operations, Department of Citizenship and Immigration, CIMM Evidence 42-1, No. 30, p. 8).

The sponsorship of extended family members beyond the nuclear family is problematized through the invocation of the moral panic of "migrant invasions," whereby fears of "too many" Black and Brown people living in Canada form the governing logic of exclusion that underpins family reunification policies. Witness concerns related to money, funding, levels, and space discursively frame the arrival of extended family members in "large numbers" as threatening to the country's social and economic fabric. These discourses reveal the racial subtexts that problematize "immigrants from cultures foreign to Canada, [who] uphold extended familism and maintain a large family network that is contrary to the Canadian concept of family" (Li, 2003, p. 7). Language such as "levels" and "space" invokes the territorializing logics necessary for

nationalist discourses and the spatial management of the nation-state. As Hage (2000) asserts, the flow of migrants can only be classified as undesirable and as 'too many' when 'they' "are seen to have invaded spaces where the masters of national space ['we'] find their presence harmful;" that is, harmful to the White nation (p. 37). The category of 'too many' embodies forms of racist beliefs by evoking racialized discourses of migrant "swarms," "waves," and "menacing crowds" storming across borders (Danewid, 2021) and emphasizes the spatial management of the nation. The racial and spacial logic of 'too many' reflects "the wish to preserve not only a 'race' […] or a 'culture,'" but also an imagined desired national space, most often "formulated as a wish to return […] to what the nation 'used to be'" (Hage, 2000, p. 39). Here, government officials express a desire to return to prioritizing the immediate nuclear family unit in migration policy, which is imagined as deserving of the state's monetary resources. This was expressly articulated by former ambassador and executive director of the Canadian Immigration Service, Mr. James Bisset, who submitted to the Committee that

> I think the real problem with family class is not, of course, with spouses and dependent children. It's with parents and grandparents. […] It's more acute today because of the very large increase in immigration since the 1990s. As the immigration levels increase quite enormously, so do the number of parents who want to come and join their loved ones here. The problem is essentially one of money. This is at the heart of the problem, and the high costs of admitting large numbers of elderly migrants. […] It's a lot of money to bring in those people. […] Maybe another part of the problem is the fact that now parents of any age can be sponsored. Part of the problem [is that] many of the parents are quite young and among the ones who arrive with them are three, four, or perhaps five siblings, who in turn can sponsor husbands and fiancées. That creates what all immigration officials don't like very much, chain migration, because the ones who are coming in do not have to meet any kind of skill, education, or other requirements. We're not the only country dealing with this, but we are the only country bringing in such large numbers of people, and that's what has accelerated the problem and aggravated it (CIMM Evidence 42-1, No. 37, p. 9-10).

Here, the exclusionary figure of the nuclear family is bolstered by another figure – the economically burdensome "drain on society" dependent family member. This figure was

discursively attached to parents and grandparents to justify their exclusion from sponsorship, thereby reifying the nuclear family unit. Operating in the foreground of the admission of racialized migrants is the concern of keeping in check the chain migration of their families. Racial logics that inform inclusion in the nation, for both independent and family-class immigrants, therefore encompass the symbiosis of familial relationships. In particular, the racial signifier of "skill" is mobilized to express the undesirability of an explosive influx of unskilled migrants through family sponsorship. Whereas these economic appeals operated in discourses around "the best and the brightest" to advance the importance of family reunification, here, these same logics are invoked to convey the limits to these 'progressive' policies – that is, their limits to the bounds of the nuclear family unit. Delineating the contours of admissible relatives through the prioritization of the nuclear family operates as a means to govern "risks" through the political fears of an "invasion" by many unskilled migrants and the entry of racialized family members who threaten to drain the nation-state of its resources. As such, the foundational violence of settler-colonialism and a "White Canada forever" permeate the contemporary moment through the racial spatial logic of 'too many.'

The Economically Burdensome "Drain on Society"

The figure of the economically burdensome "drain on society" can be traced to the Conservative Harper government, where it was used to problematize the sponsorship of parents and grandparents and to justify a series of restrictive legislative and policy reforms. The regulatory reforms implemented by Conservative Minister Kenney in 2012 and 2013 were primarily driven by concerns about the effective management of the overwhelming application backlogs and the pressing need to gain control over the application inventory (Galloway & Liew, 2015; Bélanger & Candiz, 2020). Prior to 2011, the parents and grandparents program used a

first-in intake model and had no limit on the number of applications, despite admission levels that limited the total number of parent and grandparent sponsorships to just below 17,200 admissions (Table F2.1, Appendix F).[87] Since the number of applications was much greater than the admissions targets, this resulted in a significant backlog of over 79,000 applications, which included over 167,000 persons waiting to be reunited with their families (IRCC, 2023).

In order to manage the backlog of applications, the Conservative government sought to accept applicants solely in ways that were "sensitive to Canada's fiscal constraint" (CIC, 2011, as cited in Chen & Thorpe, 2015, p. 82). During his announcement for "phase two" of the regulatory reforms, which ended the moratorium on the parent and grandparent program and introduced the annual intake cap of 5,000 applicants, Minister Kenney invoked the figure of the "drain on society" and forewarned sponsors: "If you think your parents may need to go on welfare in Canada, please don't sponsor them. We're not looking for more people on welfare; we're not looking to add people as a social burden to Canada. If their expectation is that they need the support of the state then they should stay in their country of origin, not come to Canada" (Fitzpatrick, 2013, para 16). As a neoliberal discourse, the "drains on society" are those "non-skilled" and "dependent" family members who accompany principal applicants and threaten to deplete Canada's "generous" health and social welfare services.

This governing logic was reproduced during the Committee hearings by those who opposed the Liberal government's decision to increase the intake levels for parents and grandparents – from 5,000 to 10,000 new applications – including witnesses speaking as

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[87] Between 2008 and 2011, family class sponsorship reflected roughly 21.5% to 26.5% of total admissions. In 2008, 16,597 applicants under the parent and grandparent program (PGP) were admitted, representing 25.3% of family class admissions, or 6.7% of total admissions. In 2009, 17,179 applicants under the PGP were admitted, representing 26.4% of family class admissions, or 6.8% of total admissions. In 2010, 15,324 applicants under the PGP were admitted, representing 25.4% of family class admissions, or 5.5% of total admissions. Finally, in 2011, 14,078 applicants under the PGP were admitted, representing 24.9% of family class admissions, or 5.7% of total admissions. See Tables F1.1 and F2.1 in Appendix F.

individuals, academics, and conservative MPs serving on the Committee. Speaking as an individual, Ms. Gishelle Albert dedicated her entire submission to this concern. Albert submitted,

> My position is that Canada needs more skilled immigrants and fewer parents and grandparents. The current government's plan is to more than double the intake of foreign nationals who are the parents and grandparents of naturalized Canadians, while concurrently reducing the number of economic immigrants, such as skilled workers, entering the country. Doubling the quota for parents and grandparents moving to Canada coupled with other immigration flaws, such as not requiring these individuals to have basic knowledge of one of the country's two official languages, is not in the best interests of Canadians. I believe this policy making is irresponsible because it does not take into account the financial burden on taxpayers when these individuals requires services, such as medical attention (Gishelle Albert, Individual, CIMM Evidence 42-1 No. 34, p. 11).

Here, parents and grandparents are discursively positioned as racialized 'Others' who threaten the interests of the Canadian taxpayer. Skilled, economic migrants are discursively constructed in opposition to parents and grandparents, who are cast as financial burdens to the nation-state. The rhetoric of skill and language are mobilized as racial signifiers. The figure of the "drain on society" does not exist as a raceless threat but is indeed racialized. Ms. Albert continued,

> The benefits to an individual's family do not offset the costs to taxpayers if these individuals require medical attention or social assistance. […] Increasing the quota or removing the cap would put an additional burden on our already strained social programs. […] How is it fair that *those who have used up their useful working years* paying into and building up another society are able to move here, not pay any income taxes, and yet enjoy the same benefits as those who have paid into the system for a large part of their lives? How is it fair that the younger generation of Canadians, who are now working and paying to support Canada's seniors, now have to support people who have never paid a dime into our highly subsidized education system? How sustainable is this plan and how does it benefit Canada? (Gishelle Albert, as an Individual, CIMM Evidence 42-1, No. 34, p.11, emphasis mine).

The logics of racial capitalism are reproduced in the figure of the "drain on society" to designate migrants who do not contribute to the economy as disposable bodies. By way of "using up" their "useful working years," the parents and grandparents of migrants, whose labour can no longer be transformed into a commodity, are denigrated as valueless, and, by extension, are deemed unworthy of inclusion. Racialized migrants are positioned as 'useful' and therefore 'worthy' of

inclusion in the nation-state only through their ability to provide labour. Racial capitalism, as a governing logic of nation-state formation and family reunification policies, reduces human and familial life to the exalted whims of the taxpayer. Moreover, racial capitalism merges with racial citizenship to justify that scarce resources cannot be afforded to migrants and, additionally, that migrants are responsible for the scarcity. Ms. Albert concluded:

> Statistics show that there is an increased burden on our health care system, and that's what the provinces spend the most money on. Yes, there is that burden on the system with *our own seniors, with our own population*. Now we want to increase the quotas, or even remove them, to add that additional burden, and we don't have that additional revenue going into the system to pay for it (Gishelle Albert, as an Individual, CIMM Evidence 42-1, No. 34, p. 12, emphasis mine).

Notwithstanding the misrepresentations put forth by Ms. Albert,[88] this statement invokes a racist "common sense" to explain migrants as the cause of social ills and the failings of neoliberal austerity (Danewid, 2021). Appeals to an imagined common people ("our own seniors" and "our own population") circulates within the affective economy of resentment for the funding of 'Others,' and produces an affective sense of injustice amongst national subjects (i.e., emoted through the rhetorical question: "how is it fair?). The figure of "the drain on society" functions to produce an affective orientation within national subjects – of scarcity, entitlement, and unfairness – and an affective orientation towards the 'Other' – that of resentment. Through this figure of the "drain on society," family reunification is only made available to migrants insofar as their family unity maximizes economic outcomes, benefits the taxpayer (imagined as the exalted White Canadian national subject), and reduces burdens on the welfare state. Moreover, the discussion

[88] Importantly, during the question-and-answer period of the October 25th, 2016 hearing, Ms. Albert was unable to substantiate any of her claims with empirical evidence or specific research studies. When questioned about her methodology, Ms. Albert couched her statements to be matters of "her opinion" and based on assumptions of "general knowledge" (CIMM Evidence 42-1, No. 34, p. 14-15). This rhetoric reveals the strength of discursive problematizations, affective economies, and moral panics that are shored up to garner support for exclusionary immigration policies.

that was generated around the quotas and intake levels for parent and grandparent sponsorship applications bring to the surface a policy spectacle. While the Liberal government did indeed increase the number of *applications* that IRCC would accept for parent and grandparent sponsorship, no significant changes were made to the formal *admissions* levels for these family members. As illustrated in Tables F2.1 and F2.2, admission rates for the parents and grandparents program (PGP) remained roughly the same (Appendix F). In 2016, following Prime Minister Trudeau's mandate to the IRCC Minister to increase the PGP intake levels to 10,000 applications (Office of the Prime Minister, 2015), parents and grandparents retained an admission rate of 21.8% of family class admissions and roughly 5.8% of total admissions.[89] This trend would continue from 2017 to 2019, with parents and grandparents admitted at rates between 21.2% and 24.9%, despite another increase in annual intake to 20,000 applications in 2019.[90]

Against this backdrop, the moral panic that emerged during the Committee hearings over an anticipated influx of "burdensome" parents and grandparents is less about any substantive policy shift and more about an underlying crisis in racial hegemony. Discursive problematizations such as those articulated by Ms. Albert are "attempts to defend white bourgeoisie order and to police a (neoliberal) racial formation in crisis" through cries for restrictive immigration policies (Danewid, 2021, p. 2). Rather than responding to a meaningful expansion of family reunification and parent and grandparent admission rates, this racial

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[89] In 2015, when Prime Minister Harper occupied parliament until November, parents and grandparents were admitted at a rate of 23.7% of family class admissions and roughly 5.7% of total admissions. See Tables F1.1 and F2.1in in Appendix F.

[90] Notably, in 2021, IRCC increased the intake level to 30,000 applications for parents and grandparents. However, the admission rates for PGP applicants fell to a historical low of 14.4% of total family class admissions and roughly 2.9% of total admissions (Table F1.2 and F2.2, Appendix F). Nevertheless, IRCC framed this increase in intake levels as a reflecting a "record number" of applications; "the largest ever single intake" (IRCC, 2021b). These discursive framings are misleading when we examine actual admission rates.

resentment, masked as social anxieties over resources, reflects a broader racialized concern about who – and which family composition – is imagined as worthy and deserving of inclusion in the national polity.[91]

The racialization of the burdensome parent and grandparent was further advanced even by witnesses who attempted to counter the narrative of the "drain on society." On the one hand, some witnesses countered the figure of "the drain" by reproducing the family as an institution for capitalist state multiculturalism. These witnesses emphasized how parents and grandparents contribute to the "critical support to immigrant families, especially to children" by providing "psychological and emotional support to families in transition [;] sources of cultural and linguistic knowledge and wisdom [and] support [for] the successful integration and settlement of immigrant families and communities in Canada" (Ms. Marichu Antonio, Executive Director, Ethno-Cultural Council of Calgary, CIMM Evidence 42-1, No. 37, p.1). On the other hand, some witnesses strategically leveraged the rhetoric of the state to render their advocacy claims legible. For example, Conservative MP David Tilson repeatedly invoked the figure of the threatening "drain on society" in his line of questioning witnesses. In one instance, MP Tilson asked witnesses to respond to a report issued by IRCC. MP Tilson noted:

> There was an internal departmental study done recently that concluded that the economic outcomes of parents and grandparents are below the average of other immigrants, with fewer than half reporting employment income, with low average earnings, and with increased EI usage over time. In other words, the department said this was a drain on the economy. In addition, the parents and grandparents population is largely responsible for the disproportionately high rate of family-class immigrants reporting social assistance usage as compared to all immigrants. This study was done by the department (MP David Tilson, Dufferin-Caledon, CPC, CIMM Evidence 42-1, No. 34, p. 8).

[91] Furthermore, that the Liberal government discursively framed the policy change to the intake levels as "reflect[ing] the popularity of the PGP program and the government's commitment to family reunification as a core immigration policy" (IRCC, 2016) without changing admission levels signals to a rather performative partisan immigration politics that, upon closer examination, are revealed to be facile and misleading. I return to this discussion in the conclusion of the chapter.

While some witnesses challenged the statistical comparison and economic model of the department's study, citing the importance of examining the "economic interdependence of family members" (Professor Jeffrey Reitz, Ethnic, Immigration and Pluralism Studies, University of Toronto, as an Individual, CIMM Evidence 42-1, No. 34, p. 8), other witnesses accepted the assertion that parents and grandparents may indeed hold a "low level of earning" that is contrary to Western ideals of class mobility. In her response to MP Tilson, the executive director of the Newcomer Centre of Pell, Ms. Effat Ghassemi, stated:

> I always think and ask, what do you mean by low earnings? What is poverty? Many cultures believe in a very simplified life that in your opinion as a western citizen makes you think they're so poor because they don't have meat every night or this and that. But we live a very humble and simple life that is so comfortable for us, and we don't call this a low level of earning and lifestyle. That is different. I think it goes back to the culture of the family and the culture of people who come and then want to live together happily. I don't think money can play a big issue in being healthy and happy living in Canada (CIMM Evidence, 42-1, No. 34, p. 9).

The tenets of cultural racism emerge here to rationalize the inequalities of capitalism. Racialized poverty is explained away as a cultural practice of the family, or an affective disposition of "humbleness," thereby operating to enshrine racial and class inequality as natural (i.e., cultural) rather than produced. Although the witness is advancing a position in support of the expansion of the family class and a broader inclusion of families, the discursive strategies undertaken reify cultural racism. In a similar vein, some witnesses centred their concerns on the taxpayer to make their advocacy legible to the state. For instance, in response to MP Tilson's statement that eliminating the quota for parent and grandparent applications would "cost money and we have to be responsible to the taxpayer," Ms. Bronwyn Bragg stated:

> I understand that. I think when we talk about this issue, we're very cautious to just emphasize […] that while there may be a short-term cost to processing family class applications, it will be a long-term investment. There is a return on investment, so the taxpayer actually benefits by having families reunited and healthy and socially integrated

> in our communities (Ms. Bronwyn Bragg, Former Research and Policy Manager, Ethno-Cultural Council of Calgary CIMM Evidence 42-1, No. 37, p. 8).

Though these statements attempt to broaden the conception of family beyond the nuclear unit, they do so by reifying the ruse of incorporation that sustains a form of migration governance predicated on racial capitalist logics. Consequently, capitalist ideologies and conditions of labour extraction – both wage and reproductive labour – along with the economic imperatives for nation-state building, are not disrupted.

The Fraudulent Family: Marriages of Convenience and "Bad Faith" Spouses

The final figure that emerged in the Committee hearings is the fraudulent spousal applicant. The discursive construction of the fraudulent family-class spouse can be traced back to 2008, when the Conservative government began paying sustained attention to spousal applications and marriage fraud (D'Aoust, 2017). In 2010, the Conservative Harper Government modified section 4(1) of the *Immigration and Refugee Protection Regulations* (IRPR SOR/2002), which regulates the definition of "bad faith" marriages and partnerships. Prior to the 2010 changes, the test for determining whether a marriage or partnership was in "bad faith" was conjunctive. For a spousal application to be refused, immigration officers "required evidence that the relationship was both non-genuine *and* entered into primarily to gain status or privilege under the Act" (Government of Canada, 2017, p. 9, emphasis mine). The 2010 amendments to the regulations modified the test of "bad faith" to a disjunctive one. Immigration officers can now refuse an application if either the test for "non-genuineness" (IRPR SOR 2002, 4(1)(a)) *or* "primary purpose" (IRPR SOR 2002, 4(1)(b)) is met. Critics of the 2010 changes to section 4(1) of the Regulations have argued that the disjunctive test has made it easier for immigration

officers to refuse spousal applications (CIMM Evidence 42-1, No. 33).[92] Furthermore, in 2011, Minister Kenney launched a national campaign against marriages of convenience (Gaucher, 2014). Minister Kenney explicitly stated that measures would be taken to counter marriage fraud from a security standpoint. Despite minimal empirical evidence to support the claim that marriage fraud had reached a "crisis point" in Canada (D'Aoust, 2017), media and parliamentary discourse reified the seriousness of the marriage fraud problem that Canada ostensibly faced. The Department of Citizenship and Immigration iterated that "the Government of Canada is concerned about marriage fraud, which can victimize Canadian citizens and permanent residents and undermine the integrity of Canada's citizenship and immigration programs and has taken steps to address this problem" (CIC, 2012b, as cited in D'Aoust, 2017). Marital practices that did not conform to government standards were cast as potentially suspect (D'Aoust, 2017).

The shift to a Liberal government did not exorcise this figure of the fraudulent spouse. During the Committee hearings, government officials from IRCC invoked this figure. The Committee heard from seven public servants across the Department, including the Director General from the Centralized Network branch and the Directors responsible for immigration processing in different geographical areas. All government officials spoke, to some extent, about the prevalence of family-class application fraud, specifically in the context of spousal applications, and the threat this posed to the integrity of the Canadian immigration system.

The discourse of the Committee hearings is evidence of how family reunification has been situated within the framework of fraud and criminality, where racial discourses of morality

[92] During the Comittee hearings, immigration lawyer Toni Schweitzer highlighted numerous cases appealed to the immigration appeal division and the Federal Court where, despite evidence of the genuineness of a marriage, the spousal application was refused because of a finding that the intent of the marriage was primarily for the puposes of immigration. Also in opposition to the 2010 amendements to the regulation was staff lawyer Vincent Wong, who stated that the amendment to the test of bad faith was "overly harsh and redundant" (CIMM Evidence 42-1, No. 35, p. 2).

and crime construct the figure of the fraudulent family-class applicant. In their submissions, IRCC officials sought to convey that sponsorship fraud, including marriage fraud, "is a very real problem," requiring "extensive analysis, expertise, sensitivity and focus" (Ms. Sharon Chomyn, Area Director, North Europe and the Gulf, Department of Citizenship and Immigration, CIMM Evidence 42-1, No. 38, p. 2). In the problematizations of sponsorship fraud, family class sponsorship was transformed by and within a narrative of distrustful incentives and suspicion towards racialized 'Others.' For example, Ms. Alexandra Hiles, the area director for the Sub-Saharan Africa region, submitted to the Committee that sponsorship applications are fraught with "issues with genuineness of relationships, given the incentive for many people to live a better life in Canada" (CIMM Evidence 42-1, No. 38, p. 13). Similarly, Shannon Fraser, Area Director of South Asia stated:

> Immigration to countries like Canada can allow people to realize their aspirations, resulting in collusion fraud. Families may make mutually beneficial arrangements of sponsorship or may include children who are not theirs in their applications. While this type of fraud may appear to be of a lesser risk, fraud like this chips away at the integrity of our program (Ms. Shannon Fraser, Area Director, South Asia, Department of Citizenship and Immigration, CIMM Evidence 42-1, No. 38, p. 12).

Canada was persistently positioned by government officials as a "top destination of choice" – a place where people can "realize their aspirations" or "live a better life." Canada, as a nation-state, is subsequently framed in this discourse as vulnerable to racialized foreign 'Others' who threaten to 'fraudulently' (re illegally) cross its borders. Moreover, racialized migrants and naturalized citizens already in the country are also cast as suspicious by virtue of being willing to collude with the 'outsider – Other.' Reshaped under the banner of securitized risks and crime, racialized migrants – both inside and outside the boundaries of the nation-state – have been redefined as fraudulent, criminal, "bogus," "illegitimate" claimants (Pratt, 2005).

Presented as experts in immigration processing, the area directors dedicated their time to provide case examples to the Committee to illustrate the problem of marriage fraud. While witnesses framed marriage fraud as being "more common in some parts of the world, but by no means absent elsewhere," they submitted that "the top three countries for marriage fraud are generally understood to be India, China, and Vietnam" (Shannon Fraser, Area Director, South Asia, Department of Citizenship and Immigration, CIMM Evidence 42-1, No. 38, p. 12). Furthermore, the Assistant Deputy Minister of Operations, Mr. Robert Orr, submitted that "the highest refusal rate [for the spousal program] would be Vietnam, then Nigeria, Haiti, and China […]" (CIMM Evidence 42-1, No. 30, p. 15). Marriages of convenience were framed as "complex cases" that require culturally trained immigration officers who have "an awareness of the cultural norms of a particular society […] to aid in detecting divergences from typical cultural and/or social practices" (Ms. Sharon Chomyn, Area Director, North Europe and the Gulf, Department of Citizenship and Immigration, CIMM Evidence 42-1, No. 38, p. 2). Importantly, the language of complexity and risk operate in the discourse as "colour-blind" racial signifiers. When questioned about the differing levels of scrutiny applications received based on the source country of origin, Orr stated that differences in processing times "depend on the complexity of the file rather than the nationality of the applicant" (Robert Orr, Assistant Deputy Minister, Operations, Department of Citizenship and Immigration, CIMM Evidence 42-1, No. 30, p. 15). Here, race becomes obscured by the language of complexity and determines which applications can be triaged as "low risk" versus which are "high risk." Operating in the foreground of complexity is an assessment of the "genuineness of the relationship" based on a Western conception of marriage and family. As explained by Elizabeth Snow, the Area Director for the North Asia region, when assessing applications,

> We [immigration officers] take a look at the situation related to the marriage, the cultural norms, and our understanding of habits and the way couples would normally meet and develop relationships, and we would then look to interview in order to have a better understanding of the nature of the relationship. When officers are making these decisions and assessing cases, they don't do this lightly. They are being very diligent in making sure they understand the complexities (Ms. Elizabeth Snow, area director, North Asia, Department of Citizenship and Immigration Canada, CIMM Evidence 42-1, No. 38, p. 17).

By way of deviating from Western conceptions of marriage and understandings of "the ways couples would normally meet and develop relationships," certain types of conjugal relationships, such as arranged marriages, are regarded as file "complexities." To this effect, these relationships are overly scrutinized and subject to heightened suspicion and surveillance, thereby making it challenging for couples to prove that their relationship is one of "good faith" (Gaucher, 2014). Postcolonial scholars have demonstrated how colonial regulations of intimacy secured racial hierarchies by presenting the 'love' marriage - chosen freely by two individuals without interference of parents or family and without ulterior (material) motives – as the only 'proper' marriage by way of its Western (re civilized) superiority. Consequently, "'love' becomes the criterion by which to distinguish fraudulent from genuine marriage migration claims, as well as the justification to impose restrictions on transnational marriages which are represented as arranged or forced" (Bonjour & Cleaton, 2021, p. 168). As stated by Battista and Smith (2022), "a decision-maker's preconceived notions of marriage and intimacy play an influential role, sometimes to the detriment of a couple seeking to reunite permanently in Canada" (p. 58-59). As such, affective economies of love and romance are entrenched in immigration decision-making.

In their efforts to contextualize the complexity of cases, witnesses who engaged the figure of the fraudulent spousal application presented different examples to the Committee. The case examples provided populate various manifestations of dangerous, deviant, immoral

migrants, and crystallize an understanding of the fraudulent applicant as a racialized ‘Other.’ For instance, the area director of the Latin American region submitted:

> In both the Dominican Republic and Cuba, we have also observed what can be described as "holiday romance" types of relationships, where Canadian citizens, male or female, develop a relationship with a local resident during a one or two-week vacation. These applicants often have jobs related to tourism at the time of meeting the Canadian sponsor. In these cases, there is often a significant age gap, ranging from 10 to 50 years, typically with an older Canadian sponsor and a much younger applicant. We have seen many cases where the intent of the applicant is to take advantage of the sponsor to gain access to Canada. These cases can be difficult for us, as often the sponsor is genuinely committed to the relationship while the applicant is not (Mr. Olivier Jacques, Area Director, Latin America, Department of Citizenship and Immigration, CIMM Evidence 42-1, No. 38, p. 4).

The figure of the fraudulent spousal applicant at work here is one that is configured around the vulnerable Canadian citizen, animating a racial story of a White nation seeking to defend itself against a menacing cultural ‘Other’ (Razack, 2008). In particular, the discourse invoked an imagined Canadian victim, one with a “genuine commitment to the relationship,” and a calculated racialized migrant seeking to “take advantage” of Canadians’ civilized affective propensity for love and romance. This language of criminality and victimization is racialized and gendered through the affective economies of love, relationships, and sexuality. Imagined as the ‘true,’ ‘ideal’ citizens of the nation, white Canadian men and women, who are exalted by way of their affective desires to marry for love and romance, are discursively scripted as vulnerable to the dangers of the sexually predatory racialized migrant who is marrying merely as a ploy to penetrate the nation’s borders and “gain access” to the nation-state. Gaucher (2014) advances that such dialogue “reinforces the eroticization of interracial relationships, casting these relationships as deviations from normalized conceptions of the traditional nuclear family” (p. 199).

This configuration of the criminal-fraudulent spouse is further evidenced by submissions from witnesses speaking at the individual level. Legal professional Mr. Sergio Karas urged the Committee to consider "the financial and personal costs to Canadians or permanent residents who have been duped into entering into relationships of convenience," emphasizing that "the financial cost and the human cost and the humiliation that these people suffer is enormous" (CIMM 42-1, No. 35, p.11 & 18). To contextualize this risk, Mr. Karas stated that:

> Canadians are being targeted, overseas, particularly in places such as Cuba, […] and also the Dominican Republic, etc. Canadians become very valuable avenue to escape poverty or undesirable conditions. That also happens in the context of the Middle East, for example. There is a case that I provided to the Committee concerning a Middle Eastern country where people are being duped into entering specifically arranged marriages when the other spouse has absolutely no intention of consummating their relationship or living with the sponsor after entering Canada (Mr. Sergio Karas, Barrister and Solicitor, Karas Immigration Law Professional Corporation, as an Individual, CIMM Evidence 42-1, No. 35, p. 13).

Mr. Karas continued,

> Also, two other examples are India and China. In the context of India, there was a significant problem with what was called "rent a wedding," when unscrupulous individuals staged fake weddings, including photographs and costumes, etc., for people to apply for immigration. Also, in the context of China, the RCMP and CBSA have investigated and have convicted numerous individuals responsible for orchestrating fake marriages in exchange for a significant payoff […] It is a significant problem, and it has to be monitored (Mr. Sergio Karas, Barrister and Solicitor, Karas Immigration Law Professional Corporation, as an Individual, CIMM Evidence 42-1, No. 35, p. 13).

While Mr. Karas' submissions reify the threat of the "holiday romance" for which "Canadians are being targeted," this threat is extended to and conflated with arranged marriages. Sexual relations between citizens and non-citizens are positioned as the prerogative of the state; the intent to "consummate the marriage" and the private living arrangements of families are placed under the surveillance of the state. This surveillance is justified as necessary knowledge for state agents to 'know' the 'Other' and 'know' the 'genuineness' of the relationship. The marital relationship, sexual relationships, living situations, and even photographs, are all scrutinized and

under the surveillance gaze of the white nation-state in the name of securitization from immoral, unscrupulous racialized 'Others.' The private spheres of racialized families, therefore, are encroached by the carceral surveillance gaze of the state. The fantasy of the White nation is reproduced through this figure of the fraudulent spousal applicant, which operates to frame interracial marriages, marriages between citizens and non-citizens, or arranged marriages as possible threats to the nation. The different manifestations of the figure of the fraudulent spousal applicant – the "rent a wedding," "wedding orchestrators," "holiday romance," or "dupe arranged marriages" – reproduce racist colonial legacies that rest on the exaltation of Western affective civility, the nuclear family, and its binary 'Other' – that is, the racialized threat and (sexual) contaminant to a white national polity. The discourse, to this end, reinstates the historical and contemporary Western project to mark racialized migrants as threatening and suspect bodies.

Witnesses advocating on behalf of migrants who have been subjected to increased scrutiny, surveillance, and exclusion from case processing measures targeted to combat marriages of convenience dedicated their submissions to problematizing the government's reliance on Western conceptions of marriage, arguing that "it's a very specific and very rigid sense of what constitutes a legitimate marriage" (Ms. Zena Al Hamdan, Programs Manager, Arab Community Centre of Toronto, CIMM Evidence 42-1, No. 31, p. 1). Zena Al Hamdan, from the Arab Community Centre of Toronto, emphasized that the lens through which spousal applications are assessed and determined impacts the credibility of applicants. She submitted:

> A lot of the details that are deemed reasons to constitute a legitimate marriage in a Canadian context are not really something that is shared or important in other cultures. For example, on the specifics of somebody's job, a lot of professional engineers end up taking administrative jobs in other companies. When the wife is asked what her husband does, most of the time she responds, "My husband is an engineer", because to her and in her country, her husband is an engineer. That deems her not credible (Ms. Zena Al

> Hamdan (Programs Manager, Arab Community Centre of Toronto, CIMM Evidence 42-1, No. 31, p. 3).

Similarly, immigration lawyer Toni Schweitzer submitted that:

> I was in court not that long ago on a case of a Tibetan couple where one of the issues was that she didn't know where he was on a brief trip to Mexico to teach some Buddhist prayer thing. I had an argument with the lawyer from the Department of Justice, which we continued outside the courtroom, where he said, "My wife went to Italy and I knew where she was every minute of the day." If that's the kind of assessment that people are going to do, it's a problem because you cannot assume that in all cultures everything is done the same. For sure, one of the underlying assumptions has to be that you cannot apply a Western paradigm, and I think that comes with training, frankly, and an openness to understand that not every marriage looks the same. That again comes through training (Ms. Toni Schweitzer, Staff Lawyer, Parkdale Community Legal Services, CIMM Evidence 42-1, No. 33, p. 12).

These submissions highlight how cultural racism saturates assessments of spousal applications and informs the state's conceptions of credibility. Familial relationships are filtered, understood, and judged as credible through racialized narratives of what a "genuine" relationship is said to be, feel, and look like. However, while advocates sought to highlight the privileging of Western conceptions of marriage and the family, they did so by positioning discriminatory practices at the level of the individual. Advocates frequently maintained that the rejection of many spousal sponsorship applications "are a reflection of the biases of some visa officers overseas, whether cultural bias, class bias, or race bias" (Ms. Avvy Go, Clinic Director, Metro Toronto Chinese and Southeast Asian Legal Clinic, CIMM Evidence 42-1, No. 35, p. 5). Two solutions were presented to the Committee on this point. The first solution, echoed by many witnesses throughout the hearings, was the need for immigration officers to receive additional anti-racism and cultural sensitivity training. This training was framed as necessary so immigration officers could "know more about the culture that they are dealing with and more about the people that will be brought over" (Ms. Huda Bukhari, Executive Director, Arab Community Centre of Toronto, CIMM Evidence 42-1, No. 31, p. 6). As Sherene Razack (1998) notes, however, solutions akin to

cultural sensitivity training or "culture talk" always risk exacerbating racism "when it is the dominant group that controls the interpretation of what it means to take culture into account," or to be culturally "sensitive" (p. 59). To be culturally "sensitive" is to talk about culture and cultural differences in the context of white supremacy; a context in which a notion of cultural difference as inferiority is reified, and wherein racial domination and its intersections are denied (Razack, 1998). To conclude that individual immigration officers are simply insensitive to this degree is to erase the ways in which the immigration system is organized to the structural racial advantage of the dominant group – "at no time does white domination enter the picture" (Razack, 1998, p. 83).[93] Secondly, the Clinic Director of the Metro Toronto Chinese and Southeast Asian Legal Clinic recommended that visa officers "have more objective criteria" to assess spousal applications as a means to contain officer bias (Ms. Avy Go, CIMM Evidence 42-1, No. 35, p. 6). Calls to increase objective criteria that can be used in decision-making implicitly tie the problem of 'bias' to the problem of discretion (Pratt, 2005). As Anna Pratt (2005) articulates, "where discretion is constructed as a problem (often expressed in terms of 'arbitrariness' or 'disparity'), solutions are most frequently sought through the development and application of even more legal rules to constrain, shape, and guide the uses of discretion" (p. 55). However, Pratt (2005) advances that "rather than considering discretion as the *absence* of governance, [discretion is] a powerful form *of* governance [that] facilitates the translation of certain social concerns and priorities into immigration law, policy, and practice" (p. 53, emphasis in original). Discretionary power, therefore, is important in the processes and practices of racial exclusions under a liberal

[93] Leti Volpp's (1996) work also helps unravel the problems of culture talk. Volpp argues that considerations of culture within anti-discrimination frameworks "treats all members of society in a colorblind, or race-neutral fashion," subsequently ignoring "the concrete effects of government policy on people's substantive conditions" (p. 1594). Culture talk, as an anti-discrimination principle, "looks only to whether a process was fair and not its outcome; looks at a specific act or omission and not its context; treats racism as an individual problem, rather than a societal one; and privatizes racism so that remedies are meted out solely on the individual level" (p. 1595).

regime of racial governance, in that it is *already* imbued with racialized knowledge. The focus of advocates on the decision-making of individual immigration officers situates racism and racialization as a product of individual biases, thereby obscuring, in the process, the structural and systemic production of race as a mode of knowledge, racism, and racial exclusion that is fundamental to nation-state formation and criminalization. The position that solutions to the problem of a discriminatory spousal application process are to provide cultural training and objective criteria to immigration officers to limit bias detracts attention from the material conditions that provide racial differences with their significance and imbued meaning. These solutions also "sustain the primacy of the liberal legal paradigm and the assumption that the imposition of rules will bring increased individual [racial] justice" (Pratt, 2005, p. 57). Together, calls for cultural training (re: anti-racist training) and increased objective criteria "disavow the racialization [that is] produced out of carceral institutions" such as the governance of family admissibility (Murdocca et al., 2023, p. 51).

Conclusion

Families are fictive (Bonjour & Cleaton, 2021): they are socially and politically constructed in ways that intersect with constructions of race, nation, and belonging, delineating which families are to be included and protected and which are undesirable and excludable. When we presume that the family is apolitical, we lose sight of how the family is an institutional microcosm that is acted upon, moulded, and constructed by the state. Understanding the politics of family migration necessarily begins with "conceptualizing 'family' not as a natural given, but as a site of political struggle" (Bonjour & Cleaton, 2021, p. 161; Bradley & de Noronha, 2022). As I have demonstrated in this chapter, discursive constructions of 'the family' in Canadian immigration law, policies, and political discourses on family reunification are deeply racialized.

Racial logics congeal around four distinct but interrelated figures: 1. the "best and the brightest" potential migrants; 2. the legitimate nuclear family; 3. the economically burdensome "drain on society" dependent family member; and 4. the "bad faith" fraudulent family member. Together, these figures delimit those who have the 'right' and are 'worthy' to have and be family, and those who are not. Moreover, these figures animate a story about Canada's commitment to family reunification and the problematization of family-class migration, which, in turn, underwrites a story about where and how families are imagined along the immigration continuum in Canada.

Concerns for family reunification also animate concerns for its logical counterpart – family separation. In their efforts to strengthen Canada's commitment to family reunification, witnesses emphasized the importance of families being together. Witnesses explicitly acknowledged the value of family unity for the family's economic and financial stability, the successful adaptation and integration of newcomers, and for cultural, psychological, and emotional well-being and belonging. This concern came to frame the final report published by the Standing Committee on "Family Reunification" in March 2017. The Committee asserted that the objective of family reunification stipulated under section 3(1)(d) of the IRPA is undermined when families are separated. The Committee acknowledged that "family separation is not only an individual hardship, but it also affects Canadian society as a whole, in particular through delayed integration, return migration, or immigrants' resources going back to their country of origin." (p. 3). The Committee further reported on the "negative effects of family separation and [the] barriers faced by families trying to unite through Canada's immigration programs," citing that family separation "erodes immigrant's mental health," and leaves them vulnerable to experiences of "depression, suicide of a spouse, spousal abuse, inability to get credit to buy a home, postponing having children, and unattended health issues […]" (HOC-CIMM, 2017, p. 13 & 52).

The Committee called on the Government of Canada, concluding that "more remains to be done to remove barriers impeding family reunifications, so that *all families*, including the most vulnerable, can benefit from the opportunity to be *together* in Canada" (HOC-CIMM, 2017, p. 3, emphasis mine).

While the Committee and the witnesses they heard from recognized the importance of families being together, in a "live flesh-and-blood" way "that isn't available through Facebook and other social media communication" (Dr. Michael Ungar, Canada Research Chair in Child, Family and Community Resilience, Child and Youth Refugee Research Coalition, Dalhousie University, CIMM Evidence 42-1 No. 37, p. 3 & 9), this was almost *exclusively* discussed in relation to family class sponsorship. Although the Committee acknowledged that family reunification is facilitated by numerous immigration programs, the Committee delimited the scope of their findings and "the framework for family reunification" within the family class sponsorship program (p. 5). Although it is the family *sponsorship* program that was referred to the Committee for examination, the Committee's decision to frame the report within the broader immigration objective of "family reunification" warrants critical attention. The discursive narrowing of family (re)unification to the family sponsorship program constructs family (re)unification as a concern of immigration *admissions*, thereby rendering the family separation produced through immigration enforcement, including detention and deportation, invisible and beyond the scope of policy consideration.

Four sections of the report were dedicated solely to the evaluation of family class sponsorship. The report canvassed "cross-cutting issues" related to the definition of family, the financial requirements for sponsors, processing times for sponsorship applications, and problems related to client service and service standards of the program (HOC-CIMM, 2017, Part 4). The

Committee framed the issue of processing times in relation to the overall immigration levels for a particular immigration category and to the risk profiles[94] accorded to family-class applicants. To address lengthy processing times that result in the delay of the reunification of families, the Committee recommended that IRCC "continue to increase the level of family class immigration as the overall immigration levels rise" (Recommendation 1) and review and update the risk profiles of family class applicants on an ongoing basis (Recommendation 4). Furthermore, though the Committee reported that "several witnesses suggested that in order to reflect the realities of diverse cultural communities, Canada should use a broader, more inclusive definition [of family]," no concurrent recommendation was provided to the Government of Canada (HOC-CIMM, 2017, p. 19). In its response to the Committee's report, the Government of Canada committed to increasing the target levels for the family class. The nuclear family model was prioritized by the Government, who responded that "spouses, partners, and children are a priority category" and therefore would not be subjected to a limitation on the number of applications accepted in a given year (Government of Canada, 2017). By contrast, the intake levels for parents and grandparents were to be managed by an annual cap (Government of Canada, 2017).[95]

Part 5 of the report, "Changes to the Family Class Program Requirements," considered the determination of "bad faith" spousal applications and applications for the sponsorship of parents and grandparents (HOC-CIMM, 2017). The Committee highlighted concerns related to

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[94] Here, the Committee is referring to the elements that determine the "complexity" of spousal applicants, including those cases "that may involve criminal convictions, custody issues, marriages of convenience, polygamy, proxy marriages, non-consensual marriages […] security concerns, fraud, and previous adverse immigration history on the part of the applicant." (HOC-CIMM, 2017 p. 29). The Committee reported that processing times are also impacted by the "complexity" of the case.

[95] In 2017, Canada admitted a total of 82,470 family class migrants, representing 28.8% of total admissions into the country that year. 20,494 parents and grandparents were admitted (24.9% of family class admissions), compared to 61,646 members of the nuclear family unit, including spouses, partners, and children (74.7% of family class admissions). The trend of prioritizing the nuclear family unit has not faltered and is projected to reach 81.5% of total family class admissions by 2028. See Tables F2.2 B and F2.3 in Appendix F.

the 2010 regulatory amendments to the test for "bad faith" partnerships under section 4(1) of the IRPR. Echoing the critiques advanced by witnesses during the hearings, the Committee asserted "that a finding of bad faith should require that the relationship is not genuine at the time of consideration *and* that its primary purpose is to acquire immigration benefits" (HOC-CIMM, 2017, p. 56, emphasis mine). Relatedly, the Committee recommended amending section 4(1) of the regulations to reflect a conjunctive test (Recommendation 17). The Committee also recommended that country-specific cultural awareness training be provided to immigration officers to assist spousal application decision-making (Recommendation 18). In their response to the Committee's report, the Government of Canada promised to "review and consider the Committee's recommendation regarding the definition of bad faith relationships," citing that the current disjunctive test "has strengthened officers' ability to refuse applications where there is evidence of a bad faith relationship, thus improving the integrity of the spousal sponsorship program" (Government of Canada, 2017). Notably, the disjunctive test for determining bad-faith marriages remains on the books today. The political figure of "fraudulent spouse" and the moral panic of "marriages of convenience," which saturated "humanitarian" family reunification objectives and were solidified *in law* under the Harper government, continued unabated. [96] These

[96] This adds to Dauvergne's (2025) argument that the advancement of crimmigration continued during the Justin Trudeau Liberal government (2015-2025). Dauvergne (2025) poignantly highlights that many of the securitized Harper-era immigration acts were left intact by the 2015-2025 Liberal government: "For example, no changes at all were made to the provisions that the *Faster Removal of Foreign Criminals Act* had introduced to the IRPA. In the case of the changes introduced by the *Strengthening Canadian Citizenship Act*, while the citizenship stripping provisions were quickly reversed, the limitations to *jus sanguinis* rules were not (An Act to amend the Citizenship Act and make consequential amendments to another Act, SC 2017, c 4). Only one person was ever stripped of citizenship using these provisions, but thousands of foreign-born Canadians are affected by the limitation on their ability to pass on their citizenship. While the Trudeau government did not use the provisions introduced by the *Balanced Refugee Reform Act* that permit "designating" individual asylum claimants and safe countries of origin, these provisions have not been removed from the law and could therefore be used at any time. Furthermore, the other procedural changes to asylum-seeking rules remain in place. In sum, highly symbolic changes have been made in the law and in its application (citizenship stripping and backing away from "designations"), but these rules would only ever have applied to small numbers of people. Those aspects of the Harper crimmigration regime that apply to large numbers of people every day (accused or convicted non-citizens, and people born abroad to Canadian parents) were left untouched by the Trudeau government. In sum, the crimmigration core of the Harper-era changes remains

discourses expand the logics, technologies, and practices of racial carceral migration governance. As articulated by Dauvergne (2025), "a *professed* support for immigration by political leaders is not antithetical to crimmigration shifts [or continuities] in the law" (p. 10, emphasis mine).

With respects to the sponsorship of parents and grandparents, the Committee reported that "on the surface, it may appear that sponsored parents and grandparents contribute little to Canada's economy because of their age and rate of use of social benefits," animating, in turn, the figure of the economically burdensome "drain on society" that was used by the detractors of the proposal to expand sponsorship intake levels for parents and grandparents. However, the report ultimately emphasized a more "nuanced picture of the contributions of parents and grandparents to the economic well-being of the family," as they may assist with childcare, contribute to household income, and enable entry into the labour market. As such, the final report reified the family as an institution for capitalist-state multiculturalism by attributing value to parents and grandparents based on their ability to assist migrants in becoming "good," "productive," and "adapted" neoliberal subjects. Relatedly, the Committee recommended that "IRCC start designing the economic and family class programs together in recognition that the characteristics of the two streams are interdependent" (Recommendation 2). The Government of Canada took note of this recommendation in its response to the report, and implemented highly symbolic changes to intake levels of PGP applications over the years, increasing the levels from 10,000 to 20,000 in 2019, and from 10,000 to 30,000 in 2021 (IRCC, 2019; IRCC, 2021a; IRCC, 2021b). However, these changes in intake levels, without subsequent change in admission rates, reveal the workings of a policy spectacle more than a fundamental commitment to increase family reunification.

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in place. Notably, the *jus sanguinis* rules will be changed because of a successful court challenge, not because the Trudeau government chose to act." (Dauvergne, 2025, p. 6)

While the political project of family reunification finds a strong presence within Canada's family class sponsorship program, concerns about the emotional, physical, and financial well-being of families vulnerable to separation receive scant attention in other contexts. The concerns that Ma Lean Andrea Gerente expressed to the Committee on November 1, 2016, subsequently came to life: the advocacy for the unity of certain families was *forgotten*. In the 114 pages of the final report, considerations for family separation outside of family class sponsorship appear only in the (notably short) final section and are dedicated a mere five pages (HOC-CIMM, 2017). Part 6, "Barriers to Family Reunification Outside of Family Class Sponsorship," canvasses five other pathways for family reunification: (1) the live-in caregiver program; (2) family reunification for refugees and protected persons; (3) family reunification linked to in-Canada applications for permanent residence on humanitarian and compassionate grounds; (4) barriers to family reunification for temporary foreign workers; and (5) barriers for people without legal immigration (undocumented) status (HOC-CIMM, 2017). The surface-level engagement with these pathways reflects the marginal discussion of these issues raised by witnesses throughout the Committee hearings, in part perhaps because of the initial motion undertaken by the Committee for the study, but nevertheless, despite the final framing of the report to be concerned with "family reunification" as a whole. Witnesses asked the Committee to call on the Government to address the long processing times and backlogs for the live-in caregivers, refugees, and protected persons who are waiting to be reunited with their families. Professor and lead researcher on the Migrant Mothers Project, Dr. Rupaleem Bhuyan, called attention to the temporary worker context and asked the Committee to consider "the long-term impacts on a society that deems some people worthy to live with and raise their children, while a growing number of people do not deserve to do so" (Dr. Rupaleem Bhuyan, Professor, Faculty of Social

Work, University of Toronto, as an Individual, CIMM Evidence 42-1, No. 36, p. 2). The Committee advanced two recommendations related to "family reunification outside the family class," including a recommendation that the backlog be eliminated for caregiver applications (Recommendation 38) and that IRCC establish a 12-month service standard for family reunification applications submitted by refugees and protected persons (Recommendation 39).[97] The Committee did not provide any recommendations related to temporary migrant workers or undocumented migrants.

Moreover, the negative effects of family separation that are a consequence of immigration detention and deportation are largely absent from the final report, despite submissions made by witnesses during the course of the hearings (albeit few). Indeed, there are only three instances where considerations for family reunification in the context of deportation emerged in the discourse of the Committee hearings. Animating the figure of the fraudulent applicant, IRCC's Mr. Mark Giralt, the Area Director for the United States and Caribbean regions, invoked security discourse to construct the threat of deportees seeking to fraudulently return to Canada. Mr. Giralt submitted that spousal sponsorship applications are "complex" given that "up to 25% of applications are from persons who have been previously deported or have criminality concerns" (CIMM Evidence 42-1, No. 38, p. 3). Families with a deported loved one are subsequently framed, both in legal and political terms, as undeserving of (re)unification. Furthermore, two additional witnesses raised the issue of family separation from deportation. Mr. Vance Lanford, the chair of the Immigration Section of the Canadian Bar Association, recommended that the removal of spouses be deferred by CBSA when an in-Canada sponsorship

[97] The Government provided a response to these recommendations in a section titled "Outside Family Reunification," highlighting once more the collapse and discursive narrowing of family reunification to the family class.

exists (CIMM Evidence 42-1, No. 35). Ms. Anabela Nunes, a settlement counsellor from Working Women Community Centre, similarly submitted that sponsorship applicants under deportation orders should have their applications expedited (CIMM Evidence 42-1, No. 33). While Mr. Langford and Ms. Nune's submissions were highlighted in the body of the final report, neither of their recommendations formed part of the 39 official recommendations brought forward by the Committee. Considerations for family reunification and family separation in the context of detention are completely absent from the Committee hearings and the final report. Thus, while Canada prides itself on upholding family (re)unification, families that seek unification in the carceral contexts of migration governance are erased from the political imaginary.

Responding to this absence, the remainder of this dissertation is devoted to illuminating the stories of family separation and longing for unification that have been erased from the political project of family reunification in Canada. The figures canvassed in this chapter produce racialized ideologies about who is desirable and deserving versus who is threatening and excludable at the selection and admissions point of the immigration continuum. However, as I will demonstrate in the chapters to follow, the spectre of racial exclusion that undergrids family reunification policies also animates the enforcement tail of the immigration continuum, including detention and deportation. Indeed, these discursive figures contribute to the apparatus of racial logics that come to bear on the existence, continuation, and expansion of carceral migration governance. Importantly, the spectral animation of these figures is not only symbolically produced at the level of discourse but is also materialized and felt in the experiential; the carceral power of migration governance operates discursively, ideologically, *and* materially. As such, it is imperative to consider lived experience to fully understand the nature of carcerality and the

effects of these indelible figures. As subjugated knowledge, lived experience reveals the very violence inflicted on racialized bodies that is erased by a nation-state that imagines itself as a hospitable, welcoming, and generous host invested in the unification of families. Moreover, lived experience further reveals what can be discerned about law beyond its 'black letter' confines, and reveals key aspects of the infrastructure of racial carceral migration governance. A turn towards lived experience is necessary to understand how symbolic racial violence at the level of discourse materializes into racial violence that is felt at the level of the inmate, relational, and emotional. In the chapters to follow, I turn to interview data to uncover the empirical limits of the popular discourse that is associated with the Liberal government that has been traced in this chapter.

The following chapters illuminate the symbiotic experience of racial violence experienced by families who are subjected to the carceral power of detention and deportation in Canada. The migrants and loved ones who participated in the research profoundly felt the state's erasure and denigration of their familial relationships, impacting, in turn, their understandings of belonging. Although migrants and their families came to understand Canada through an international reputation of being a welcoming nation that values family well-being and unity, encounters with the racial carceral state ruptured this national imaginary. The conditionality of Canadian multicultural acceptance – this ruse of incorporation – is exposed for racialized migrants and their families who encounter carceral regimes and family separation, reifying a sense of injustice, unbelonging and disposability.

Chapter Four: The Expansion of the Carceral: Exploring the Spaces of Racial Carceral Migration Governance

Power can be invisible, it can be fantastic, it can be dull and routine. It can be obvious, it can reach you by the baton of the police, it can speak the language of your thoughts and desires. It can feel like remote control, it can exhilarate like liberation, it can travel through time, and it can drown you in the present. It is dense and superficial, it can cause bodily injury, and it can harm you without seeming to ever touch you. It is systematic and it is particularistic and it is often both at the same time. It causes dreams to live and dreams to die. We can and must call it by recognizable names, but so too we need to remember that power arrives in forms that can range from blatant white supremacy and state terror to "furniture without memories."

– Avery F. Gordon, in *Ghostly Matters.*

This chapter is the first of two empirical chapters that illuminate the dissonance between dominant national and political discourses and the lived experience of migrants and their families. While Canada champions family reunification as a central pillar of the *Immigration and Refugee Protection Act,* and cultivates a national imaginary as a welcoming and inclusive host that is committed "to see that families are reunited in Canada" (IRPA Section 3(1)(d)), there is, a foundational and enduring racial violence that renders this international reputation incommensurable with the reality of the operations of migration governance. My examination of the politics of family reunification in the previous chapter unravelled this foundational and enduring racial violence by tracing a history of the present and the racial logics that saturate family reunification at the legislative, policy, and discursive levels. Four distinct but interrelated figures function to discursively expand racial carceral migration governance by delimiting those who have the 'right' and are 'worthy' to have and be family within and through racial logics of exclusion. In the next chapters, I turn to interview data with migrants and family members to uncover the *material* and *affective* expansion of racial carceral migration governance at another point of the immigration continuum: immigration enforcement. This furthers the argument that even while political leaders profess their support for immigration, and for the "progressive" and

"humanitarian" objectives of family reunification, this is not antithetical to the continuation of crimmigration shifts in the law and its enforcement (see Dauvergne, 2025). Indeed, while the Trudeau Liberal government was elected on a platform which promised a return to immigration policies that reflected the "open, accepting, and generous qualities [of Canadians]," (Liberal Party of Canada, 2015), and while the Standing Committee was publishing their report on "Family Reunification" (HOC-CIMM), the Canada Border Services Agency (CBSA) was ramping up its efforts to separate families through deportation, enforcing a total of 9,695 deportations in fiscal year 2018-2019 (CBSA, 2021). This represented an 18% increase in total deportations from the 2017-2018 fiscal year, and the highest number of deportations in the 4 years prior (CBSA, 2021).[98] The stories of family separation and longing for unification that I trace in these remaining chapters reveal key aspects of the infrastructure of racial carceral migration governance in Canada, and further unravel Canada's national imaginary as a "welcoming," "generous" host.

This chapter traces the expression of carceral power and the carceral state in Canada by interrogating its expansion to the administrative system of immigration enforcement and to communities of loved ones ensnarled in the regimes of detention and deportation. The chapter offers an expansive account and understanding of structural racism that forges connections between cages, jail cells, and border walls. Policing, criminalization, incarceration, detention, and deportation converge under a carceral industrial complex, forming a set of relations that are productive for racial ordering and manifest in various spaces outside of the criminal justice system and its physical institutions. The chapter contributes to mapping the Canadian

[98] See also Table F5 in Appendix F for statistics on removals by priority and fiscal year, 2014-2021.

immigration carceral landscape and the radiating and far-reaching racial violence inflicted on families and communities, which include, but are not limited to, family separation.

As this chapter demonstrates, the legal institutions, practices, technologies, and network of actors of racial carceral migration governance extend the territorial border to cover the entire territory of the nation-state, turning national spaces into carceral spaces of capture, control, confinement, and separation for non-citizens and their loved ones. Part one of the chapter expands crimmigration literature in the Canadian context. I explore the carcerality that is central to racial migration governance by demonstrating how the carceral force of detention, alternatives to detention and deportation (whether actualized or stayed) functions in law and is experienced as a punitive force by those who encounter its regime. In part two of the chapter, I examine the expansion of carceral power to the family, friends and loved ones of migrants subjected to the administrative system of immigration law in Canada. I illuminate the ways carcerality touches migrants and their families in three intimate spaces: 1. the home; 2. interpersonal relationships; and 3. the social spaces of work, community, and nation. I argue that carceral power is unrestricted and untethered from the confines of physical buildings and expresses itself in both obvious and insidious ways. Carceral power transforms the intimate relationships, spaces, and temporality of everyday life. I demonstrate how the racial discourses of exclusion and disposability that produce the macro border spaces of the nation-state are fractured, reproduced, and materialized in micro-spaces of the family and community. This includes the political rationalities, grids of intelligibility, and discursive figures discussed in Chapter 3. As articulated in this chapter's epigraph, I seek to demonstrate the spectacle and the mundane; the routine and invisible expressions of carceral power, politics, and the law. I contend throughout the chapter that families and loved ones are enmeshed in the racial violence of the carceral state by way of

their desires and efforts to support and maintain relationships with their loved ones. Migrants and their families and communities are subjected to and experience the carceral power of the state, and, in turn, are legally, spatially, and temporally conditioned by the regimes of racial carceral migration governance.

Part One: The Carcerality of Racial Migration Governance in Canada

In this section, I illustrate the expansion of carcerality into the administrative realm of immigration enforcement. While crimmigration literature has demonstrated the expansion of criminal penalties imposed for illegal and irregular border crossing (Atak & Simeon, 2018) and the expansion of inadmissibility and deportable crimes under the *Immigration and Refugee Protection Act* (IRPA) (Benslimane & Moffette, 2019), my intention is to contribute to the understanding of immigration detention and deportation as inherently *punitive* in nature – in both *design* and *feel*. The Canadian government and courts persistently uphold that immigration measures are administrative rather than punitive (Hudson, 2018).[99] These logics of denial trickle into the bureaucratic principles and policies of the Canadian Border Services Agency (CBSA) and are reified in their mandate and enforcement manuals. For instance, CBSA's Enforcement Manual on Detention stipulates that "immigration detention is an administrative detention and

[99] The intentions of legislators have come to be an important facilitator of carceral expansion. Legal doctrine holds that if legislators do not explicitly state that a sanction is intended to be punitive, then it is not (Hudson, 2018). The legislative labelling of a sanction as 'civil' or 'administrative' is seen by the courts as justification to define that sanction as 'not-punishment,' even when it leads to incarceration and other practices of banishment that mimic the coercive nature of punishment (Beckket & Murakawa, 2012; Story, 2019). We even see this denial through the selective choice of the word 'removal' in Canadian law to describe the state action of deportation. The term 'removal' is a neutral and benign term that affects an analogous erasure, rendering the violence that it wreaks on individuals, families, and communities invisible. Removal is framed not as punishment meant to 'correct' or rehabilitate but instead as simply the consequence of lacking the right to enter and remain in a sovereign territory (Burman, 2006; Coutin, 2010). Additionally, in their efforts to negate the punitive harms of deportation, the Canada Border Services Agency relies on official statements that "immigration detainees are always able to withdraw their application to enter Canada and return to their home country" (Communications with CBSA 2022-12-07 *REVIEW OF THE CENTRE FOR REFUGEES REPORT DEPORTING REFUGEES – HIDDEN INJUSTICE IN CANADA*). As such, the administrative practices of detention and deportation are attributed to being within the prerogative of the nation-state's sovereign right to exclude.

must not be punitive in nature" (CBSA ENF 20, 2023, p. 15). However, irrespective of legal and bureaucratic logic that maintains that administrative detention is "not punishment" or "must not be punitive in nature," attending to the legal consciousness and lived experiences of migrants and their loved ones unearths clear punitive logics, mechanisms, and practices that are at work and that are felt in encounters with the carceral migration governance regimes of detention and deportation.

The punitive and prison-like conditions of detention were deeply felt by the migrants and loved ones that I interviewed. For instance, Amanda, a friend of a migrant previously detained at the Laval detention centre, shared:

> Calling the detention centre is like its own experience. It's like you are calling a Tim Hortons [coffee franchise]. They are super nice […] and you are like … it's a detention centre. I don't want you to be nice. I don't know how to explain it, it's really weird. Their type of client service, it's light, as if they weren't in a detention centre. And I think that's what they try to make themselves believe, but it's a weird approach where they are really familial on the phone with you. We would call all the time, like three times per day and each time it would surprise me, that sense of as if I was calling anywhere else. Sometimes they would forget to say "detention centre" they would just say, "Hello," it was really weird. And then after you go there and it's a prison! There is nothing else [to describe it] … it looks just like a prison. It doesn't look like anything else […] Every time [I go to the detention centre] I had the feeling it was a no man's land. You don't know that it exists. You can't find it in the telephone books, it's not called "detention centre," it's called "holding centre." I find it's concerning. It's an area that no one knows exists – I didn't even know it existed until I had people around me that went there but it's really weird; to pretend that it's not a prison when it's in face of all the other prisons, it's not reassuring (Amanda, friend).

The denial of the carceral and penal force of immigration detention materializes in the interactions that loved ones have with detention centres and border agents. In addition to the

erasure that occurs in CBSA's official naming of detention centres as "holding centres,"[100] CBSA's efforts to mask the prison logics of detention centres also manifest in how they interact with loved ones. As Amanda highlights, the familial, friendly, and client-service experience of phoning the detention centre felt misaligned with the detention centre's prison-like infrastructure that she encountered when she visited her friend. Moreover, the geographical proximity of the Laval detention centre to the Correctional Service Canada (CSC) prison served as a glaring reminder that detention is indeed incarceration. The geographical locations of prisons and detention centres are designed to disappear incarcerated people and expel them to spaces "that no one knows exists," which requires hiding them in plain sight. Existing in this "no man's land," the prison's function as a space of disappearance for people and social problems extends itself to administrative detention, operating to reify the exile and exclusion of 'undesirable' racialized people from the nation-state (Story, 2019).

For Nigel, the interstitial spaces where criminal and administrative incarceration mesh were at the core of his carceral encounters. Born in Barbados, Nigel immigrated to Canada when he was six years old. Nigel's parents did not apply for citizenship for their children when they arrived as immigrants and decided to wait until their children turned 18 to apply on their own.[101] As a young Black man, Nigel was criminalized and sentenced to 10 years in prison when he was 18 years old. Without Canadian citizenship, Nigel's conviction rendered him criminally

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[100] Similar to the legal framing of deportation as 'removals,' (see footnote 99) the state employs strategies to erase the punitive and violent nature of immigration detention through the language of 'removal centre' or 'holding centre' to describe detention facilities.

[101] It is not uncommon for permanent residents who have spent most of their life in Canada not to have applied for or received citizenship. Benslimane and Moffette (2019) highlight that various structural, social, and material conditions may limit access to citizenship and a more secure presence in the country. For example, the de-skilling of many migrant workers, and the bureaucratic, expensive, and complex immigration and citizenship procedures have "compounded effects on access to citizenship despite a long presence in the country" (Benslimane & Moffette, 2019, p. 48). These conditions are compounded by race, gender, class, religion, and age (Benslimane & Moffette, 2019).

inadmissible to Canada and therefore deportable, thereby subjecting him to the double punishment of criminal inadmissibility (Benslimane & Moffette, 2019). Nigel's immigration interview was conducted while he was incarcerated, revealing how carceral border practices move into the physical spaces of the criminal justice system:

> While incarcerated, I had an immigration interview […] the memory is very vague of the procedures and what happened with immigration, but at the end of the day they said that because of my charge and I'm not a Canadian citizen, they have no other choice but to deport me back to Barbados after my sentence […] It was pretty quick – bam, bam, bam, this is what is going to happen. So when I finished the sentence, I received 10 years but I end up doing almost 4, good behaviour. My parole came up […] but obviously the immigration, they already declared that they were going to send me back. So as soon as I got the parole, they just came and collect me from the prison. Straight from the prison, straight to the plane, back home. So I return home when I was like 23-24, something like that. From the time I was 6 years old [when I came to Canada], 6 years old … I could barely remember much of Barbados (Nigel, deported son and father).

The most obvious instance of the expansion of carceral power is observed in these instances where the business of administrative detention and deportation seeps into the spaces of incarceration of the criminal justice system. However, theorizing the expansion of carceral power through frames of racial governance helps us understand how the carceral is constituted through racial logics that configure racial subjects as disposable. Criminal law and immigration law, therefore, do not simply 'overlap,' 'intersect,' or 'mirror' one another, as most crimmigration literature advances (Stumpf, 2006), but rather exist in concentric circles, reinforcing one another through shared racial logics of exclusion and expulsion. Indeed, the structural racism that underpins the criminal justice system, and in particular the anti-black logics that have formed the foundations of policing and the prison (Alexander, 2010; Davis, 2003; Maynard, 2017), propels Black non-citizens towards deportation. For Black migrants, the experience of migration governance occurs in the context in which their Blackness is already policed and criminalized, in turn marking them to increased vulnerability to carceral encounters within these 'administrative'

systems. Ciji Dodds (2024) describes this increased vulnerability to carceral interactions as a consequence of the gaze of racialized policing. As an instrumentality of governance, the gaze of racialized policing "disfigures Blackness by tethering it to criminality and predation;" the presumption of criminality supersaturates the Black body (Dodds, 2024, p. 243). In the context of migration governance, the Black man, already marked for surveillance and policing by criminal law enforcement, is by extension marked for *further* possible containment (detention) *and* expulsion (deportation) from the nation-state. As such, the racial governance of settler-states relies on the interdependence of immigration and criminal law as carceral confluences to exercise the sovereign authority to expel, in the name of preserving a 'White nation.'

Nigel's experience also reveals the myriad ways in which carceral space extends beyond the physical walls of prisons and detention cells. Unreleased from confinement, Nigel was transported from one prison to another in all but its name: the airplane. Despite having served his sentence and having been released early on 'good behaviour,' Nigel shared that he was handcuffed along his journey to the airport. He continued, "when I was boarding the plane, they [CBSA] said if there was going to be any problems they'll have to keep me handcuffed or if I would be okay they will take off the handcuffs […] They sat right beside me [on the plane]" (Nigel, deported son and father). The spaces of commercial airplanes, where deportations are finalized, are transformed into carceral spaces for non-citizens under the sovereign power of the state (Walters, 2016; Walters, 2017). Moreover, Nigel's deportation acts as an international geography of containment (de Noronha, 2020), wherein deportation operates first as a mode of forced mobility by expelling migrants from the nation-state, and second as a configuration of immobility and confinement, as deported persons are legally barred from returning to Canada under section 52(1) of the IPRA. In the same way that incarceration separated Nigel from his

family, the legal expulsion of deportation brought spatial and legal permanence to this separation. The exercise of carceral power, untethered from the border and territory of the nation-state, is made possible through the geographic containment of racialized deportees. The regime of deportation extends carceral space and the carceral power of the nation-state beyond its borders by sequestering racialized people in place. For Nigel, this is a place that he barely remembers and one that is void of familiarity: "it was like I was back 'home,' but 'home' is unfamiliar to me […] Canada was where I grew [up] […] Canada was what I really knew" (Nigel, deported son and father). Marked as carceral subjects, racialized migrants like Nigel are materially and symbolically rejected from the 'national family' – already imagined as the white nuclear family (as outlined in Chapter 3) – and the *familiarity* of the Canadian nation-state; cast to "home" spaces unfamiliar, reifying exclusion and alienation within the subject.

The lived and cultural understanding of immigration law as punitive and criminalizing was further revealed by Nicholas. Nicholas claimed refugee status upon arrival in Canada and, within a year, was granted permanent residence. He lived in Canada as a permanent resident for almost 20 years before he was deported through the revocation of his permanent resident status. The Canadian state revoked Nicholas' permanent resident status following a visit to Colombia, where he spent some time taking care of his late father, who was dying of cancer. Having fled Colombia when he claimed refugee status, Nicholas was found to be in breach of the conditions of his refugee status. Nicholas shared:

> I had a court date […], and that's when the judge said: "You are a very nice guy, you have no accent." She was super nice with me, the judge, always saying positive things about me and all the things I did for my father. But anyway, she said "no, I'm sorry but you—" I don't know if that's the right term, but I kind of broke the law, cause I shouldn't come back to Colombia. I explained to [the judge], "Hey, please don't punish me to do the right thing. If my father needs help, he's not able to walk, how can I say no to that?" I said, "Please put yourself in my shoes, what would you do?" Those values are the values that Canada teach you right? Take care of your parents, be a good person, right? And that's

> what I did. And I feel like I was punished for being a good guy. It was my father! […] So in that way it's very painful (crying). I always paid my taxes, I think I am the typical successful immigrant […] I studied, and I was doing really good financially […]. I felt very disappointed because I never thought Canada was going to do something like that. When people think about Canada, people think about compassion […] an understanding place, a nice place to live. And I have a kid in Canada too. I never thought they were going to put distance between us (crying)[…] I don't even have tickets, parking tickets or speeding tickets. I did everything the country asked: pay your taxes, study, do something for the country, do something for yourself. I never did anything wrong. And they still kicked me out. They took almost 20 years of my life and they threw it in the garbage. (Nicholas, deported father).

Nicholas directly experienced and understood his deportation from Canada to be a form of punishment – one that separated him from his son and disposed of his life "in the garbage." Nicholas experiences both a spatial and temporal dis-belonging (Khosravi, 2018). Indeed, Nicholas's deportation steals the time he invested in years of work, life-building, and family building in Canada (Khosravi, 2018). Importantly, Nicholas' understanding and experience of his deportation as punishment is conditioned upon his understanding of the national imaginaries of a "welcoming" and "compassionate" Canada committed to the values of family (re)unification. Indeed, Nicholas expressed that he felt he was "punished [for] doing the right thing." Despite embodying the characteristics of the "typical successful immigrant," Nicholas' care for his family was criminalized by the logics of racial carceral migration governance. Here, the racial politics governing who is permitted to have and care for family are equally laid bare. The violence of Nicholas' expulsion and separation from his son ruptured the mythology of Canada as a nation-state characterized by inclusion, generosity, and compassion.

This rejection from belonging in the 'national-family' is equally felt by family members who have witnessed the exclusion of their loved ones. For instance, Mona shared that the deportation of her father:

> definitely impacted my sense of belonging. I feel like for the longest time it made me feel so small and that I'm just on the white man's land. It made me really look at things

> differently in the sense that I started telling myself, you know, I can go to school and I can come out with all this money but at the end of the day it doesn't matter, I'm going to have to go back to my country because that's "home,"[102] this is not home for me. I don't think that it'll ever feel like home for me, especially with all that's happened. I just feel like my dad worked and he was never in trouble. Why was he not allowed to [stay]… this wasn't home for him. I feel like the government didn't allow him to feel at home. So it just makes me see that we are all just visitors and eventually everyone will have to go back home (Mona, daughter).

No longer shrouded by these national fictions, Mona and Nicholas experience the carceral power of the state in a way that explicitly lays bare the ruse of incorporation. Nicholas describes his efforts to draw proximity to the prototype of the 'good migrant-citizen' by accumulating markers of inclusion that are characteristics of "whiteness" – such as paying taxes, going to school, securing employment, avoiding law-breaking activities (i.e., "I don't even have tickets"), and even developing a language proficiency achieved by the suppression of an accent. However, despite the accumulation of these characteristics, the conditionality of Canadian acceptance is exposed and materialized through his deportation. Mona explicitly attributes the ruse of incorporation to a racialized territoriality that makes up the Canadian nation-state and its accompanying national imaginaries. Mona comes to understand the limits of the economies of intelligibility that are extended to the racial carceral subject. In witnessing the deportation of her father, Mona learns of the conditionality of Canada's acceptance of racialized migrants (because her dad worked, never got in trouble, and this was still not enough to stop his deportation) *and* of the exclusion of racialized citizens alike. As a family member of an illegalized migrant, Mona also internalizes the rejection of her father from the 'national family' as her own rejection, impeding in turn her ability to create a sense of 'home' and belonging in Canada.[103] Together,

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[102] I have used quotation marks here as Mona verbally communicated the idiom "quote unquote home" during our interview.

[103] Mona's sense of belonging is established symbiotically with the expulsion of her father from the nation-state. I develop this conceptualization further in section 2 of this chapter.

Nigel, Mona, and Nicholas' experiences reveal the formation of a legal consciousness that is attuned to the punitive logics of disposability that saturate immigration law and the formation of the nation-state.

Alternatives to detention are another way that the carceral power of migration governance extends beyond the physical walls of detention centres. Under the *Immigration Refugee Protection Statutory Order and Regulations* (IRPR SOR) 2002-248(e), CBSA officers are required to consider the existence of alternatives to detention (ATDs) in exercising their discretionary authority to detain or release a person once grounds for detention are established. The consideration of ATDs is also required before every detention review (CBSA ENF 20), which are held in succession after 48 hours, one week, and finally 30-day increments (IRPA s. 57(1) and 57(2)). Immigration conditions may be imposed as alternatives to detention, including deposits, guarantees, in-person reporting to CBSA, and general surveillance conditions, such as maintaining a current address on file with CBSA, reporting criminal charges and convictions, cooperating with obtaining an identity or travel document, or other conditions such as curfew or non-association conditions (CBSA ENF 34). Notably, these replicate the bail conditions of the criminal justice system and create the conditions for coercive compliance by requiring people to obtain travel documents to facilitate their own deportation. Moreover, other non-prescribed factors to consider when assessing whether someone is fit for an ATD include considering the "presence of relatives or friends in Canada who can exert influence over the individual [and] who are prepared to provide a guarantee or surety" (CBSA ENF 20, p. 19). Here, family members and friends are coercively invited into the carceral management and surveillance of their loved ones and are placed under the financial weight of bondpersons.

ATDs are presented as a main pillar in CBSA's *National Immigration Detention Framework* (NIDF). Announced in 2016 by the Liberal government, the NIDF sought to "create a better, fairer immigration detention system that supports the humane and dignified treatment of individuals" (CBSA, 2022). The announcement of the NIDF was accompanied by a $138 million investment to expand alternatives to detention in support of Canada's commitment to the United Nations High Commissioner for Refugees (UNHCR) Global Detention Strategy (CBSA, 2022). As a result, in 2018, CBSA grew the ATD program to include a new community supervision program and two new electronic supervision tools. Voice reporting, an electronic supervision tool, requires "individuals to report to CBSA by phoning an automated system that verifies their identity by using their voice" (CBSA ENF 34, 2018, p. 11). In addition to collecting their voice biodata, the individual's GPS location is captured when reporting by telephone. CBSA frames this ATD as "an effective alternative to in-person reporting, particularly for individuals located in remote areas or who reside in an area not easily accessible to a CBSA inland enforcement office" (CBSA ENF 34, 2018, p. 11). Officers can also impose additional conditions on the voice reporting tool, including requiring people to report using the system from a specific location and a specific time, not to be in possession of a cellular telephone other than the one used to report to CBSA, and to carry the cellular telephone used to report to the CBSA at all times and answer any calls from the CBSA. The second electronic supervision tool implemented was electronic monitoring via ankle bracelets. CBSA obtained the electronic monitoring tool through their relationship with CSC, once more demonstrating the carceral overlap of the criminal justice system and migration governance. Under this ATD, ankle-monitoring bracelets that continuously track an individual's location are worn for the duration of their release in the community. Electronic monitoring is intended to be used in conjunction with the Community Case

Management and Supervision program (CCMS) (described below), a deposit or a guarantee, or both. Individuals on electronic monitoring are also subject to restrictions on the places and times that they can be in the community. Compliance with these conditions is monitored by staff at the CSC-Operated Monitoring Centre, who report any violations to CBSA for review and action (CBSA ENF 34, 2018). Finally, the Community Case Management and Supervision program (CCMS) provides "released individuals with services in the community that reduce the risk they pose through case management pro-social treatment options" (CBSA ENF 34, 2018, p. 7).[104] Statistics obtained under the *Access to Information Act* show that refusals for enrolment into an ATD program occurred only in cases where the individual was requesting CCMS.[105]

Between 2018 and 2023, 23,719 migrants were enrolled in an ATD in Canada.[106] Immigration conditions, bond payments, voice reporting, in-person reporting, electronic monitoring, and community supervision programs continue the functions of carceral power within the community, encompassing neighbourhoods, homes, and public spaces. Participants recounted the expansion of prison-like conditions to their homes through the various immigration bail conditions that are put in place when offering "alternatives" to detention. For example, Danny, a previously detained person who is now stateless because his citizenship was revoked,

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[104] The CCMS program holds contracts with three vendors: the Salvation Army, John Howard Society Canada, and the Toronto Bail Program, who provide services, such as health support, mental health services, addiction and substance abuse counselling, housing and shelter assistance, and child and family services, to individuals who are referred through this program. These third-party vendors manage and monitor the person's participation in the program and are required to report any violation of conditions to the CBSA. This ATD is intended for people whose deportation proceedings are not immediate; per CBSA, CCMS is deemed "inappropriate" "if the individual is being removed within a few weeks or less" (CBSA ENF 34, 2018, p. 7).

[105] ATIP A-2023-27564/ CMACL. Between 2018-2023, 953 applications were denied. It is interesting to note how the CCMS program, framed as a "treatment-based" alternative to detention rather than the pure surveillance alternatives of voice reporting and electronic monitoring, is the ATD that is the least accessible to migrants. This points to the new penology that is facilitates the expansion of the carceral state and its capacity to contain, surveil, and exclude people from the polity (see introduction).

[106] ATIP A-2023-27564/ CMACL

highlighted the confining nature of being released on conditions. Sanctioned with a list of conditions that spanned seven pages, Danny stated:

> The fact that you are released on conditions in the community, you're still in jail. […] You're still confined; you still have your liberties taken away. At any given time, CBSA or the police can come knocking on your door and arrest you, so your liberties are at stake. You truly are not free when you are dealing with immigration, cause immigration can go on indefinitely, but with a criminal matter, at least you have a timeframe that you'll be done and dealt with (Danny, previously detained).

Though not actual prisons, home spaces become amenable to the expression of carceral power, thereby embodying a liminal space between home and prison, captivity and freedom (Shabazz, 2015). While the state presents ATDs as contributing to the UNHCR's Global Detention Strategy, which aims to end the practice of detention (CBSA, 2022), ATDs instead reify carceral power. Indeed, contrary to discursive representations of alternatives to detention as progressive and humane reform for migrants and their loved ones, alternatives to detention reconfigure and extend the residues of violence inherent in detention (Mujtaba, 2026). The immigration conditions prescribed to released carceral subjects collapse the inside/outside; home and community spaces absorb the exercise of carceral power, creating the sense that one is still confined and unfree. These liminal spaces – between home and prison, freedom and unfreedom – are spaces of inherent contradiction, "situated at the intersection of possibility and punishment, teetering on" (Shabazz, 2015, p. 69).

While Shabazz (2015) writes of the spatiality of this teetering between home and prison, possibility and punishment, there is also a temporal dimension to this spatiality. Punishment exists in this liminal space of alternatives to detention by stretching time. Danny notes this when comparing sentences in the criminal justice system to the indefinite proceedings of carceral migration governance. While the prison sentence can be understood as waiting *for* the time of

release, the indeterminacy of immigration detention, as Sarah Turnbull (2016) writes, temporally orients the waiting process to one of "waiting *to know* both *when* and *how* detention will end (i.e., release into the community or expulsion from the community)" (p. 61, emphasis mine). This waiting *to know when and how* also extends to waiting for the release and freedom from immigration conditions imposed under the ATD plan prescribed by CBSA. The temporal uncertainty that is bound to the indeterminacy of detention does not vanish when a non-citizen is placed under an alternative to detention. Moreover, the accounts provided by prison scholars surrounding prisoners' pains of waiting (see, for instance, Carceral & Flaherty, 2021)[107] are not much different than the accounts described by those in the context of immigration detention and deportation. However, for Danny, the determinacy of a prison sentence offered some alleviation (whether actual or perceived) from the weight of carceral power. Citizenship status, understood as a vector of 'Whiteness' in that it is only afforded to those "best and the brightest" worthy of Canadian citizenship and inclusion, offers, to some extent, temporal certainty to lengths of incarceration. Those relegated to the criminal justice system, as citizens in possession of a vector of 'Whiteness,' are legally owed temporal definitiveness to their sentences. Migrants, as racialized 'Others' who are discursively and legally expelled from the 'Whiteness' of citizenship, remain constrained in liminal zones of temporal uncertainty. The liminal zones of temporal uncertainty further articulate the collapse between inside/outside for migrants who are under threat of detention and deportation.

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[107] In *The Cage of Days: Time and Temporal Experience in Prison,* Carceral and Flaherty (2021) examine the structural and procedural factors that shape the temporal experience in prison. The authors contend that the temporal regime of the prison system – unchanging schedules, the sensorium of incarceration, limited resources, lack of autonomy, and the enforcement of ubiquitous and ambiguous rules – alter and disorient one's perception of time. In prison, time "bends and swirls and circles until nights dissolve into days that are perhaps Monday or Friday, but no one knows for sure and no one cares 'cause we're not going anywhere" (Lerner, 2003, p. 105; Carceral & Flaherty, 2021).

Rachel, who acts as a bondsperson for her friend who was released from detention, further highlights this relationship between time and carceral space. At one point in our interview, Rachel used the past tense to recount the various conditions she and her friend were forced to navigate. Notably, Rachel abruptly stopped mid-sentence and corrected her tense to the present moment:

> I shouldn't say "at the time," it seems like so long ago, *but this process*, *we're still in this*. He is released because he has a bondsperson and because he has over 20 conditions that he has to live under. It's this ridiculous thing in his life that's still keeping him really detained in a sense, but he's just detained on the outside now (Rachel, friend, emphasis mine).

Bringing this temporality into the frame of our understanding of carceral space helps us understand detention and deportation, and the law, not as events with a beginning and an end, but as *processes* that transcend temporal and spatial boundaries. Writing in the context of "serving time" in criminal prisons, Carceral and Flaherty (2021) contend that the temporal regime of prison is totalitarian; "[i]t aspires to control all aspects of time […] Time *happens* to inmates, and they wait for everything" (p. 21, emphasis mine). The loss of the freedom of movement is therefore also temporal in nature, whereby prisoners cede control of their lives, and of their time, to the state (Carceral and Flaherty, 2021). By virtue of relinquishing the capacity to govern their own time, time passes and possesses a "molasses-like quality" (Carceral & Flaherty, 2021, p. 73). Absent from Carceral and Flaherty's (2021) analysis, however, are the roles that racialization and racial violence play in *taking* and *extracting* time from racialized carceral subjects and their loved ones. In *Funking the Clock,* Rashaan Mahadeo (2024) calls for a paradigm shift towards a new sociology of time that accounts for the subtractive relationship between time, racism, and racialization. As an instrument of oppression, extraction, dispossession, and gratuitous violence, time is integral to the maintenance of a racial order,

parcelling out those who *own* time (re: those who have time) and those whose time is *owed* (re: those who are bound by time) (Mahadeo, 2024). Mahadeo (2024) articulates the temporal exploitation and violence of racialization, demonstrating the ways time is accumulated through the racialized violence of surveillance, harassment, and racist attacks. "As a form of time mining, racialized violence generates time and wealth for white people […] while depreciating the value of Black life" (Mahadeo, 2024, p. 68). Writing in the context of deportation, Shahram Khosravi (2018) articulates that deportability is a statement of temporal dis-belonging: "the deportee's *tomorrow* belongs elsewhere […] robbing an invidual of the viabilities of life [and of] the vision of a better future" (p. 39). Time, then, does not simply stretch and pass carceral subjects by, as Carceral and Flaherty (2021) argue, but it is also actively *taken and stolen* from them (Mahedeo, 2024; Khosravi, 2018).

In the context of racial carceral migration governance, the racialized spaces of carcerality take, extract, and steal time from the racialized migrants and their loved ones who are subjected to the indeterminate conditions of alternatives to detention. Alternatives to detention materialize racial violence through this seizure of time and suspend migrants and their loved ones to an indefinite temporality quite like that of "actual" indeterminate immigration detention. Immigration conditions that allow migrants to exist in the community generate the sense that, "at any given time," police powers can be exercised to revoke this "liberty" (Danny, previously detained). Participants spoke about this stealing of time, articulating that "you are not your total self, you are kind of on standby [waiting for CBSA's decision]" (Doijin, deported girlfriend) or that "[you] just put your life on standby for after… to live after [the decision]" (Amanda, friend). The racial violence of carceral migration governance is therefore time-consuming, propelling

migrants and their loved ones to engage in a "psychic, physical and emotional labour […] that many perform just to get by, maintain and survive" (Mahadeo, 2024, p. 62).[108]

Temporal exploitation and violence are also experienced under alternatives to detention that subject racialized migrants and their loved ones to temporal discipline through the imposition of curfews and check-ins with CBSA. Jojo, a sister whose brother is now stateless and impossible to deport as a result of a period of criminal incarceration and immigration detention, shared:

> He was practically on house arrest [with] all of the conditions they [CBSA] gave. He was not allowed to go out without me past 10 PM. He was required to check in by phone every Monday, all these different things. And I was required to pay bail money, bond basically, it was like $3000. […] Then they required that he put an ankle monitor on. Now two problems with that. One is that it was this big [motions large size] and the landlord could see it and then panic. So there was this fear of seeing the ankle monitor. It was so much stress. I was always like, make sure she doesn't see it! We could become houseless if that happens. The second thing was they referred us to a private company that requires a fee of one thousand dollars per month for an ankle monitor when I am the only person supporting the both of us. And they wouldn't even take payments. I called that company that first month [to ask] "Is there a way to make a payment plan?" And they were like, "We don't give things for free." They were so rude and disrespectful. You can tell they are in there just to make money off of people in a situation like this. They don't care. […] they wouldn't be flexible at all so I had to pay for two months before asking CBSA to switch him to the program that they had [with] their own ankle monitor […] I said I can't pay for this, this is ridiculous, one thousand a month is a lot (Jojo, sister).

Time here, is exploited by the state to manufacture a "criminal offence" for racialized people moving through space; time is what "makes it theoretically possible that a curfew can be violated" (Mahadeo, 2024, p. 81). For Jojo's brother, being outside without his sister past 10 PM or failing to report weekly to CBSA are created as specific infractions that, when violated, result

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[108] I'm called here to also reflect on how time is extracted and stolen from those families who remain separated by the exclusions of Canada's family reunification policies discussed in Chapter 3. The words of Ma Lean Gerente, reveal this temporal violence, when she described "the torture of waiting" to be united with her mother in Canada. Gerente shared that "the long years of waiting have serious psychological and physical impacts on families," and produced regular "nightmares while [she was] waiting anxiously to hear the good news" of reunification (Ms. Ma Lean Andrea Gerente, as an Individual, CIMM Evidence 42-1, No. 36, p. 3). I explore the theme of nightmarish hauntings further in Chapter 5.

in re-detention. Carcerality, therefore, is expanded to migration governance through immigration conditions that produce spatial and temporal transgressions, and work to arrest and confine carceral subjects in another prison-in-all-but-its-name: the home. Time is also extracted from racialized carceral subjects who must keep "their devices connected, charged, and functioning at all times" (Gidaris, 2020, p. 6). Moreover, the potential visibility of the ankle monitor also disciplines both Jojo and her brother, and transforms non-state actors, such as the landlord, into carceral surveillers who can evict undesirable tenants. Jojo's time is consumed, and by extension extracted and stolen, by worrying about the visible marker of her brother's status as carceral subject (i.e., the ankle monitor) and the punishment of forcible displacement that may be imposed by her landlord (i.e., eviction). Jojo's time was also consumed by worrying about the monthly payments required to enroll her brother in an alternative to detention. Indeed, her brother's ability to participate in the electronic monitoring program was contingent on the indefinite extraction of her financial resources, sustaining, in turn, the political economy of racial capitalism that extracts the labour and resources of racialized populations. As a bondsperson, Jojo's movements and time use are shaped by the 10 PM curfew, the weekly check-ins, and other immigration conditions imposed on her brother. In all, Jojo's experience reveals how loved ones are also conditioned to the temporal and spatial disciplines of the carceral migration system, and lays bare the racial capitalist relationship between the production and circulation of capital and the carceral system. Carceral power, therefore, expands beyond the direct subjects under the weight of migration governance, pulling in families, friends, and loved ones into the gambit of racial violence, extraction, exploitation, and confinement.

Part Two: The Expansion of Racial Carceral Migration Governance to Families

While the preceding section demonstrated how carcerality has expanded to migration governance regimes of immigration detention and deportation and traverses the spatial and temporal confines of prisons and detention centres, I now turn to articulate how this expansion of carceral power symbiotically reaches inside the intimate spheres of families and communities. Expanding beyond the walls of a detention centre, prison, or the territorial line of a border, carceral power transforms the intimate spaces and relationships of migrants and their loved ones. Families, too, become carceral subjects (irrespective of their citizenship status), and familial spaces are transformed into carceral spaces. By way of this analysis, I seek to demonstrate how family separation, racial violence, and the harms of detention and deportation are experienced symbiotically. I borrow this understanding of symbiosis from criminologists Rachel Condry and Shona Minson, who coined the term 'symbiotic harm' to describe those "negative effects that flow both ways through the interdependencies of intimate associations" (2020, p. 548).

While Condry and Minson (2020) conceptualize 'symbiotic harms' in specific relation to harms linked to sentences of criminal imprisonment, I argue that the violence[109] of carceral migration governance is also experienced symbiotically through intimate interpersonal familial relationships. Carceral violence is experienced symbiotically by virtue of being enmeshed, entwined, and in community with our loved ones. This notion of symbiosis was clearly articulated by Jojo, who expressed:

> I don't feel safe in my own body because it just feels like this carceral system is just always there. Even though I'm not the person they are taking, it just feels like the impact

[109] While Condry and Minson (2020) frame the effects of the exercise of state power as a 'harm' (both individual and social), I intentionally depart from framing these effects in this way. Rather, I conceive of the harmful effects of the exercise of state power as a form of *violence*. Referring to the exercise of state power as a harm (perhaps unintentionally) erases and minimizes an experience of violence that has a historical and enduring legacy at its roots. Ultimately, however, I am compelled by their conception of the *symbiotic* experience of state power, and so I draw on their work to conceptualize the experience of violence in a similar manner.

> is still there. I don't feel secure because my brother is not secure. Not that I relied on my brother to live, but … we were close. When he's good, when he is well, I feel well, obviously. And so knowing that he's not, I'm not at ease. I'm not happy, I'm not settled (Jojo, sister).

Interactions with carceral systems are filtered through the prism of familial relationships, and in turn are experienced in interdependent and mutually reinforcing ways. The disruption, insecurity, and unsettlement of carceral confinement, detainability, and deportability extend to the loved ones of migrants and are felt, negotiated, and experienced through their relationships. The racial violence of detention and deportation, and the family separation that is produced by these regimes, is experienced mutually. However, participants felt that the violence families and loved ones experience is disregarded and invisible. For example, Renée, a daughter whose father was deported, shared:

> Don't just think of the individual person who is being taken away, think of the pipeline or think of the tree that they have created [during] their time here [in Canada]. I am a daughter, you know? At the time I was his only daughter. Also, he had his girlfriend, which now they are no longer together. So he lost her, and I think that was because of the distance. And then it's like your daughter who you are super close with, you are no longer with or around her anymore. It's just mostly they [the government] need to rethink how the process works because people come here for a better life. They've created a life – children, meet spouses, they have family here, sometimes they have businesses, they have work, everything. And then just to be like "bye," everything is just stopped. Other people are affected by it, not just the individual (Renée, daughter).

As someone who is supporting her friend through his immigration proceedings, Rachel also echoed this:

> They [the government and media] are so good at focusing on the refugee, the immigrant, the person going through it, making them look alone, making them look [like] they're the only ones out there, they have no other support, when it's not true. There are so many people supporting them that don't agree with what is going on, that don't want this to happen to other people. But that never gets shown, ever. […] We get forgotten, all the time. We are silenced really, by this (Rachel, friend).

And finally, Jojo shared:

> I think it's unfortunate that we have to say this but the fact that the system views people individually and not in a collective way. The family unit as a whole and […] I don't mean just the nuclear family […] makes it so hard. When they don't do that [consider the family] it further dehumanizes people – not just those who are incarcerated and being deported but also their families. […] They are not ensuring family is not separated, they are not ensuring that family is being kept together and making sure that there is a quality life for that family too. Because if you are keeping them under conditions of bondage through CBSA and all these different conditions, it creates tensions within the family, it causes financial strain, it creates unnecessary dynamics. So I think educating the public on that is very important to broaden their understanding and scope of the carceral impact, not just on inmates but also on family and society, just generally (Jojo, sister).

Loved ones felt that the harms and violence of carceral power and family separation were erased, forgotten, invisibilized, and silenced by the state and the media, and subsequently obscured from view from the wider public. Discursively stripping migrants of their families, friends, and networks of mutual support reifies a social death,[110] ensuring that it is easy to forget that carceral subjects are human beings who love and are loved, who care and are cared for, and whose physical presence matters to their families. Jojo further draws our attention to the ways the figure of the 'legitimate nuclear family' operates to dehumanize families that do not embody this formation. This figure enables the violence of separation and bondage through the institution of the family. Those whose 'private and family life' is not seen to be proper or normative are regularly separated – whether that be through exclusionary family reunification policies, detention, or deportation. This dehumanization and individualization process works to normalize the violence of family separation, detention, and deportation, and erases the magnitude of harm from epistemic frames of reference and conceptions of punishment. Indeed, families with

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[110] Orlando Patterson (1982) first coined the term "social death" to refer to the social violences of slavery, where enslaved people were deemed social nonpersons. The slave relationship rendered the slave as a socially dead person: "the slave is violently uprooted from his milieu. He is desocialized and depersonalized" (p. 38). Patterson argues that the slave is either initially introduced into the community as nonbeing – what he calls the intrusive conception of social death – or as an insider who has "fallen[,] ceased to belong and [has] been expelled from normal participation in the community because of a failure to meet certain legal or socioeconomic norms" –the extrusive representation of social death (p. 41).

criminalized and illegalized loved ones are further removed from inclusion in the nation-state by way of political rationalities that denigrate the pains of family separation and render these pains illegible. For example, Mona, a daughter whose father was deported, explained that her family and community engaged the legal process of a humanitarian and compassionate (H&C) application[111] in the hopes of staying her father's deportation from Canada. Under the H&C process, applicants can make representations of the emotional hardships that would stem from family separation by submitting letters from family members, friends, and community members. Recounting her experience of the H&C process, Mona shared:

> I remember sending these letters [and] the response [we got] was something along the lines of "Well, they can communicate with their father through Skype, that's what Skype is for" […] I really thought that receiving these letters would show the IRCC that we are good people, we were raised by a good man, and he's never been in trouble, we've never been in trouble with the law or anything like that regardless of where we grew up because we grew up in an impoverished neighborhood with a lot of gun violence and murders and you know, we've never gotten in trouble. So I thought that it would mean something and they would see that we are good kids raised by a good man. I felt like receiving that response was basically telling us, "Well, you don't really need a father, if you need him, just call him, and you can talk to him on the phone, and that's good enough" (Mona, daughter).

While the importance of families being together in a "live flesh-and-blood" way "that isn't available through Facebook and other social media communication" (CIMM Evidence 42-1 No. 37, p. 3 & 9) has been recognized in the context of family sponsorship cases (see Chapter 3), these same considerations are denigrated in the carceral contexts of detention and deportation. Here, the symbiotic violence experienced by families and loved ones is discursively read through political frames that criminalize and illegalize racialized migrants, thereby constructing them as 'unworthy' of being and having family. Put differently, criminality renders emotional hardships

[111] The humanitarian and compassionate process (H&C) is an application for permanent residence outside the immigration rules based on humanitarian considerations. Applicants can present evidence of hardship, establishment in Canada, the best interests of the child, and other humanitarian considerations to defer or stay a removal order. These applications are decided by Immigration, Refugees and Citizenship Canada.

of separation not compelling enough to prevent; the destruction of family unity and togetherness, and of their relationships and quality of life, is legally and politically justified in the name of "maintain[ing] and protect[ing] public order, health and security in Canada" (CBSA, ENF 10, 2025, p. 12). In the wake of this process of social death and dehumanization, what pain is left to consider?

As I will demonstrate in the following section, family members and broader communities are drawn into punishment by an increasingly porous and expansive carceral border that stretches across time, space, and kin ties. Carceral power seeps into the intimate lives of racialized families, touching the home, the community, and interpersonal relationships in enmeshed, entwined, and symbiotic ways. As such, family members and loved ones also become carceral subjects that are regulated, governed, and surveilled by the state. Families' ways of relating *to* space, and relating to each other *in* space, are voided of safety, security, and sanctity by the carceral power of the state.

The Transformation of the Home

The carcerality of racial migration governance penetrates the home spaces of migrants and their families. As I demonstrated in the previous section, carceral power expands through migration governance; carceral practices such as alternatives to detention facilitate the expansion of carceral power beyond spaces of the criminal justice system. The home that has been invaded by the carceral power of the state embodies the characteristics of the prison, existing as a liminal space between home and prison, captivity and freedom. I continue the conversation about the home in this section to illustrate how the home, as a *family* space, is altered by this carceral expansion, affecting how people relate to one another and how they exist within the home.

More than the physical structure of a house, the home has been conceptualized as a socio-spatial entity, "where both the self and the *long durée* [of] social institutions are born and maintained" (Handel, 2019, p. 1046). The home is defined by complex socio-spatial relations and emotions that distinguish it from the structure of house and household: "a house is not necessarily or automatically a home, and personal relations that constitute home extend beyond those of the household" (Blunt & Dowling, 2022, p. 9). As a site of everyday life, a home is a "warehouse of emotions" (Gurney, 2000); "wreathed with memories, a harborer of intimate moments and an embodiment of hopes for the future" (Wadhawan, 2021, p. 2). Similarly, Blunt and Dowling (2006; 2022) conceptualize the home as being a space imbued with feelings of acceptance, security, belonging, intimacy, family, and community. As a familial space, the home is where families are shaped through the everyday practices and displays of relational existence, such as sharing meals, watching television, caring for children, and other activities. The home is a space where one can *spend time* with their loved ones.

The home, however, can also be analyzed as a site of domination, insecurity, and exclusion (Blunt & Dowling, 2022). Blunt and Dowling (2022) argue that humanistic notions of home – as haven, sanctuary, and retreat – are highly gendered. While humanistic notions of home "may describe the lives of men for whom home is a refuge from work, [it] certainly doesn't describe the lives of women for whom home is a workplace" (Blunt & Dowling, 2022, p. 20). One can also critique this humanistic conception of the home by accounting for the political rationalities that anchor the value of parents and grandparents to their unpaid domestic labour (see Chapter 3). Feminist scholarship has investigated the fragile line between the public and private spheres (Blumen et al., 2013), challenging the notion that the home is only a site of social reproduction, rather than a workplace for both paid and unpaid labour (Blunt & Dowling, 2022).

Moreover, feminist traditions have also investigated the home as a site of oppression and a space of violence, alienation, emotional turmoil, and exclusion from the 'real' world of politics (Blunt & Dowling, 2022). Importantly, however, these liberal feminist accounts of the home as overwhelmingly oppressive and separate from the public sphere largely reflect the concerns of white, Western, middle-class feminists (Blunt & Dowling, 2022). Black feminist scholars have critiqued assumptions about home as an oppressive place for women, highlighting that histories of slavery and segregation have produced different constellations of home for Black and racialized families (Collins, 1991; hooks, 1991). As bell hooks writes,

> We could not learn to love or respect ourselves in the culture of white supremacy, on the outside; it was there on the inside, in that 'homeplace' most often created and kept by Black women, that we had the opportunity to grow and develop to nurture our spirits (hooks, 1991, p. 47).

As such, "the embodied, intimate and personal spaces of the home are closely bound up with, rather than separate from, wider power relations" (Blunt & Dowling, 2022, p. 27). The home is an intensely political site that is "not separated from public, political worlds but is constituted through them" (Blunt & Dowling, 2006, p. 27). What, then, happens to the home when home embodies "a place that fails to maintain the promised separation between the threatening outside and the safe inside" (Handel, 2019, p. 1046; Blunt & Dowling, 2006)? What happens to the home when it becomes a political site through which exclusionary assemblages of racial carceral power, the law, and control operate?

The carceral power of detention and deportation bears greatly on the experiences of families within their home space. Families whose loved ones were deported or deportable (i.e., under threat of deportation) highlight how the logics, weight, and atmospheres of carcerality

transformed their home spaces. For example, Brave and Sara, a husband and wife, and also parents, whom I interviewed on separate occasions[112] and who were facing deportation, highlight the profound shift felt in the home. Brave shared:

> It was the elephant in the room that we were not talking about. It would traumatize the kids if we put them in that scenario, so my wife and I didn't share with the kids, they are too young to process it. Our oldest, our daughter, would understand […] We had to send her for counselling when the news first broke, when the CBSA said we were going to be deported. She just lost it at school. Her focus, her abilities, her grades kind of plummeted. […] We stopped talking about the word deportation, only my wife and I [would talk about it]. We started holding clandestine meetings in our own home… Holding secret meetings in the house! Argh (Brave, deported husband and father).

Sara echoed this about the home, where, instead of being a place of refuge and solace, the home became a place where the family would think about the reality of the impending deportation:

> As much as we go out with our friends, we go to work, and function as best we could, we come home finding that our place of refuge, place of solace, but at the same time the house is the place where we think of the reality […] It was, to us, as if the relief was "oh, it's time to go to work," when you leave all those thoughts behind at home. Yes you still think about it, but […] you have to function because you need salary to pay for your things. And then you come home, and you will see your husband and think, "Oh, I might not see him again. Oh, what will happen to my children if they are separated from their dad? What will happen to me? How long?" It was already a real thought that we would be separated. We were already doing that in the apartment. Myself and the children [we] would eat, and he would eat in the [separate] sitting room. As if we were already living it in our minds, although we are not separated physically but in our minds and in our actions we were already doing it. […] Then the children would see it. I would just come from work and hide away in the room, many nights crying because of the uncertainty and stuff (crying) (Sara, Wife).

The violence of carceral power ripples through the relational interdependencies of migrants and their loved ones, whereby the threat of deportation is symbiotically felt in the family home. The carceral power of the state, which rendered Sara and Brave deportable, eroded the safety and

[112] As I noted in Chapter 2, each participant had an individual interview, even in instances where they were related.

sanctity of the home space. This was felt and experienced in mutually reinforcing and relational ways, emerging not only as a concern for oneself but also for one's loved ones, in symbiosis. Rather than a space of solace and refuge, the home became the embodiment of the reality of deportation, and leaving the space was the only way to find a semblance of escape. The heaviness of the reality of deportation became unbearable. In this heavy, temporal anticipation, the spatial logics of expulsion manifested in the home, becoming real in the mind before the material – that is, before Brave's deportation was even fulfilled. Time together, here, is also *stolen* before the spatial confinement of deportation crystallizes this extraction. Touched by carceral power, the home becomes vulnerable to the logics and architecture of carcerality. Isolation, discomfort, and a general lifelessness that are characteristic of the carceral setting and its punitive institutions are replicated in the home and felt by all the occupants of that space.

The decision to refrain from sharing information about detention and deportation proceedings with young children was a common strategy of survival discussed by the participants. Family members were acutely aware of the effects that the carceral power of the state would bring to their loved ones. As a strategy of survival to protect loved ones, participants expressed trying to "keep the house as normal as [they] could" (Mona, daughter) – whether that be through designating space and time within the home to hold "secret meetings" (Brave, deported husband and father) or to isolate and "hide away" in select rooms to mask the emotional weight of family separation (Sara, wife). Mona echoed this in the interview when reflecting on the time her father was detained in immigration detention before his deportation:

> I think while he was detained, the home just felt very empty and very cold. No one was really talking to each other. I feel like we were all just confused and we were in the state of shock. We weren't really eating. We were trying to keep this from [my] two younger brothers [and trying to] keep the home as normal as we could. But at the same time, it was tough because we knew that something was going on, they could feel it. […] After the deportation, I feel like it was the same, just a lot of tears. I was in my final year of

> college. I actually sent in a letter to my dean to let her know I am dropping out, I can't finish and that I'm not in the mental health space or mental mind state to continue on with my schooling. I felt like it was the end. […] I felt like I had to be there for everybody, especially my younger brothers and my mom […] It was really tough on her. So I felt like I had to protect her and I had to protect my younger siblings. Nobody really knew what would be next because he was always that pillar in the household. […] I felt like the whole world stopped and we were just stuck, we didn't know what to do next (Mona, daughter).

For many loved ones, the home becomes a place they need protection from. The carceral atmosphere that has been generated by racial carceral migration governance suffocates the home with its omnipresent weight, destabilizes the familial roles and routines, and produces an immobilizing stagnation and uncertainty about the future. For Mona, the deportation of her father destabilized the structure of the house by removing "the pillar" of her household, generating in turn feelings of 'stuckness' and freezing her family in states of shock, instability, and uncertainty about the future. Having lost "the pillar of the household," the family composition within the home erupts, forcing family members to adopt new roles in response.[113]

Echoing Mona, many participants described a home space that turned cold and empty by the regimes of detention and deportation. For example, Diamond, whose brother was deported from Canada, shared:

> We felt like someone is missing within us. We felt the company is no more. We felt like we just had some lovely moments with [my brother] and now [he's] not going to be there anymore. Everyone was just cold, you know? Just cold. His presence will be missed. (Diamond, brother).

Similarly, Nehafta, a wife and mother whose husband was detained in immigration detention, described a laughter-less house:

> Normally in my house it is full with the giggles. All three girls when they are sitting, all you can hear is their talking, their voice, and the giggles. I don't know what they are giggling about, but all you are going to hear are giggles! The time when my husband

[113] I articulate this transformation further in the following section of this chapter, *Transforming Interpersonal Relationships.*

> wasn't there, because I was having a lot of anxiety and taking anxiety medication, I was taking a depression medication, I was getting counselling, I am still getting counselling, and the house became quiet. No words from my kids (Nehafta, wife).

Though physically absent from the home, detained and deported migrants nevertheless occupy a presence in the home, whereby the cold, empty home is emblematic of their absence. As a bodily sensation produced by a loss or lack of heat, or as a descriptor marking a lack of warmth in human emotion, coldness signifies the haunting presence of this absence, which sensuously and emotionally materializes in the home. The loss of their loved ones through detention and deportation fills the intimate spaces of family members; carceral power diffuses its coldness into the rooms of the home, where one could sense "something was going on" (Mona, daughter), where the lack of laughter becomes a loud silence (Nehafta, wife), and where a void is felt within oneself (Diamond, brother). Carcerality materializes – in the home as house and home as body – as a phantom pain that signals the loss of their loved ones and the deprivation of relationships (Sykes, 2007).

Detention and deportation symbolically empty the home through the removal of a loved one and materially empty the home of things. Participants spoke about the harrowing task of emptying homes of personal items and packing up years of life into suitcases in preparation for their loved one's deportation. "We were only allowed to bring him a couple of shirts and pants and one belt," shared Mona. "I had the things in the house put on Facebook Marketplace [an online selling platform] to at least see if I could get some little change [money]. […] I said the T.V should be [sold] last, because I wanted my children to at least be able to watch T.V. […] I rolled the travel bags into the sitting room and told myself that this was it," shared Sara, as she recounted the night before her own deportation date, before the state cancelled her deportation in the final hour. "Over the course of the Wednesday, Thursday, Friday, and Saturday, most of their

luggage had been packed. […] Helping her also prepare piles: this is stuff she is willing to give back to the community, this is stuff that she wants packed and shipped to her later, and we would figure out how to do that somehow," shared Jonathan, whose friend from church was deported with her two children. The process of disposing of their things in the micro-space of the familial home mirrors the disposability of racialized migrants from the macro-space of the nation-state. Carceral power strips homes of these artifacts of family life and family displays, transforming the clothes, furniture, and televisions, sold or donated, into artifacts without memory.

The Transformation of Interpersonal Relationships, Kin Ties, and Family Life

Interpersonal relationships, kin ties, and family life are also profoundly impacted and altered by the racial carcerality of migration governance. Many participants spoke of how carceral power transformed their relationships with loved ones – sometimes strengthening the bond between family and friends, and, at other times, destabilizing their relationships, both with their loved ones and the broader community.

The carceral regimes of detention and deportation oppressively structure and strain the quality and dynamics of family relationships, producing barriers to participation in familial and social life. The material, financial, and emotional stressors, including compounding lawyer fees, missed days of work to make CBSA reporting appointments, and planning for the possible likelihood of life in another country post-deportation, wedge themselves into the everyday relational dynamics between loved ones. Carceral power, therefore, alters the dynamics of familial relationships and creates new sources of conflict that are tied to the precarity and insecurity of migration. This transformation of familial roles was acutely felt by loved ones acting as bondspersons. Reflecting on the precarity of their housing and the financial adjustments that she needed to make when she first assumed the role of bondsperson for her brother, Jojo

shared that the tight confines of her home space created the conditions for frustration and tension to fester between them:

> The basement [apartment they were living in] was so tight. We would bump into each other walking and it created friction. There was no privacy. Where he was sleeping, it was a couch sofa bed, and you open it and it covers the whole living space, and in the morning, I have to wake up to cross over him. Literally just jump on the bed, over his legs, to be able to cross on the other side to leave cause I have to leave in the morning and he would sleep until the afternoon. He would just stay up all night and so that created frustration for me and I felt myself being frustrated. It wasn't fair, obviously, but the conditions sort of created that environment. […] Something as simple as […] I didn't have my own laundry [in suite]. I had to go upstairs to do the laundry and I was only allowed to use it once a month because [the landlord] had other tenants too. And because he [my brother] wasn't living there officially, I had to bring his laundry with mine. It was extra labour for me to do his laundry too because he can't go in there, that was her space […] so every month I would have to carry bags with me, go upstairs, do laundry and then go back down. It was annoying. And I think it was because of the living arrangement more than anything, because in my previous place, he used to do his own laundry, right now he does his own laundry, but the living situation kind of created – like it was a tough year, I have to say. That first year […] was really tough (Jojo, sister).

Jojo's experience reveals how the carceral state relies on the labour of families, particularly the labour of women, to perform care work that is required for the carceral regime to be sustained. CBSA requires that the person being released from detention reside with their bondperson, who is often forced to assume financial responsibility for the living arrangements, given that restrictions are often placed on work permits for non-citizens with 'deportable' status. Confronting the costly housing market, Jojo could only afford a basement apartment for her and her brother. As a strategy of survival, Jojo decided to keep the fact that her brother was living with her a secret from her landlord. As such, she assumed responsibility for doing his laundry out of fear that her landlord might discover that her brother was residing there. The tight living conditions in the basement – structurally imposed by the extractive economy of the carceral state, which generates revenue when immigration conditions are not met – stripped the home of privacy and personal space, causing frustration and annoyance. Jojo continued, sharing that

> These conditions have created a very weird dynamic in our relationship where I am 'responsible' for him even though he's my older brother. I am like a parent figure now, like a guardian. Like, "Hey, don't stay out too late" […] it's not normal. He wants to have his privacy, he wants to date, he wants to do these things and having to reside with me … I'm sure he might not talk a lot about it with me, but he is also struggling. He is depressed, he might not show it, he might find a different way to mask it, but I can see it (Jojo, sister).

Similarly, Rachel shared:

> In a sense, [I am] a caregiver. He didn't have a driver's license, no ID at the time, and so everything had to go through me. And you want to be a friend, and you want to show him that he's safe and that he's got support to be who he is, but at the same time, you have to do everything. And then he feels guilty and it makes him feel less of a person. And so lots and lots of stress because of that. It just compounds. He developed really severe PTSD while he was in jail and through this whole thing, and so that just – making other people do your stuff for you, causes stress, and then that just exacerbates the PTSD. […] Now he's working; he started his own business and he's way more independent. It's really nice. But before he was just kind of at my mercy for everything (Rachel, friend).

The carcerality of detainability and deportability generates conditions and dynamics of dependency, producing, in turn, negative feelings of depression, anxiety, stress, and guilt between loved ones. Rachel also shared that this dynamic caused her to doubt the possibility of freedom and choice in her friendship with Caleb[114]:

> I would never not be his bondsperson but maybe he doesn't want [me to be]! I would like to know that he is in my life because he has a choice, and I know it [sic/ he] is. But at the same time it's like, be free! Make your choice and that sort of thing. I don't know. […] I think it's normal with any relationship that you have with humans, you want to know that the people that are in your life because they choose to be there freely. […] I just feel that we all should have a freedom to choose. And I know he chose to be with me and my family, which is great [and] we get along […] Ugh, I don't want to be the bondsperson! It makes you feel kind of shitty too! Like I'm part of the system by doing this. And I'm doing this for him, but at the same time, I'm being part of a system that I don't agree with. I do not agree with anything CBSA does (Rachel, friend).

Rachel dreams of a world where her friendship with Caleb is free from the power relations of bondsmanship. Interpersonal dynamics between loved ones are complicated by the expansion of

[114] A pseudonym.

the carceral state and its capacity to delegate, offload, and ensnarl family members into surveillance roles.

In their role as bondspersons, loved ones coercively participate in the carceral management and surveillance of their family member. They become "part of the system" as they are responsibilized with the burden of ensuring immigration conditions are met.

> There was a period of time where these communications were supposed to be going on between him and the CBSA office […] but they [CBSA] wouldn't talk to him. They would e-mail me and say, "Could you please find out this?" I was becoming this go-between person, and I'm like this isn't my job! I'm not getting paid to do your job! […] It was ridiculous! I felt like sending them an invoice for my time. It took me a minute to realize that I had been caught up in the middle of all of this and I'm like no it's not my job anymore (Rachel, friend).

> In the bail hearing, the Crown was asking me, "If you're his surety and he has to follow conditions and he doesn't, what would you do?" I know what they want to hear: "I'll call and tell you guys." [The Crown responded] "So you're going to call on your *brother*?" [emphasis in original] I'm like "yeah" […] She was like, "Okay, well, what will you do if he says he wants to go to [a city]?" I said, "Well, I would advise against it, but it also depends, like, is it part of the conditions?" She was like, "Well, you know you can put your own rules, right?" And then I was like, "How is that relevant? Why is it my rules? My job is to make sure that he follows the conditions that you put. My rules are irrelevant!" Like he's not going to jail if he violates my rules, only if he violates yours! And then she used that against me in front of the judge, like "she couldn't even put her own rules." I'm like why are you so obsessed with me policing him? I'm doing this because you require me to, but the normal thing would be for him to be out here as an adult, functioning on his own and doing what he wants. It was mind-blowing to me that this is something that they tried to have me subscribe to willingly. It really reflects their own thinking about this process is that it's very paternalistic, it's very based on surveillance and like a very punitive approach to it. This is immigration! So to me, the police and immigration are not different. (Jojo, sister).

The unpaid carceral care work of these two women reveals once more the reliance on family members that is required for the carceral state to sustain itself.[115] Through its expansion into spaces of the home and the community, carceral power is decentralized from the state; it entraps

[115] This is similar to the ways in which the desirability of the sponsorship of parents and grandparents is framed within their ability to provide their unpaid labour in the home and assist newcomers (re migrants) to enter the labour market to become "good" "productive" and "adapted" neoliberal subjects. See Chapter 3.

family members and transforms them into de facto carceral agents of the state, who are implicated in the bureaucratic management and surveillance of their loved ones. As governmentality scholars remind us, government must be understood as all the endeavours used to shape, guide, and direct the conduct of others, including how individual non-state actors are urged and educated to govern themselves and others (Pratt, 2005; Brock, 2019). Under the regime of racial carceral migration governance, family members are expected to become the middle managers between the state and their loved one, and are disciplined into subscribing to the policing, discipline, and surveillance of their family member. Indeed, the Crown's assertion that Jojo can impose her own rules on her brother conveys how the state expects families to govern one another under these carceral conditions.

While some family members resist the coercive invitation to participate in the carceral management of their loved ones, this is not the case for all families and communities. Family members sometimes learn to internalize the rationalities and racialized logics of the carceral state. Jonathan, a friend and church leader who took a mother, Mariama[116], and her two sons into sanctuary, revealed this internalized tension between wanting to protect Mariama from the carceral arm of the state, on the one hand, and the desire to shape her into an ideal immigrant/citizen, on the other:

> We struggled with how much to micro-manage her and fill her time and keep her busy, but also recognize that she is an adult, and she should be autonomous and have some free will and decision and be self-empowered a bit. Her upbringing, her background … she was very submissive […] She would not do anything to rock the boat around us. She would be agreeable and understandable that she was not really in a position of bargaining or pushing back, but we would turn our backs, and she would stop doing something. And some of that was her being tired, maybe not understanding what was being asked to do, or maybe some of it was a laissez-faire, more relaxed work ethic. […] So there was this constant tension about you are living in this building, maybe you could step up and

[116] A pseudonym.

> contribute a little bit more to your well-being […] In some ways we maybe enabled [her]. We gave her too big of a crutch for her to lean on us. She had a lot of stress, a lot of trauma, a lot of baggage even from back home […] and we were very, I think, a little bit too much 'kid gloves' with her. We were gentle with her but I think we should have been a little bit more assertive and say, "Okay, no." And she did mature, she did become a lot more independent, a lot more self-motivating and responsible but we should have been maybe a little more tough love on her that way. And we probably should have been a lot more encouraging and supportive of her getting out and trying to find some way to make a living. […] It almost hindered her because we coddled and protected her too much (Jonathan, community member).

Jonathan shared that Mariama's "different sense of responsibility, priorities, and work ethic" that stemmed from her "different background [and] different upbringing" generated a sense of frustration amongst members of the church who were helping during her time in sanctuary. As Miller and Stuart (2017) contend, family members are endowed with inordinate power that introduces a new kind of vulnerability for carceral subjects, who are subject to the whims of the people they encounter in everyday life – even those closest to them. In the sanctuary context, scholars have argued that churches and communities are extensions of sovereign power, as they hold the power to decide who will be included or excluded from protection (Lippert, 2014). Jonathan articulated that the care he extended to Mariama perhaps failed her, ultimately leading to her deportation, given that he did not push her enough to seek work and sustain herself. Care and (tough) love is transformed into carceral power as it embodies the racial logics of nation-state building, whereby the logics of cultural racism that saturate the construction of the Canadian national identity emerge in family members' desires for their loved ones to regulate and govern themselves (i.e., to "do a little more" or "step up and contribute" to their well-being; in essence to be the "best and the brightest" ideal migrant subject). As a Black migrant and mother, Mariama was perceived by the (predominantly white) community she turned to for mutual support as holding a set of cultural limitations related to her work ethic, which ultimately

hindered her chances of staying in Canada.[117] Racial narratives of racialized 'Others' in perpetual need of assistance into modernity from an enlightened, compassionate White/European race are scripted into the relational dynamic (Razack, 2015). Here, racial discourses of white benevolence that are predicated on racial paternalistic logic are reproduced. Racial paternalism[118] and white benevolence discourses conscript racialized 'Others' as innately inferior and in need of white civilized nationals to discipline and uplift the race through better treatment and guardianship (Esposito & Romano, 2014). As Razack (2015) contends, these discourses "produce settlers as caring, civilized, and modern persons with the moral authority and knowledge to save [racialized] peoples from themselves" (p. 59). In these narratives, those vulnerable to carceral power are transformed into individuals who are blamed for the outcomes of racial violence. Moreover, these narratives mirror the discursive construction of the ideal immigrant and citizen that is produced by the state in its racial projects of nation-state building. As examined in Chapter 3, the desirable migrant/citizen is constructed as one who rejects being a "drain on society" and is thus economically self-sufficient and capable of self-regulation. Failure to adhere to these 'national characteristics' marks migrants as unfit for success in 'Canadian' (re modern) life and therefore are to be excluded from the nation-state. In their legal strategies to stay a deportation order, family members and migrants may engage in processes of enforced

[117] Mariama was minimally regarded as someone who might "have a lot of stress, a lot of trauma, a lot of baggage" not only from "back home" but also from the state sanctioned violence and weight of carceral expulsion. It would not be unusual for anyone facing deportation from a place they make home to not be the most "self-empowered" or "self-motivated" individual. Only the normalization of carceral migration governance as well as cultural racist idea of racialized 'Others' as racially different and inferior resolves this contradiction.

[118] Esposito and Romano (2014) contend that in the post-racial state, racial paternalism and racial egalitarianism can be understood as two sides of the same coin. Similar to the logics of racial paternalism, racial egalitarianism appeals to logics of free competition and meritocracy that reify the belief that racialized 'Others' are just as capable as whites if given the opportunity to capitalize on their efforts and talents. These logics rest on the idea of a neutral free market, thereby rendering racial inequalities as apolitical and merely the product of differences in talent, drive, work ethic, etc. This process is one in which the white settler is able to defend their dominant position by defining themselves as respectable and superior (i.e., self-motivating, autonomous, self-empowered, etc.).

assimilation, whereby familial regulation reflects the political rationalities and practices of the state that is invested in creating self-regulating immigrants who would become good, productive (i.e. labouring) citizens.[119]

Some interpersonal relationships do not survive their carceral transformations. Indeed, some of the participants interviewed reported having lost relationships over the course of their encounters with the carceral regimes of migration governance.

> The conditions impacted [my] life for sure … I don't really have that many friends anymore. I'm more isolated now these days. So I have a very select few of friends. As you go through a process of being held and incarcerated for 4 and a half years, you lose touch with your people, and then you only have a core set of friends that are your core friends that are by your side and helping you. These are the friends I have now, and there's a handful of them. But I'm mainly isolated (Danny, previously detained).

> Through distance and separation and probably other things, me and the wife end[ed] up splitting (Nigel, deported father).

This social isolation and deterioration of relationships were also felt by family members and loved ones. As Jojo shared,

> There was an impact on my social life to some degree, 'cause I couldn't date comfortably or have guys around, or even my friends, like girlfriends. Some of them would come over, but it wasn't as flexible as it used to be because now I live with my brother. […] And I was living far from all the places where my friends live and where we would go and meet, so I would have to commute. So I was kind of also socially isolated (Jojo, sister).

Notwithstanding the relational strain that the distance and isolation of state-sanctioned carceral separation bestows on individuals and their relationships, as illustrated by Danny, Nigel

[119] The incentive to self-govern oneself into a 'good,' productive labouring citizen is also embedded in the determinations of H&C applications. Indeed, work experience and the securement of employment are considered as evidence of 'establishment in Canada.' As such, legal representatives encourage migrants to work in order to strengthen their H&C application.

and Jojo, the marks of racialization, illegality and criminality[120] that discursively construct migrants as suspicious, risky, and disposable also cause relationships to be severed. Here, family and community members adopt the logics of the state that cast migrants out. By choosing to maintain their relationships, loved ones also experience a symbolic exclusion from their families, friends, and communities. This was illustrated by Nehafta, who shared that her extended network of mutual support deteriorated after her husband's arrest and detainment:

> All [of] my husband's friends bailed on him. Nobody wanted to do the bondsign, same thing with my friends. So I was kind of in the middle of nowhere. I didn't know what to do. I wasn't able to think. […] I don't have anybody right now. Because nobody was there with me. Only 2 or 3 friends they were willing to give the affidavit about my husband and our relationship. […] And [it was] because my husband had immigration issues. They were like, "He married you for the paper […] he married you for that." […] They all believed it. Because, "Oh, why did the immigration officer come looking for my husband?" "My husband is a criminal, [my husband] is a fake," you know all that… I had to hear so many negative things from everybody (Nehafta, wife).

The discursive representations of racialized migrants as criminal, illegal, and potential fraudsters affect notions of trust amongst the interpersonal relationships of migrants and their family members. In particular, the politicized racialized figure of the "bad faith fraudulent family member" who enters into a "marriage of convenience" gained valence amongst Nehafta's

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[120] Criminologists traditionally conceptualize the consequences of the mark of criminality as stigma, as introduced by Erving Goffman in his seminal text *Stigma: Notes on the Management of Spoiled Identity* (1963). Goffman (1963) identified stigma as "an attribute that is deeply discrediting" working to reduce a person "from a whole and usual person to a tainted, discounted one" (p. 3). In *Stigma Revisited,* Hannem and Bruckert (2012) gesture that stigma is both symbolically realized in individual interactions and structurally embedded in the practices, management, and institutions of society. Drawing on the relationship between interaction, knowledge construction, and power, Hannem and Bruckert (2012) argue that structural stigma manifests in the rules, policies, and procedures of government, and, in turn, creates and reinforces symbolic and interpersonal experiences of stigma amongst individuals. In the context of criminalization, symbolic and structural stigmas are attached to those criminalized by way of being "undesirable" or "risk-laden," and are extended to family, friends, and loved ones who associate with them (i.e., love, support, and care for them) (Hannem & Bruckert, 2012). While Criminologists have typically regarded this process as the extension and transference of stigma, I conceptualize this process as the extension of carcerality as a mode of racial governance. The dissolution of relationships and the experiences of isolation reproduce the characteristics of confinement, banishment, and expulsion that sustain racial differentiation. As such, in centring race and racialization in the analysis, what others may identify as structural stigma may better be understood as the functions of racial governance that shape lived experiences under the conditions of structural racism and violence.

network of care and support. Importantly, this figure is generated by the political rationalities of migration governance, as discussed in Chapter 3. The lived, material effects of the figure of the "fraudulent, bad faith, marriage of convenience" emerged during Nehafta's interactions with CBSA. Nehafta shared how her marriage was under suspicion because her time was split between two homes: the home she owned with her adult children to support them during the week while they were away at university, and the home she shared with her husband on evenings and some weekends. Nehafta shared that,

> The [CBSA] officer put [a flag on the file] that we are not husband and wife, we live in two separate houses. Where am I living in two separate houses?! I told exactly the timing, the day [that she spent in each home] and, I was like my kids need me! They are not done with their education, I cannot bail on my kids! I'm their mother! I can't do that! […] if I am not married why is this man coming to my house and trying to talk to my kids, and all the pictures and things, is involved in my kids graduation and things like that – why would he be involved? For what? If the marriage was fake I would hide it from my kids. I wouldn't introduce him to my kids (Nehafta, wife).

As a naturalized citizen who loves and married a non-citizen, Nehafta is cast as suspicious by virtue of being willing to collude with the 'outsider – Other.' Through these legal and discursive maneuvers, the lived forms of connection, care, and mutual support between non-citizens and their families are denigrated, cast as suspicious, and deemed illegitimate by way of deviating from normalized Western conceptions of family life. Nehafta's private living arrangements are subject to state scrutiny and surveillance and are framed as risk indicators of the "genuineness" of her marriage. Racism and sexism determine not only who gets criminalized, but also whose family life is legible as legitimate and, by extension, recognized as worthy of protecting, and whose family life is deemed threatening and therefore disposable. As such, the carceral regime operates not only through assertions of criminality and illegality but also through constructions of family life and intimate relationships (de Noronha, 2020; Martin, 2012). The discursive power

of this figure was accepted by Nehafta's interpersonal networks, thereby shaping their (un)willingness to support her and her husband.

Similarly, Sara shared that a friend who previously extended support by offering her housing had a sudden change of heart:

> All of a sudden, my friend had a change of heart – we literally were kicked out of her house for some reason, I don't know. I said we can talk or whatever it is that you want to talk [about], because we were still legal to stay […] and they were saying something, "Oh we don't want to be in trouble with the government" (Sara, wife).

For Sara, the disciplining arm of the state generated fear in her friend, shaping her decision not to provide housing support for Sara and her family. Here, we can observe Foucault's (1975) reflections in *Discipline and Punish* come to fruition, whereby the disciplinary power of the carceral state produces "docile bodies" who self-discipline in order to avoid punishment. Through this action of self-disciplining, relationships are symbiotically transfigured and vulnerable to dissolution. The internalized fear and suspicion of the figure of the 'illegal migrant' is a realized intended effect of racial governance. The acceptance of these discursive representations is necessary for state-sanctioned violence and separation from detention and deportation to be justified.

In contrast, migrants and their families also recounted instances where relationships grew stronger and friendships were forged amidst the forces of carceral power. For instance, Levi and Mensoor shared that their friendship grew stronger over the course of dealing with Mensoor's deportability as an international student. Levi shared that Mensoor "feels like a cousin or a sibling to me now […] we definitely went through something together." By navigating their encounters with the carceral structures of the Canadian nation-state, Levi and Mensoor became each other's chosen family, challenging normative conceptions of family and friends as mutually exclusive and antagonistic (Weston, 1997). In the assertion that Mensoor's friendship mirrors

kindship ties similar to that of cousin or sibling, Levi reconfigures what counts as family, challenging, in turn, the heteronormative understandings of family and kinship that exalt the nuclear family unit and that form the foundation of the nation-state and immigration laws. Similarly, Nya, who also supported a friend facing a deportation order, shared: "I knew her from family gatherings and she's a really good person. I love her. We became closer through this situation" (Nya, friend). Through the symbiotic encounters with carceral violence, the shared space and time amongst loved ones, and the emotional labour and mutual care of one another, friendships become an extension of kinship, transgressing the boundaries of biological and legal definitions that delineate what counts as family. In the words of Sara, "one of the good things to happen is that people understood me now, [friends would ask] 'what do you need?' […] They are killing me with their goodness! So despite these difficulties, there is something good that happened along the way. I am very grateful for that" (Sara, wife).

Finally, those separated by detention and deportation find ways to sustain family life amidst the separation. For example, deported parents develop strategies to parent their children from afar, through phone and video calls. Brave, who was deported to Nigeria, shared

> I got to try to stay awake for everybody, to communicate with them in the evening. I don't go to bed until about 2 AM my time, every day, since I have been away. […] Our daughter just started high school […], we could see the challenges she is having with being in a new place. That is why I called for the online meeting to try to say, okay, let's encourage them to be strong […]. Their teachers started sending us e-mails on the [online portal], and so we finally got the name [of the teacher]. And I immediately left a message to her for my daughter […] this is me trying to help the teacher […] and also helping [my daughter] to settle into the school. That's the role of the parent. And I wouldn't be trying to do this from an awkward position if I were present with my family. These are things that would come up just like that in every day-to-day discussion, which is the role of a parent in the life of a child (Brave, deported father and husband).

Similarly, Nigel, a father deported to Barbados, shared

> I'm still in contact with my children all the time, don't get me wrong. Even from here, I was still parenting. She [my wife] would be at work and the kids would be at home and I will call and make sure they did their homework, door was locked, eat their dinner, go bathe, bam bam goodnight time. Every day (chuckles). They are big now, 18, 17 so I don't do it like that now. But at the time, the first year or two coming back [to Barbados] I made sure I was on top of that on a daily basis (Nigel, deported father).

Having to confront separation from deportation, across space and time zones, these fathers developed new ways to fulfil their role as parents, albeit mediated by phone and video technologies. Brave and Nigel adapted strategies to provide emotional and caretaking support for their families in an attempt to maintain, to some extent, their parental commitments and responsibilities across continental distances. This is not to say, however, that these strategies are as effective as physical togetherness. As Brave's testimony reveals, it is the carceral state that produced this "awkward" form of parenting, and it is the carceral state that continues to extract his time, even beyond its physical borders. As a daughter, Renée also spoke to the different ways her father attempted to be present for important milestones after his deportation:

> For my high school graduation, obviously, my dad couldn't be there, but he [said], "Make sure you invite your uncle." My uncle is someone who is close to me and close to my dad, so he came to my graduation on behalf of my dad. So that was really nice, but I know he was bothered that he couldn't make it to my graduation. And in terms of like having your first boyfriend […] it would have been nice if he met the guys in my life. That kind of sucked. But at least I'm able to tell him certain things. […] I have to go back [to visit him] soon because I got three kids now… he has to see them (Renée, daughter).

As de Noronha (2020) writes, "life goes on, deportation is not 'the end' and people mostly find ways to survive […] It is easy to overstress the desperation, hopelessness and the isolation faced by deported people, as though the world stops when their deportation flight lands. It does not" (p. 237). First days of school, graduations, birthdays, and the birth of children and grandchildren pass. While the various learned strategies do not equate to having your loved one physically near and present for life's milestones, families nevertheless find ways to continue and sustain family life and practices. Amidst the violence of carcerality, intimacy, love, care, and life can be found.

Transforming the Social Spaces of Work, Community, and Nation

In this final section of the chapter, I highlight how carceral power extends to community spaces, transforming the spaces of the nation-state into spaces of capture, control, and expulsion. Carceral power here takes its most diffuse and insidious form, embodying almost an "invisible form of power [that is] circulating all around us, circumscribing and sorting us into invisible cells that confine us sometimes without our knowing" (Wang, 2018, p. 41). These invisible cells are a "carceral apparatus that does not control or confine populations by housing them in physical structures" but rather constantly categorizes, targets, surveilles, manages, and immobilizes racialized communities (Wang, 2018, p. 41). Migrants and their families are surveilled, policed, and disciplined by detainability and deportability, in turn, affecting their legal and spatial relationship to the nation-state.

Border enforcement efforts to detect, detain, and expel racialized migrants stretch the territorial border to cover the entire territory of the nation-state (Mountz et al., 2013; Villegas, 2015; Yuval et al., 2018). This was illuminated in the numerous experiences of migrants and their families encountering (or fearing) CBSA officers in the public spaces of everyday life. Nehafta recounted the time she was policed and interrogated at her workplace. After her husband evaded CBSA by going underground, two officers entered the pharmacy she worked at in full uniform and armed with weapons.

> They came at 9 [AM] at my workplace. They insult me in front of the 10 patients that were standing in the line. […] Then patients thought I did something, like I was a criminal or something, because they kept asking questions after they left. They [the officers] were like 'oh we are going to handcuff him, we are going to grab his collar, we are going to put him in the airplane and then in his country […] his government they are not going to be happy' and things like that. And I know, if my husband goes back home, he is going to get killed because of his religion. […] They talked to me there for half an hour, kept asking me, "Where is my husband?" […] My patients stopped talking to me, a lot of them […] They thought I was some kind of criminal. They were like my husband did something wrong, he did some kind of crime [and] that's the reason. They didn't

> know the whole story. And that time I was too much broken, I don't have the time to explain to every single person that I see! […] Because of the officers I had to change my workplace. […] I don't work at the same pharmacy. The company transferred me to a different pharmacy, I requested [it from] them (Nehafta, wife).

The enforcement methods of CBSA agents extend the reach of carceral power to the public spaces of the nation-state, such as the workplace. The racial violence of the carceral state materializes in the border enforcement practices of the CBSA officers, who weaponized threats of physical violence to instill fear in Nehafta. As a loved one, Nehafta is also subjected to the criminalization, isolation, and exclusion of carcerality; the public interaction with CBSA marked her as suspicious and criminal. In turn, Nehafta's dual status as family member and loved one of a criminalized migrant *and* as a racialized subject symbiotically marked her for expulsion, if not from the *physical* nation-state then from the public space of her workplace, her community, and national belonging. Nehafta's exclusion from national belonging was reflected in another interaction with CBSA, where:

> He [the CBSA officer] saw [my] hijab, all covered, and he didn't say anything to me at all, he just said hi how are you, that's it. That's the only question. Then, another appointment, he told my husband he was like, "I thought you said you married a Canadian?" My husband was like, yeah I am married to a Canadian. But [he said], "No she was born in Bangladesh." What does that mean? I was like he was racist! (Nehafta, wife).

As Anderson (2008) writes, although Canadians are said to be equal as citizens, citizenship and immigration laws "distinguish the Canadian-born, who possess their citizenship as a right, from the foreign-born, for whom it is a privilege that can be taken away" (p. 80). Here, the CBSA officer's assertion that Nehafta was not a 'Canadian' but rather someone who was born in Bangladesh invokes the white racial imagination of the Canadian national subject, or as Sharma (2020) writes, the autochthonized ideas of who constitutes the "proper" national-subject.[121] As

[121] Discourses of autochthony restrict national belonging, as well as claims to sovereignty, territory, and rights, to those who can show they are Native to the nation (Sharma, 2020). In white settler nation-states such as Canada,

such, formal citizenship is distinguished from national belonging (Hage, 2000); for Nehafta, "racial identity [is] deemed more significant than [her] citizen status […]" (Thobani, 2007, p. 94). By virtue of being associated with, loving, and caring for criminalized migrants, family members are also transformed into carceral subjects whose movement and existence in public space is marked for surveillance, violent police encounters, and expulsion from the national community.

Amanda, who offered her undocumented friend a place to stay, also experienced the might of the carceral state's surveillance powers. Amanda shared,

> There was one time where I realized the extent that we could be surveilled. I was with a friend and we were in the car and I had a taillight that was broken. So [the police] stopped me and it was right next to my place, really next to where I lived with Jean.[122] […] And they spoke to my friend [that was in the car] and they asked him, "Are you Jean?" And I was like uhh what? Wait I don't understand like I just have a light that doesn't work. And they started to interrogate me about Jean and it was then that I realized like damn, I just have a light that was out and they are able to make links and insinuate things. […] They must have made the link between the addresses, but still, all of that for a light […] It was really intense (Amanda, friend).

This interaction lays bare that the police networks of the criminal justice system also enforce the border, exposing the intricacies of the carceral industrial complex. In Canada, CBSA shares admissibility 'intelligence,' including any open warrants for arrest, with police agencies across the country through the use of various data and information banks, such as the Canadian Police Information Centre (CPIC) (CBSA 2025a). More than simply paralleling the enforcement measures of criminal law enforcement (Stumpf, 2006), immigration, border, and criminal enforcement agencies form a carceral assemblage whose aim is to enact the governance practices

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white citizens are cast as having the ultimate authority *over* multiculturalism and *over* the nation and its tolerance (Hage, 2000; Sharma, 2020). White settlers claim autochthonous status based on their being the first to turn land into private property and state territory. The *res nullius* and *terra nullius* jurisprudence of European imperial states facilitated this, "wherein anyone or any land designated as 'ownerless' was said to lawfully belong to the first taker" (Sharma, 2020, p. 246). This allowed imperial states to define themselves as the first sovereigns.

[122] A pseudonym.

necessary for the material and cultural realization of the racial-colonial project of nation-building. Through the carceral assemblage and the expansion of carceral power to the vast spaces of the nation-state, the mobility of family members is also policed, governed, and controlled by the racial carcerality of migration governance.

Mobility is governed, controlled, and disciplined even when CBSA or police are not physically present. For instance, Jonathan shared that he, along with other members of the congregation who were supporting the undocumented family seeking sanctuary at the church, significantly feared CBSA's powers to detain and deport their community members. The expression of this fear peaked at the height of a popular augmented reality mobile game – Pokémon Go – where game players increased the traction of vehicles that wandered into the church parking lot. Jonathan shared that

> At any day and time, day or night, people would pull into the church parking lot. We now have a family living under duress, fearing law enforcement breaking the doors down and it's two in the morning and headlights are pulling out into the church parking lot. That was […] very stressful cause again we were worried about [CBSA] (Jonathan, community member).

The omnipresent fear of CBSA and police enforcement powers created a carceral atmosphere of fear. Seemingly mundane, ordinary, and even playful community activities, such as the enjoyment of a mobile game, are crushed and reconfigured by carceral threats of detention and deportation. Disciplined by detainability and deportability, migrants and their families quickly come to learn how their mobility is imbued with legal significance and, in turn, develop strategies to remain undetected and untouched from the carceral apparatus of the state. Indeed, migrants and loved ones decide to limit their travel out of fear of apprehension from the state. As Jonathan shared:

> In the following months, we pivoted on a few of our activities – Sunday school picnics and things like that, where instead of going to a park or to someone's house remotely, we

> would hold the event at the [church]. And people would ask: "Does she have to stay in the church?" and like she's not allowed in Canada… so she doesn't have to stay in the church, she can wander about free, but if for any reason law enforcement gets involved, they are going to pick her up. […] If you get pulled over for speeding, I don't know what the cops will do. […] There was always that sword hanging over us (Jonathan, community member).

In their efforts to remain undetected, the space of the church became a securitized, prison-like space; Mariama and her children were immobilized in place as the outside spaces of the nation-state were transformed into spaces of capture and expulsion for non-citizens. Importantly, there is a purpose and intention to this carceral atmosphere of fear. Without the freedom to move in, out and across space, without the freedom to move and flourish with dignity and equality, and without the freedom to make a place for oneself in the world (Benslimane and Moffette, 2019), deportable migrants are sometimes disciplined into leaving on their own volition. As shared by Doijin,

> I was really thinking about what to do; should I fight or should I leave? The fear of detention [and] about deportation… that they would just come and grab you and take you, I was just envisioning it. At times when there was a helicopter flying over I was like okay is that for me? They are coming for me. I was afraid. […] So I was like you know what, instead of being afraid every day and all that I think it's better to [go] (Doijin, deported girlfriend).

In transforming the spaces of the nation-state into spaces of capture, control, and expulsion, carceral power also "reaches into the very grain of individuals, touches their bodies and inserts itself into their actions […] and everyday lives" (Foucault, 1980, p. 30), permitting the formation of the white nation-state to come to fruition. In other words, the crushing racial violence of carcerality bears down on carceral subjects in ways that sometimes perfect the art of self-government; that is, to govern oneself to conform to the sovereign's will to exclude and expel racialized bodies from its territory.

Conclusion

This chapter has mapped the expansion of carceral power to the racial migration governance regimes of detention, alternatives to detention, and deportation, and demonstrated the ways in which this expansion simultaneously reaches, touches, and governs families, loved ones, and communities of migrants in Canada. The chapter importantly centres race and racism in the analysis of carceral migration governance, which has largely remained absent in existing literature. Moreover, the chapter provides texture and empirical grounding to these theoretical arguments in the Canadian context, thereby addressing a gap in the current literature on migration studies.

The chapter has traced how the spectre of the prison haunts the home, intimate relationships, and spaces of community and the nation-state. Seemingly ordinary spaces such as the spaces of community, the home, or even spaces of commercial airplanes where deportations are finalized, are webbed into carceral spaces for non-citizens under the sovereign power of the state. Carceral power is thus obvious and insidious, routine and invisible. Its diffusion beyond the physical confines of prisons, detention centres, and border walls ensnarls family members into the web of carcerality. As I have demonstrated, the racial violence of these regimes is experienced symbiotically. Interactions with carceral systems are filtered through the prism of familial relationships and, in turn, are experienced in interdependent and mutually reinforcing ways. The symbiotic experience of violence must come into view in order to fully grasp the structural system of racial exclusion of racial carceral migration governance. This exclusion and disposability is not only experienced materially but also affectively and emotionally, thereby forming, in turn, the conditions for senses of belonging to the nation-state. I turn to this in the next chapter.

Chapter Five: Affective Hauntings: Making Sense of Racial Carceral Migration Governance

I do not believe that genocide and slavery can be contained. Neither has edges, yet each is distinct. Each form of violence has its own way of contaminating, haunting, touching, caressing, and whispering to the other. Their force is particular yet like liquid, as they can spill and seep into the spaces that we carve out as bound off and untouched by the other.

– Tiffany Lethabo King, in *The Black Shoals*

Haunting always harbours the violence, the witchcraft and denial that made it, and the exile of our longing, the utopian.

– Avery F. Gordon, in *Ghostly Matters*

As the passage from Lethabo King's *The Black Shoals* notes, colonial and racial violence contaminates, haunts, touches, caresses and whispers to the other, seeping into and affecting intimate spaces deemed untouchable. As I have demonstrated thus far, the law's enforcement of carceral racial violence reaches, lingers, and touches intimate familial relationships and spaces, including the home, the workplace, and the community spaces of non-citizens and their loved ones. This expansion of carceral power to migrants and their loved ones inscribes and re-inscribes a sense of disposability and injustice, shattering perceptions of belonging and citizenship, and the accompanying narratives of Canadian benevolence, multiculturalism, and commitment to family (re)unification. These experiences reveal the reproduction of the macro spaces of the nation-state within the micro-spaces of the family and community. Carceral subjects reckon with the racialization of migration governance and the conditionality of Canada's acceptance and protection for racialized migrants and communities. These experiences, in turn, construct a racial subjectivity, producing social and material realities that impacts how carceral subjects are oriented to the state and how they come to belong.

This chapter turns to explorations of the affective dimensions of racialization, examining how the racial carceral subject is experienced affectively by way of encountering the political

and legal structures of detention and deportation. The chapter adds to the literature by demonstrating how the law's racial carceral violence extends to the minutiae of the body and the senses. Although Enlightenment ideals have positioned the law as rational, objective, and neutral; separate from the private sphere and, importantly, separate from the whims of emotions (Maroney, 2006), I seek to demonstrate the interconnectedness of law, race, and affect through a "structure of feeling"; law and race are structur*ed* by, and structur*e*, emotions. The cultural script about the law as separate from the public and emotions has remained rather persistent (Maroney, 2006), [123] operating to entrench ideas that "law as an institution, a goal, or a set of practices should work to insulate itself from emotion's influence" (Bandes et al., 2021, p. 1). Responding to this cultural script, the growth of Law and Emotion as a field of study addresses "how emotions fill varied roles across a panoply of legal actors, institutional contexts, and legal doctrines," playing a crucial role in sense-making and decision-making (Bandes et al., 2021, p. 2). In considering how the law exists beyond the courtroom and legal decision-making, and how carceral power extends beyond physical borders and walls of detention centres, this chapter explores the ways in which the law haunts the spaces (re: private) and things (re: emotions) it seemingly excuses itself from.

Relatedly, this chapter documents an "archive of feelings" (Cvetkovich, 2003) of the racial carceral encounters with migration governance, underscoring how it *feels* to be the target of legal expulsion and everyday racial violence, and the psychic toll of living with the threat of detention, deportation, disposability, and exclusion. I argue that encounters with carceral systems structurally produce visceral emotional and bodily experiences and sensations; the carceral

[123] Judicial dispassion, or the requirement that judges regulate emotions and emotional states in the course of legal reasoning, "has come to be regarded as a core requirement of the rule of law, a key to moving beyond the perceived irrationality and partiality" of emotions (Maroney, 2006, p. 633).

systems of detention and deportation impress upon racialized bodies, structuring a racial subjectivity that is experienced through emotions of fear, anxiety, sadness, trauma, anger, anguish and through the bodily sensations of sight, smell, and decay, ultimately producing a haunting that links the past, present and future. I seek to make clear that the emotions emergent from carceral encounters cannot and should not be reduced to individual pathologies, but instead are windows into the structuring force of racialization, racial capitalism, and the racial violence that encompasses carceral migration governance.

Throughout this chapter, I explore how the particular emotions of fear, anxiety, insecurity, anger, horror and anguish are felt through various bodily sensations: of stench, of sight, and of decay. Ahmed's (2014) conceptualization of emotions as "impressions" insists that emotions are not separate from bodily sensations nor reducible to them. Emotions indeed involve bodily processes of affecting and being affected, and are a matter of how bodies come into contact with objects and others. Ahmed (2014) urges us to remember the 'press' in impression, as "it allows us to associate the experience of having an emotion with the very affect of one surface upon another, an affect that leaves its mark or trace" (p. 6). I rely on this conceptualization throughout the chapter, frequently interweaving commonly understood psychological emotions (fear, anxiety, sadness, trauma, anger, anguish, etc.) with the bodily sensations that I describe in the chapter (sight, smell, decay). The analysis considers how the emotions and senses of the carceral affect the bodies of those who encounter its systems, and how loved ones bear witness, process, and emotionally alchemize experiences of racial violence. I begin with the sense of smell and sight, before moving to the bodily experience of decay. I end the chapter by demonstrating how these affective dimensions of the law and carceral power materialize to haunt the lives of those ensnarled in this regime across time and space. By

exploring the affective impressions that carceral power leaves on the body, we can come to understand how the law, as a governmental technique, produces racial subjects and their affective conditions. Law haunts the spaces and things it seemingly excuses itself from, working to normalize and naturalize conditions of violence.

Making Sense Through Smell and Sight

In this section, I want to illustrate how encounters with the carceral are experienced through the bodily senses of smell and sight. By bearing witness to and experiencing the oppressive weight of incarceration, detention, and deportation of their loved ones, the interviewees described vivid memories that are imprinted and embedded in their olfactory and visual senses. The impressions made on and through the bodily sensations of smell and sight conjure the ghosts of racial violence that were experienced symbiotically within familial relationships, producing a haunting across time and space.

The sense of smell was described by Renée, a daughter whose father was deported to Trinidad when she was 15 years old. Renée's father had been criminally incarcerated twice in Canada: first when she was a young baby and second when she was 15 years old. This second period of incarceration ultimately prompted her father's deportation. When asked about the nature of the visits to her father in prison, Renée expressed:

> I was a mess because me and my dad are really really close. […] [When] my mom finally told me what happened, my whole world was just like [hand motions of explosion and crumbling]. Cause in my eyes, I'm never seeing my dad again. That was all I could think about. […] My stepmom at the time […] took me to the first visit […]. It's weird because I could still smell what he – like I remember what he smelt like. Which is weird. But I remember what he smelt like in jail, it was just a complete – I never imagined my dad being in jail. It was just really really weird. […] Then when he was deported, like sent back to Trinidad, I was like okay well I'm 15, when am I going to see him again? That time they told me that he won't be able to come back. That was very devastating. I didn't get to see my dad until I was 20. So 5 years later I was able to go and travel to go see him. After him being in my life for 15 years and then that was just cut off. And he was a good – like my dad was really active in my life. Even if him and my mom were not

> together, like I said I was there every weekend, he took care of me, my mom had no problems at all with him, so it was a big shock when he left (Renée, daughter).

It struck me that Renée highlighted the bodily sense of smell, so I asked her more about it. She responded with:

> How do I explain it. I don't know, like you know how people smell. I knew my dad's smell. I remember walking into the jail and smelling the jail. It had a smell. And then when I hugged him, not to say that my dad smelt but [it] was just different. […] I can still smell it. He was wearing the blue t-shirt. They all wore blue t-shirts and jeans. They all look alike, you know? He used to have his hair low [short], and obviously he was growing out his hair [in jail] […] I remember everything. I just remember we sat in the room, in the corner on the bench. You get searched when you walk in. As a 15-year-old, I'm older but I'm still young, you know? I've never been in a jail or anything like that before and to have to go into a room, and then another room, it was like [she shook her head with shocked expression]– and I can still smell it. I can still smell the place. Not to say it was a bad smell, but it just had a strong smell, I can't even explain it to you. But I can still smell it. […] How do you still smell something like that? […] And I spoke highly of my dad […] he was like god to me. And so when they took him from me …I was like how can somebody do that? (Renée, daughter).

Renée vividly remembers the way the carceral system impressed upon her father's skin, hair, clothes, and bodily smell. Confronting the embodied manifestation of the racial violence of carceral migration governance inflicted on her father, Renée symbiotically confronts her own corporeal and olfactory memories of the racially violent past. This violence was not only experienced by her father, but also her own body, as she recounts the shocking weight of having "never been in a jail" and being searched. In the absence of being able to make sense of her experience verbally (i.e., "how do I explain it?;" "it's weird"), Renée describes a lingering, unfamiliar, and off-putting smell that has stuck with her for almost two decades since her father's incarceration and deportation, and one that emerged again in our interview. This residual, haunting scent conjures the ghosts of an experience of racial violence and carceral separation that shattered her world and life as she knew it, propelling her into devastation, shock, and loss. Never imagining her father in prison, Renée's sense of smell pulls her to the moment where she

was forced to confront and reckon with this reality – one where the carceral system searched her body, transformed her father's scent, and symbiotically transformed her own perception and experience of him.

This transformation of a loved one was also experienced by Mona, whose father was detained in immigration detention before being deported to Congo. When asked about whether there is a specific memory that forms when she reflects on the experience of having her father deported, Mona highlighted the imagery of seeing her father through a glass window – the sense of sight – in a pink gown:

> I think for me it's seeing him behind the glass window with the pink gown. I just felt like there was a lack of respect. Putting him in a pink gown […] I feel like that's the triggering moment for me. […] It made me feel like he's just a number and [that] he's just another Black man. I feel like there was complete disregard for him as a man, him as a father and him as a husband. […] I feel like it was a visual representation of him being a Black man and that he doesn't matter. […] I may look at him one way, and I respect him so much and I love him so much and he's just the epitome of a man and then somebody else can just look at him and well he's just another human being in the system (Mona, daughter).

Mona's reflections highlight the gendered racial violence that she bore witness to. The racial demasculinization of her father, forced into the pink gown uniform of the detention centre, is directly connected to her understanding of systemic racism, racial violence, masculinity, and the disposability of racialized migrants in Canada. Like Renée, Mona's sense of pain and violence emerged from the ways the carceral system transformed her father; from a figure whom she loves and respects and is emblematic of "the epitome of a man," to being denegrated to "just another human being in the system." The depersonalization of prison uniforms diminishes racialized migrants to "just another number" and "just another Black man" in the system, as put by Mona, or a uniform, unidentifiable mass that "all look alike," as put by Renée. This shores up racialized discourses of a mass influx of migrants, stripped of stories, stripped of communities,

and stripped of families, friends, and loved ones – discourses which form the governing logic of exclusion that underpin family reunification policies, as discussed in chapter 3, and which facilitate the disposability of migrants, not only from the national imaginary and its grids of compassion, but also from the very boundaries and borders of the nation. The process of racialized disposability and dehumanization is deployed practically via uniforms and sanitation practices of prisons and detention centres, and is deeply *felt* and *sensed* as raced and gendered dehumanization by loved ones, breathing life into discursive representations of racialized migrants to be expelled from the nation. To complete this process of racialized disposability, the carceral state renders unfamiliar the familiar, extending the reach of its power to the bodily and sensual experiences of both migrants and their loved ones, in symbiosis.[124] This unfamiliarity replicates a process of invisibility, where "invisibility stands in for the inability to see the person as they are to themselves or to others" (Ngo, 2017, p. 31). As articulated by Mona, although she sees her father and "look[s] at him in one way," racialization constitutes and sustains an image and perception of the migrant, and specifically the Black migrant, as one that "does not matter" – a disposable entity to the white nation-state. Race accumulates its meaning as Mona makes sense of the sight of her father in a pink gown. Seeing and smelling are therefore not an indifferent and neutral recording of the visible (Ngo, 2017) and the olfactory (Kettler, 2020), but are imbued with power structures that frame political, legal, and public representations and discourse. The imprints of unfamiliarity and invisibility left on the bodies of their loved ones also operate alongside the unintelligibility of the affect of these two Black daughters: the emotional and affective understandings of their fathers as "good," "god-like," and "manly" are illegible against the discursive representations and embodiments that are inflicted on them through the carceral

[124] It is the affective imprints in one (in this case, the fathers) that affects the imprints in the other (i.e.: the daughters) in a mutual reinforcing and enmeshed way.

mechanisms of detention and deportation. By rendering invisible the familiar – the "good father" that these two daughters knew these men to be – the Black body paradoxically becomes positioned as hypervisible to the state and is subsequently "seen [and] seen-as a series of pre-scripted or predetermined possibilities" (Ngo, 2017, p. 64). The altered perceptions of their fathers, through their own sight and scent, are a window into the deliberate misreading on the part of the carceral state through affective racialization that transmutes the racialized 'Other' into a deportable and disposable body. This transmutation serves as a necessary precondition for the violence enacted within racial carceral migration governance.

The emotions and sensations experienced by Mona and Renée are not solely individual psychological processes, but rather reveal the political, social, and material effects of racial carceral subjects and how the workings of state racial violence can find expression in our bodies. Encounters with the carceral system breathe life into racial discourses and race itself by impressing upon the lived body through the visual and olfactory senses. Race here acquires its significance through the registers of scent and the visual by differentiating between understandings of ourselves and loved ones, on the one hand, against the discursive representations that are enacted and impressed upon subjects at the hands of the carceral state, on the other. As articulated by Ngo (2017), there is a profound undoing of the self that is beseeched in these instances of structural racism and racial violence, "signal[ing] a moment in the experience of oneself reduced to an object for-other, and the denial of one's experience and identity as a subject for-oneself" (p. 61). For both Renée and Mona, the violence of the carceral encounter transformed their fathers, through smell, sight, and ultimately recognition, affecting them in profound ways. These experiences haunt them as they are forced to reckon with the how

the "worldly power [of the carceral] is making itself felt" (Gordon, 2008, p. 202) through the body and its sensations.

It is important to situate this discussion in the socio-historical and political context in which the senses of sight and smell emerged in the Western philosophical and cultural tradition. Senses are not stable nor static, but instead have long been mobilized to distinguish between the civilized and uncivilized based on smell, the aesthetic, moral evaluation, and emotion (Rotter, 2019). Early modern scientists and philosophers, for example, "submitted various dialogues about the traits of the individual senses and their particular roles for protecting English bodies from the increasing threats of the outside world" (Kettler, 2020, p. 2). The nasal passages were understood to be vulnerable to the threats of "contaminated, malignant and lingering airs that affected both the comportment of the body and the functions of the susceptible mind" (Kettler, 2020, p. 3). Odours essentially indicated disease and conveyed the existence of invasive vapours, usually from decaying objects, that penetrated the human body through the nasal passages. Emitting smell and odour came to signify a lack of morality and a possible contagion, and cleansing as a means to minimize and remove the odour of the body became a mark of modernity that set the West apart from the 'Others' of the world (Kettler, 2020). In *The Smell of Slavery,* Kettler (2020) advances that this deodorization of the West created a space for Western consciousness to emplace odours upon new bodies of the Atlantic World. Scientific race-making proceeded through "an ostentatious game of sensory imperialism," (p. 9) whereby "modern sensory consciousness created categories of race, class, and gender within embodied perceptions as a means to support the rise of the nation-state and her capitalist motifs" (p. 14). The enslaved Black African subject became an object, appropriated as foul, pungent, and filthy, in order to create levels of ownership and proprietorship both materially and discursively, marking the

Black body as "unable to access modernity without the cleanliness of white colonial masters" (Kettler, 2020, p. 38). Racism and racial violence proceeded through the falsely conscious sensory worlds (Kettler, 2020).[125]

While racist and xenophobic olfactory stereotypes have by no means disappeared (see, for instance, Burford-Rice et al., 2020; Ramsak, 2024; and Studebaker, 2024), constructing race solely through olfactory senses declined with the rise of Western modernity, propelling instead the eye to become the objective arbiter of truth within scientific study (Kettler, 2020). Subjective odours threatened the attainment of objective understandings of race and the cultural superiority of the West, and so the eye and the visual emerged as a particular sense of objectivity and reason (Kettler, 2020). Visual markers of racial difference, such as skin tone, rendered perceptions of race intelligible (Alcoff, 2006) and provided an observable means through which 'scientific' sensory scrutiny could be applied (Smith, 2006). For instance, in *How Race is Made: Slavery, Segregation and the Senses*, Smith (2006) asserts that although Black skin helped affirm visual stereotypes of colour, haptics – the sense of touch – was mobilized to deepen associations between Blackness, inferiority, and slavery. Through visual and haptic racial stereotypes, Black skin was projected as thick, insensitive, and as having little "sense of feeling" (Smith, 2006). Senses, therefore, provided a lexicon and the grids of intelligibility to mark racial 'Otherness,' difference, and inferiority, helping to animalize racialized bodies, "who could not feel anything [i.e., pain] anyway" (Smith 2006, p. 20).

Insofar as the Canada Border Services Agency (CBSA) and Correctional Service Canada (CSC) deploy sanitation and uniform practices within the neutrality of bureaucratic governance

[125] Kettler (2020) argues that Western Europeans "haphazardly tricked their profiteering noses into a false consciousness to smell the African as a pungent 'Other,'" (p. 26) making it so that regardless of material odours or patterns of hygiene, "potent European cultural knowledges altered the biological function of the five senses to create an olfactory consciousness made to sense the 'Other' as foul" (p. 38).

policies, these policies are coded against these historical contexts of slavery, colonization, and the formation of the nation-state. In addition to the existence of discursively constructed representations of criminalized migrants that colour our perceptions of risk and disposability (as discussed in Chapter 3), modes of perception, through the registers of scent and sight, the olfactory and the visual, have *already* marked the Black criminal-migrant man. It is the intertwining of the racial discourses of the criminal migrant and the affective narratives shared by interviewees that illuminate these practices – and the affective traces they impress upon bodies – as profoundly raced and gendered. What is revealed here is a point of convergence between representation and lived experience (Ngo, 2017). Political discourses, in this sense, converge with racialized affect and the lived experiences of exclusion through migration governance, subsequently highlighting the legal, social, and political structure of feeling engendered by detention and deportation.

Making Sense Of and Through Decay

A living state of decay was also described by the interviewees. The living state of decay is both a temporal and spatial process, characterized by a pace, a tempo and a spatiality (Hage, 2021). By virtue of the normal, biological order of things, all living organisms are decaying. However, as Ghassan Hage (2021) notes, what comes to be analytically registered as decay is that which "is happening at what we consider an unusual rhythm, often too quickly, but sometimes too slowly, and a decay that is progressing outside the confines of where we expect it to exist" (p. 3). In this section, I argue that the racial violence of carceral migration governance activates a bodily and emotional decay that is both out of place and out of tempo; a violence that is dispersed across time and space and is typically not viewed as violence at all. Though we are all decaying, state racism structurally accelerates the decay process for those deemed as

disposable racialized subjects by depleting the physical and emotional bodies of carceral subjects. I explore both the physical decaying process of the body as well as an emotional decay, understood as an emotional depletion that is structured by the multiplied circulation of emotions of discomfort, worry, horror and fear. While the decay process is accelerated, the violence inflicted by the law and carceral systems is also slow, invisible, and remains active even after the source of violence has gone – that is, even after the period of legal detention or the threat of deportation has ended (whether that be through a stay of removal or through the fulfilment of the deportation). This violence of the accelerated decay process is therefore also a violence which haunts; "that which makes its mark by being there and not being there at the same time" (Gordon, 2008, p. 6).

In our interview, Jojo described witnessing an accelerated decaying process of her brother. Jojo's brother was incarcerated in criminal detention and immigration detention before being released by way of being deemed stateless and impossible to deport. Jojo shared:

> The first month he was out we were eating a burger and then his tooth just fell right out in front of us. And I looked and him and he looked at me and then we laughed hysterically because it was just so horrifying, and funny, but it was horrifying. […] The amount of money we had to spend the first few months for his dental treatments because he wasn't getting dental care in there, it was just… (Jojo, sister).

Witnessing her brother's body decay, materializing in his tooth falling out, invoked hysterical laughter that was ultimately bound to horror. In *Emotions of Menace*, Susan Beth Miller (2018) describes horror as the "breakdown emotion," arguing that horror is a special kind of disgust or fear that follows "when the core supportive structures of a person's world have degraded" and elicits feelings that the human has been damaged, altered, or distorted (p. 73). What otherwise would have been two siblings communing over a shared meal was haunted by the ghostly apparition of decay materializing as a tooth falling out of a mouth. The spaces, time, and

gatherings of the everyday are vulnerable to the hauntings of a carceral past that threatens to sink its teeth into the present, to make itself known and remembered at any given moment. The carceral announces itself through the horrific image of a tooth falling out; “I am here,” it whispers, “you can’t forget me.” The shared laughter amongst siblings in this moment captures the undignified conditions of carceral imprisonment and temporarily disarms the horror, offering a brief respite from the carceral’s oppressive weight. However, the laughter over a shared meal, which might otherwise be read and understood as familial practices and displays of joy and bonding, is transformed into a moment of mutual recognition of corporal vulnerability to the violence of carcerality (Fluri, 2019). More than an individualistic emotional state of joy (the positive reading of laughter) or of coping and relief, laughter recasts the politics of this moment (Franck, 2022; Butler, 1999) – this carceral haunting – if only for a moment. Laughter here operates instead as an affective means of reckoning with “the absurdity of violence and the ambiguity and insecurity it fosters” (Fluri, 2019, p. 127). Moreover, philosopher John Morreall suggests that for humour and laughter to occur, “we must be caught off guard by the changes [in our cognitive or affective state] so that we cannot smoothly adjust to what we are experiencing” (Morreall, 1987, p. 133; Trnka, 2018). Similarly, in her writings on horror, Miller (2018) contends that “when the physical world that sustains life cannot be trusted, horror follows” (p. 84). As such, the hysterical laughter that emerges here is an important tactic of survival to make sense of the horrifying, sudden, and shocking haunting violence of the carceral system that is manifesting as the accelerated decay of Jojo’s brother. Forced to confront the hauntings of the carceral that summoned the very real threat to the physical body that sustains her brother’s life, for Jojo and her brother, there was nothing left to do but laugh hysterically, reflecting the absurdity, irregularity, violence, and horror of the carceral conditions under which they lived.

Physical bodily decay was also described by Mensoor, a Cameroonian international student who was living under the threat of deportation during the COVID-19 pandemic while pursuing university education. Arriving to study in Canada in 2019, Mensoor's financial planning was disrupted by a death in his family and the emergency lockdowns of COVID-19. Section 220 of the *Immigration and Refugee Protections Regulations* (IRPR) requires international students to demonstrate the existence of sufficient and available financial resources to pay tuition fees and maintain themselves and their accompanying family during their period of study. Without a reprieve from paying tuition fees to the university despite limited work opportunities during the pandemic, Mensoor put his body on the front line and sought employment in a sanitation unit of a hospital:

> In the context of a pandemic, when everyone was scared of everyone, it was three times more difficult [to find employment]. You had to go out, take risks like I did, to go work. I had nurses [I worked with] that had COVID 7, 9 times but I never got it! Even working in those conditions! […] I was working there in the beginning when everyone was dying. And I worked in a residence where elderly people are. I worked there and you really had to see how it was complete panic in the beginning. But I had to work in these conditions. It was difficult. The stress was enormous. But I had no choice. If I had the choice, I wouldn't have done it, honestly. So yeah, it was hard. It was really hard (Mensoor, an international student previously under a deportation order).

Despite not contracting COVID-19 himself, the threat of deportation forced Mensoor to "take risks." In the midst of the pandemic, migrant workers from colonized and formerly colonized countries laboured across Canada, in food services, agriculture and farming, care work, and the health care system – all jobs that were deemed essential during the mandated stay-at-home orders. Deemed as essential workers, racialized labour sustained the global capitalist economy whilst subjecting racialized workers to greater exposure and vulnerability to the virus. Indeed, Statistics Canada reported that immigrants were disproportionately at risk of death as they were more likely to be employed in essential work and occupations associated with a greater risk of

infection (Ng, 2021). Structural racism, exacerbated by global disparities of the COVID-19 pandemic, exposed racialized communities to decay and premature death. As Henaway (2022) writes, "the pandemic exacerbated pre-existing structural vulnerabilities experienced by these now 'essential' yet 'disposable' workers" (p. 93).

During our interview, Mensoor consistently returned to the financial stress he was under whilst trying to focus on his education, complete his degree, and avoid deportation. Mensoor shared that the culmination of this stress resulted in an onset of a panic attack:

> There were some times where I wasn't prepared mentally but other times I said okay this is just my destiny, this is my reality, these are the challenges I will have to overcome because I have no other options. But if I had the finances, I certainly wouldn't have had as much pressure. But I want to tell you another thing is that I had a panic attack one night in my room, when I came back. I was really really tired from my studies, I had to also go to work, I was preparing myself for work and I had a panic attack. The panic attack was really like a fever, a strong fever that really attacks your limbs. I found myself super weak; I had to lie down and I had no more force. I only woke up in the morning. So it's like you are unconscious. But it was a panic attack (Mensoor, an international student previously under deportation order).

Mensoor embodied the affective weight of the carceral industrial complex, wrought with the dual logics of exploitability and disposability. The financial precarity, stress, and uncertainty not only emotionally depleted Mensoor in moments where "he was not prepared mentally" but also resulted in a panic-induced fever that attacked his limbs, leaving him immobile, weak, and unable to work. Here, the carceral system, undergridded by the logics of racial capitalism, (almost)[126] perfects itself; first through the exploitation of his labour, then, through the erosion of his body through anxiety, stress, and fear,[127] and finally by exposing Mensoor's commodified

[126] I say almost here because Mensoor's story ends on a "happier" note, in that he was able to overcome the threat of deportation, complete his studies, and find a permanent job in Canada.

[127] While Mensoor did not explicitly express to me that he was fearful per se, I understand anxiety and panic to be associated to an emotional state of fearfulness, and therefore can be understood as affects that circulate in the same affective registers. Indeed, it is by virtue of the threat of deportation as a structure of carcerality, combined with the fear of the consequences of inadequate income (re deportation), that induced his anxiety attack.

inclusion into the nation-state as expendable labour. The structures of racial capitalism, tied to the carcerality of migration governance, manifest materially and affectively in Mensoor's body, through stress, panic, and anxiety, ultimately forcing the increase in his body temperature to defend itself from the pathogens of violence.[128]

The erosion of Mensoor's body was also witnessed by his friend, Levi, whom I was able to speak with in a separate interview. Levi shared that Mensoor

> was really really suffering during that time. He was taking on all of this extra work [to be able to pay his tuition on time and stay his deportation order]. He developed a really horrible vision problem [and] was having a lot of trouble seeing. I just had a lot of concern (Levi, friend).

Levi, in witnessing Mensoor and caring for him during this time, was also consumed by concern and a deep sense of injustice and anger, further highlighting the *felt* logics of racial capitalism:

> that's where I get pretty angry at institutions that are profiting off of someone like Mensoor. […] It feels pretty irresponsible to admit people without paying them a living wage. […] The whole system is just so horribly unjust and […] it just made me have these irrational wishes that I was really rich, even though that's not the solution, right? That's not the solution to any of this. But there's just this understanding, *which is true*, that the only thing that can solve these problems under the system that we have now is money. And how do you get that? (Levi, friend, emphasis mine).

Through her relational care of and for Mensoor, Levi is also affectively impacted by the carceral system. The violence of the state and its institutions, through the exploitative profiting of university institutions on international students and the state's exploitation of racialized labour, is internalized by Levi as a personal failure to be there for her friend. Levi's account speaks to the ways the "drain on society" figure (Chapter 3) is felt by loved ones, who are responsibilized with

[128] I wish to note here the process of negotiation that takes place between the body and the legal, social, and political structures of carceral violence that impresses upon it. Although Mensoor experienced a fever that was induced by a panic-attack, this bodily response can also be understood as the body's attempt to fight off – or resist – the source of its suffering and depletion. However, Mensoor understands this fever as an attack to his limbs and to his livelihood (i.e., his ability to work which secures his ability to stay in Canada). Such an interpretation can only be understood by placing his bodily sensations in the context of the structures of racial violence Mensoor is situated in.

a financial undertaking to support their loved ones seeking to stay in Canada. Levi was haunted by the desire for wealth; "wishing [she] could do more [and having] these fantasies of being able to write unlimited cheques" (Levi, friend). There is an underlying sense of guilt and defeat to buy-in to or cooperate with the system in which she and her friend are bound, exposed by the tensions between understanding the "irrational," exploitative structures of racial capitalism and recognizing that the material consequences of these structures are "true:" "the only thing that can solve these problems […] is money" (Levi, friend). The material consequences are as "true" as the stark decaying of the physical body: of the chills, aches, and heat of a fever; of a blurred, deteriorating vision; and of the fear, concern, and care manifesting as anger that emerges when loved ones bear witness to the violence of expropriation and exclusion.[129]

Decay was also present in observed weight loss of and by loved ones. Both migrants and their loved ones experienced weight loss while navigating the structure of detention and deportation. Mona shared,

> It seemed like he [her father] was just detained for the longest time. He had lost so much weight, he wasn't eating and he just looked like he was aging in the span of a week, you know? He just looked so different. It was tough. It was tough (Mona, daughter).

Similarly, Danny, a stateless person who was previously detained, shared:

> My experience dealing with my own food… I was 170 pounds [when he first was detained], I left at 105 pounds. Having a hard time and issues with food, being constantly locked down, and then when COVID hit and things were cascading – instead of getting better it was getting worse (Danny, previously detained).

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[129] I am compelled to note here that Levi is a white woman, and so the formation of her racial subjectivity is of different texture than that of the non-white racialized loved ones I spoke to and whose racial subjectivities are analysed in the centre of these pages rather than in the peripheries of a footnote. Indeed, white citizens also share their lives with deportable non-citizens. I am recalled to the insights of de Noronha (2020) who reminds us that "the social implications of immigration control are far-reaching, and not necessarily restricted to 'migrants and minorities'" (p. 168). White loved ones also encounter the border symbiotically through their relationships, and it is partly in witnessing the affective weight of carceral migration governance that understandings of race, racism, exploitation, and belonging are forged.

As detained carceral subjects, the racial violence of detention accelerated the decay process through unintentional weight loss and accelerated aging. Some of the family members and loved ones I spoke to also experienced their own weight loss, despite not being detained or under threat of deportation themselves. For example, wrought by worry of the omnipresent surveillance of CSBA, Jonathan, a community support person caring for a mother and her two boys who were facing deportation, shared:

> That first week, oh my goodness, I lost a lot of weight that week. I just couldn't eat, I kept worrying about what CBSA was going to do. They [the family he was caring for] were freaked out (Jonathan, community support person).

Similarly, Nigel, a son and father who was deported twice from Canada to Barbados, shared that his children, whom he left behind in Canada after he was deported the second time, experienced depression and weight loss:

> I had the option to stay there and keep fighting, but after 10 months [of incarceration] I said nah I can't really deal with it anymore. So I just decided to let them send me back and I'll try my luck that way. Go through the whole process and so forth. That decision, though, made a great impact on my children [and] my family. The first year or two, the children's schooling and grades dropped. Even their weight dropped. You could probably say they went through a depression state. Especially the youngest one (Nigel, deported son and father).

Nigel's decision to "stop fighting" his deportation order came after a 10-month period of bureaucratic chaos, where he was tossed back and forth between criminal court and immigration court in his efforts to be released on bail. Nigel shared that though he was successfully able to secure bail from the criminal court, the immigration system denied his bail due to an incongruent address: "my mom, everybody was there [at court], we had the money put up and also assets. [But] the address that I was going to go to for immigration bail, it didn't match the address for criminal court. So I had to go back to criminal court, change that, and by the time I came back to immigration court, they were ready to go forward with their agenda" (Nigel, deported son and father). The emotional depletion invoked by the bail process pushed Nigel to cooperate with his

deportation, ultimately triggering the future depression and weight loss of his children. For Nigel's children, the loss experienced by the deportation of their father affectively impressed their physical and emotional bodies, despite not being the 'direct targets' of carceral migration governance. Both the physical and emotional decay of Nigel and his children proceeded symbiotically by virtue of the relationality and connectedness of their relationships.

The violence of the accelerated decay process can appear, at face value, as mundane and personal states of being, whether it be the lack of dental hygiene, 'natural' weight loss, aging, vision problems, or individual psychological states of depression or anxiety that induce fever-ridden panic attacks. However, it is precisely because of the affective weight of the law and carceral migration governance that these living states of physical decay, and, as I will demonstrate next in more detail, emotional decay, are embodied, structurally producing racialized subjects and their emotional subjectivity. The racial violence of carceral migration governance accelerates these states of physical decay and emotional depletion of migrants and their loved ones, structuring in turn their bodily sensations, emotions, and feelings.

Paralleling the decaying process' acceleration to premature death, Meier (2020) argues that the emotional realities produced by border violence force people to "live within conditions of death" by "setting up a system of endless discomfort and [emotional] depletion" (p. 1-2). Decay can therefore also be understood through the prism of emotionality, whereby the emotional depletion of racial subjects is structurally produced by the multiplied circulation of emotions – of discomfort, worry, horror, sadness, and anguish, to name a few – that characterize the affective weight of structural racism and racial violence. The migrants and families I spoke to invoked the semiotics of a haunting universe, describing deathly and zombie-like mental and emotional states. For instance, Beatrice, a woman who was previously detained in immigration

detention after crossing the US-Canada border by land, discussed her emotional state after she was finally released from detention and allowed to stay in Canada:

> I was really impacted by this place [detention]. […] Emotionally, from the time when they picked me up [from the detention centre] until I got to the border [to process her papers], I was just crying and I was sitting […] in the car, but then one of the officers kept looking at me and asking, "Are you okay? Are you okay?" I was okay, but I wasn't okay. Health-wise, I was fine, like physically, but mentally I was dead (Beatrice, previously detained).

While her physical body remained unchanged, Beatrice's mental health was consumed by the emotional depletion of detention. From the moment she was interviewed by the CBSA agents when she presented herself at the border, until the moment she was released, Beatrice lived in persistent fear, uncertainty, and worry, describing her encounter with the carceral border as something "that made me feel uncomfortable […] this is the start of something not good. I don't feel good here" (Beatrice, previously detained). Keeping her physical body intact, the carceral structures of the border and detention shaped Beatrice's emotional state into an enduring state of discomfort that killed her mentally. Her physical body is kept alive, but her affective world is suspended in a state of injury and of putrefaction. The mental exhaustion of the racial violence endured affectively weighed upon Beatrice, as a carceral racial subject, suspending her in a state of living death and emotional decay.

Brave, a husband and father who was deported to Nigeria, also described a similar mental death state that is inflicted by the panic and trauma induced by carceral migration governance:

> So the panic, the trauma of it on its own, affects the mind and you just walk around like a zombie. You cannot plan, you cannot – it's like your hope is shattered. You look at your children and you cannot speak to them definitively about what their future is. You just avoid topics and points and hope that things would get resolved (Brave, deported husband and father).

Brave's entire family was facing deportation from Canada, making it so that the affective weight of the carceral encounter was heightened by the mutually reinforcing pains that are experienced

through familial relationships. The emotional and mental depletion experienced by Brave was not only a result of his own panic, trauma, and fears of deportation, but also from the fear for his children and wife who were facing deportation to another country outside of Nigeria.[130] Brave describes a state of paralysis from the uncertainty of the future, where his mind is affected to the point of detachment from exerting power over his body to plan or speak to his family about certain topics related to the carceral system. In *The Law is a White Dog: How Legal Rituals Make and Unmake Persons*, Colin Dayan (2011) articulates the manifold ways the law "dwells on, messes with, and consumes persons" (xi). Dayan argues that law, and its rituals of punishment and haunting residues of terror,[131] holds the power to make and unmake persons, generating in turn "negative legal personhoods" including slaves, animals, criminals, detainees, and legal zombies who are disabled by law. Relatedly, Brave invokes the figure of the zombie to describe the ways the panic and trauma of the carceral system affect his mind. The zombie, though dead, is alive, "separated from the parts of themselves that make them think and are left as flesh only" (Brodber, 1988, p.108; Dayan, 2011). "This dead-alive zombie in flesh and bones survives as the remnant of loss and dispossession," embodying "macabre, depersonalized entities [that] are left to wander alone or forced to work together, shorn of tenderness […] and consciousness (Dayan, 2011, p. 21). For Brave, the accumulation of these relational pains – pains for himself, his children, and his wife (and their symbiotic constellations) – propelled him into an interstitial state of being between life and death, between holding on to "hope that things would get resolved," a hope shattered, and "walking around like a zombie" who cannot plan and cannot

[130] Even entire families who face deportation from Canada can still be vulnerable to family separation given that the state deports migrants to their country of origin. Brave, Sara and their children were all ordered to be deported to different 'country of origins' by way of being born in different countries.

[131] Parraleling the work of Avery Gordon (2008), Colin Dayan (2011) is equally concerned with "the residues of terror that are never really dead and gone but, through the terms of law, survive and always find new bodies to inhabit, new persons to target" (p. xiii). The ghosts of Enlightment past, she writes, become the demons of modernity.

speak definitively about the future. This affective state parallels the legal, social, and political relaties of life under the threat of deportation, existing in precarious, marginal limbo-like states of exclusion from the nation-state. Embodying the zombie, Brave is a reflection of the logics of the carceral border that produces zombies as "uncitizen" and "non-protectable life" – logics that make one illegal and therefore grant the state the license to let or make die (Stingl & Weiss, 2015).

While Brave's lawyers were able to successfully stop the deportation of his wife and children, Brave's own legal battles culminated in his eventual deportation to Nigeria. Throughout our interview, Brave returned to holding on to hope in the deportation process, even if it felt fleeting. For some participants, hope was the tethering emotion to persist through emotional depletion:

> Emotionally, I know I'm drained. […] I find strength where there is none, I find a reason to keep going and to keep getting up each day, and to face up to the challenges that is to come. I have dug so deep that I think there is nothing to dig anymore. I look at the bottom of the barrel and it seems I have scraped everything and mopped it with a cloth and it's dry! But I believe, one way or the other, as long as there is life, there is hope (Brave, deported husband and father).

Brave repeated this expression, "where there is life, there is hope," several times throughout the interview, usually after recounting very painful memories of his deportation process or of being emotionally drained. Despite being worn out by the deportation regime, Brave conjures the emotional labour required to scrape the bottom of the barrel, to mop dry every last drop of hope, strength, and emotional fortitude. The perennial waiting for reunification with his family in Canada drains and depletes his emotional body while presumably leaving his physical body intact. For Brave, with life, there *had to be* hope. However, in this dead-alive state, hope is tied to the haunting pains of the carceral system and is coercively born of the conditions of violence that Brave is forced to confront. Brave describes holding on to the fragments of his life that have

not succumbed to decay, the remnants of his conditions "where there is life," seeking out hope that his circumstances will change and that the weight of the carceral system will be lifted. Expressions of hope, oriented towards the future and to desired changes in material reality, expose how time has been suspended, turning carceral subjects into subjects who wait (Janeja & Bandak, 2018). Carceral power unfolds here in its ability to make racialized 'Others' wait through the suspension of a temporal regime, forcing people to accept the loss of control over time and sanctioning them to punitive conditions where they are "kept in the dark regarding both the length and the outcome of the wait" (Janeja & Bandak, 2018, p. 98). Hope, here, is saturated with the politics of carceral power and of survival.

The ability to hope "enables people to invest and act upon a social reality, even when the chance of achieving [desired] goals is slim and fear is a constant companion" (Janeja & Bandak, 2018, p. 97; Hage, 2003). However, hope, as a means to think about the possibilities of a better future, can also be understood as a planted seed of decay. Hope, as a gesture towards "a freedom yet to come […] is equally haunted by the horror of what already is" (Fletcher, 2023, p. 33). Under the conditions of carcerality, hope is tethered to unimaginable, unexplicable pain that already is, and that festers in this acquiescent waiting for a better future. Hope, as a planted seed of decay, is expressed clearly by Danny:

> What's the purpose of having hope? (laughs) Hope doesn't get to reality, right? Reality is you gotta fight through your battles every day, pretty much. […] I live a very anguished life. That's how I would characterize it. It's very plain and simple (Danny, previously detained).

Brave and Danny both describe the mental fortitude required to "face up to the challenges" and the "reality" of the carceral system in order to "fight through battles." However, each of these men has a different relationship to the emotion of hope, though both, I would argue, are rooted in the pains of carcerality. While Brave embraces hope as a means to keep living, Danny instead

attempts to erase hope from his affective register to stop the racial violence that has been inflicted on him for almost 15 years of his life. Danny's hopelessness is not an inactive one, but one that has been embodied as a means to alleviate the anguish related to the ways the carceral system has transformed his life. Danny actively rejects the *emotional* conditions of waiting by admonishing hope, despite being structurally bound to the temporal regime of statelessness. Rather than produce conditions of life, hope produces the conditions of decay. When "the very idea of hope, understood as future improvement, is recursively proven to be unreachable" from sustained experiences of carceral racial violence, hope is transformed "to the point of becoming itself a seed of decay" (Mattioli, 2021, p. 87). As a planted seed of decay, hope materializes as the emotional pains of a condition of temporal suspension and manifests as "an existential condition generated by the continuous encounter with [the] failure" to find reprieve from the anguish of the weight of carcerality (Mattioli, 2021, p. 87). For Danny, seeking reprieve through hope is a fantasy that does not get one to "reality." Hope emotionally depletes and exhausts the body just as anguish exhausts. Acting as a steam whistle releasing pressure, Danny's laughter does not point to something particularly funny, but rather to an embodied release of deep, intense, haunting violence and the urgent need to find peace in the oblivion of hope and the oblivion of emotion.

Indeed, Danny extended this avoidance of hope to all emotions:

> I keep myself very neutral. Feelings are a deterrent and cause mistakes. Having no feelings, no emotions towards the matter and just dealing with it logically and moving forward. Dealing with things step by step and problem-solving is the way that I handle those things (Danny, previously detained).

Danny shared that he gradually adopted apathy to manage his encounters with the carceral system, getting "better and better at it" over the years. Danny shared that he learned to embody

this “neutral” apathetic state following a violent encounter with CBSA that took place after he was released from immigration detention with conditions:

> Within the first three months, they [CBSA] came to the house, in the daytime, fully armed, five guys with assault rifles to do a check on me to see if I was there on curfew. It was 8 o’clock in the afternoon. Daylight. Coming to the house, you know? Unbelievable. I got people around the house, neighbours looking like, “What the hell is going on?” For a simple check to see if I was there. So from that day on, that triggered me. It tripped me. Within that week, I put cameras all around the house, outside the house, I put jammers outside the house, I contacted my parole office, I contacted my lawyer, my lawyer sent an email and a letter to CBSA and to the parole officer establishing that there are cameras now and this and that, safeguarding myself. That was the triggering point (Danny, previously detained).

Danny identified this violent encounter with CBSA as being the “triggering point” that pushed him to abandon emotional states of being. He explained, “if they don’t get a rise out of me, then they don’t get any action [or reason] to detain me or try to call the cops” (Danny, previously detained). The racial subjectivity fashioned here is one that recognizes the profound risks, dangers, and costs that emotions expressed by racialized bodies can lead to. The affects of racialization born out of illegibility are made clear. Danny experienced firsthand how the emotional expressions of his racialized body can be filtered and read through the prism of white supremacy and white nationalism. The possible emotional distress that Danny was experiencing when CBSA agents forced themselves into his house with assault rifles, paired alongside the subjection to the heightened visibility from neighbours, was not factored into this violent encounter. An enduring racial and colonial “structure of feeling” is reopened in this encounter and summons affective national imaginaries about racialized ‘Others’ that demonize and render unintelligible Danny’s emotions, acting as justification to securitize his body via police surveillance and detention. Completing an emotional death by abandoning emotions is, for Danny, a strategy of survival to remain safe from the carceral state, pushing him to accelerate the putrefaction of his own emotional being. Importantly, however, the fulfillment of an emotional

death by remaining neutral or turning emotions off paradoxically does not, in fact, void one of emotions. Indeed, it can be argued that an apathetic emotional state is embodied and practiced. The emotions structurally produced by the violence of the carceral system, therefore, haunt racial carceral subjects, both in the presence of emotions, through fear, concern, anxiety, and hope, and in emotion's seeming absence in apathy; by being there and not being there at the same time.

The Hauntings of Racial Carceral Violence

This chapter has theorized haunting through the experiential modalities of migrants and their loved ones. As Gordon (2008) articulates, haunting is an animated state in which a repressed or unresolved social and racial violence is making itself known. While the testimonies accounted for in the preceding pages did not *directly* describe a haunting, I have demonstrated how the bodily sensations and emotions that emerged in interviewee accounts can be understood as conjuring the ghosts of a racially violent unresolved past – of slavery, colonialism and nation-state formation. The racial violence of carceral migration governance impresses upon the visual, olfactory, and physical and emotional decay processes of bodies, producing a knowledge that is *felt* in "those disturbed feelings [and sensations] that cannot be put away" (Gordon, 2008, p. xvii). Haunting raises the spectres of scent, of sight, and of decay, altering in turn "the experience of being in time [and] the way we separate the past, present and the future" (Gordon, 2008, p. vi). The racial state holds a haunting presence in these intimate, private, emotive, and sensorial spaces of the body; spaces where the law and the state seemingly excuse themselves. Being haunted, in this sense, draws us in affectively into the structure of feeling of carcerality.

There were also, however, instances where interviewees explicitly described hauntings in more direct terms, and where ghosts, both social and historical, did indeed populate our conversations. This section will explore accounts from interviewees who felt and articulated the

haunting essence and ghostly matters of the racial violence of carceral migration governance. I rely on Gordon's (2008) *Ghostly Matters* in this section as it offers a vocabulary that registers and evokes "the liv*ed* and liv*ing* meeting" (p. xvii, emphasis mine). While haunting describes that which has a seething presence, ghosts are "the flashing half-signs ordinarily overlooked until that one day when they become animated by the immense forces of atmosphere [or power] concealed in them" (Gordon, 2008, p. 204). Gordon's (2008) work reveals the structural forces of violence as they are lived, experienced, and felt by the aggrieved person, capturing the moments when the "consciousnesses of that meeting was [and is] arising, haunting, forcing a confrontation, forking the future and the past" (p. xvii). The accounts shared by interviewees in this section align with hauntings in this more direct sense: in those "singular yet repetitive instances when home becomes unfamiliar, when your bearings on the world lose direction, when the over-and-done-with comes alive, [and] what's been in your blindspot comes into view" (Gordon, 2008, p. xvi).

Haunting is a frightening, nightmareish experience. It registers harm inflicted and a loss sustained by social and racial violence, done in the past or in the present, but one that always loiters across time and space (Gordon, 2008). The lived violence of the carceral encounter and its haunting presence was expressed by Nehafta, a wife whose husband was detained in immigration detention pending his deportation date:

> Forget about the money. Imagine you don't have peace. You wake up every single morning with the fear of when are you going to get arrested. Imagine the fear, forget about the other stuff. The fear, it's the worst thing, it can eat you up. I faced it when my husband was arrested: "When is he going to get sent back?" Every morning I wake up with that fear, I went to sleep with that fear (Nehafta, wife).

Nehafta's ghost, manifesting as an omnipresent monstrous figure that "can eat you up," is intimately tied to the fear and violence experienced from her husband's arrest and detention. This monstrous ghost, no longer able to be contained or repressed, greets Nehafta in the morning and

tucks her in at night. The affective weight of this experience, depriving Nehafta of a sense of peace, takes precedence over other material conditions that also impress on her life, such as the financial strain she endured for her husband's legal representation. Haunting here emerges in the "disturbed feelings that cannot be put away" (Gordon, 2008, p. xvii); that is, the fear that exists within her – a fear that has been structured by the forces of carceral migration governance. Nehafta is haunted by an omnipresent, monstrous fear of being separated by her husband at the hands of immigration detention – a fear that torments, consumes, and threatens to devour her, from the time she wakes up to the time she falls asleep.

We might presuppose here that sleep could offer a reprieve from the violence of the carceral system. However, Fletcher (2023) asserts that sleep and dreams are rich sites of intimate violation that reveal the ongoing structural antagonisms of racial violence and anti-blackness. Beatrice, a previous detainee, shared that the haunting she is experiencing follows her across both awake and sleep states and permeates beyond the walls of detention. Beatrice's haunting is tied to one of the first interactions she had with a CBSA agent at the detention centre she was held in:

> One of the horrible images I still have is this person, this man [CBSA agent] […] He had dark black clothes on him. And he just looked up and said, "Who are you? Your sister was here yesterday," but in a very harsh way. I got worried. I just felt like, "What is he saying?" "This is not a good place." Like that kind of feeling. […] He was insisting that my sister was there. […] I just kept quiet, and I was thinking, "Oh, so someone was probably here that looked like me," or something like that. I was trying to see why he was saying this. But he was very aggressive saying this and the way he looked at me, I think I still feel that it's something that has an impact on me. I feel there is something that is still left from those words that had really [an] impact on me […] I still carry it. Even if it's been years, I still do carry it. […] I have nightmares about the guy […] I also have his picture, I still have that in my head. I have had many many nightmares, I would say [nightmares] not dreams […] That was my first experience of verbal violence in Canada. I was picturing Canada as a country where you would never have that experience, and that was my first experience. And every time something goes wrong, or even sometimes experiencing something kind of similar […] I think about that person and I was like yeah that was my experience from the beginning. It doesn't have to be about that context or

> even that kind of spot [detention], but even some other situations, that comes back to me (Beatrice, previously detained).

Beatrice describes a haunting where the violent experience of verbal abuse and detention continues to make itself known in the present. The racial and affective violence of detention does not follow a linear temporality, starting only once legally detained and ending when released. The affective impressions left upon the body are also violent and can keep people in a constant state of fear and worry (Meier, 2020). The racial logics of bordering that are sharpened by the border agent's aggressive question – "who are you?" – impress upon Beatrice's body, suspending her in a logic that attempts to parcel out her body as legitimate or as out of place. This violence is one that she still carries and that comes back to her, operating in spaces outside of the detention centre, haunting her not only in her conscious, waking life but also in her dream realm through nightmares – a sleep state that is dominated by the emotions of fear, terror, distress, and anxiety. Carceral power expands to and on the psychic terrain of carceral subjects; in the spaces where people "seek solace in the seemingly interior sites of their own psyches" (Fletcher, 2023, p. 34). The racial violence of carceral migration control lingers in the present moment, violently holding Beatrice in her sleep and haunting her as she exists in the world. As Fletcher (2023) notes, "the terror of dreaming is, in turn, inter-embedded within the worldly terror that produces it" (p. 35).

Beatrice also shared in our interview a recent moment when the ghosts of carceral migration governance signalled their presence. The apparition of her harrowing encounter with the CBSA agent materialized in a recent physical assault she experienced:

> I was hit by a man, just on the street, just walking. […] I was walking just on the street and some guy just randomly came and hit me on my head and just ran away. When he hit me […] I cried about every crazy situation in my life. […] This was also another man, wearing black, similarly middle-aged, and a little darker skin, so I could feel— when I looked at him running, it was just "What is this?" This is not okay. Like I have lived this. Until now, I am living in the past. […] It comes back to me like, "Oh my god, again,"

> that feeling, that same situation. Why? Why me? I think that a lot – "Why did it happen again?" It's a different thing, different situation, different place, but at the same time I'm like the same thing happened. It feels like the same thing (Beatrice, previously detained).

This phantom-like ghost, manifesting in "horrible images" of dark black clothes, is in tethered existence with an experience of enduring racial violence, both verbal and physical, that follows Beatrice beyond the walls of the detention centre and beyond the liminality of having precarious status. Indeed, Beatrice has since gained Canadian citizenship, but the mark of racial violence and carcerality nevertheless still haunts her being in the world. Beatrice is "living in the past," in that space where the *lived* meets the *living* moment, dredging up the affective weight of racialization and embedding past violence in the atmosphere of the everyday life of the present. This lived and experienced violence is not one for which she can say "it's okay, it's finished, forget about it" (Beatrice, previously detained). The gift of forgetting – which, as Fletcher (2023) notes, "offers a mechanism to undercut the violence foundational to the [carceral] subject" and to "upend the psychic scaffolding upon which the nightmare of consciousness, both dreaming and waking, holds us" (p. 42) – is not granted to Beatrice. Instead, this encounter has been impressed upon her body: "I felt like *it touched me* […] I can't say *how*, but I can *feel* it." (Beatrice, previously detained, emphasis mine). Beatrice *feels* her way through this haunting violence; the affective weight of violence evokes the bodily sensation of touch. The ghost of the carceral encounter materializes as object, touching, marking, and penetrating the surface of Beatrice's skin, seeping into her dreamscapes.

Finally, the carceral encounter is also haunted by the phantom ruptures of racial slavery and captivity. Nya, whom I interviewed in her capacity as a friend of a mother facing deportation, shared her own encounters with carceral systems. Indeed, this was one of the driving motivators for helping her friend, whom she first met through her sister and became friends with

while supporting her through the deportation process. Nya described the haunting legacy of racial slavery coming back to her in unexplainable flashbacks:

> This happened to me in 2019 when the police caught me for my mental health out of the hospital and they jailed me, and they didn't want to let me go and bailed out and one of them told me to bend over and took a picture of my ass, but they shackled me. I had the bracelets on my feet and arms and getting in and out of car is all I remember. I felt like slave. I felt like [I was] entering a boat […] how come I have flashbacks? Maybe I have some of my ancestors who went because you don't know. Maybe I have some of them, some of my blood who were caught into captivity and sold to America or somewhere in the Caribbean, I don't know. I lived it, I was traumatized. Because I felt the pain of being shackled like an animal! I felt like an animal. […] I don't want to live that again (crying, sobbing) (Nya, friend).

Nya's ghosts of the carceral encounter signals and mimics the context of racial slavery and manifests in flashbacks of a shared ancestral recognition of captivity, violence, and dehumanization. The ghost signals to what systematically continues to work on the here and now, pointing not to individual biographies but rather to the conditions of carcerality that make this biography historically and contemporarily possible (Gordon, 2008). Nya's affective disposition – her trauma, pain, and tears – bear political weight as they are reflective of the structuring force of criminalization, racialization, and carcerality, moulding, shaping, and structuring her emotional and bodily experiences. Nya's haunting flashback conjures the ghosts of slavery: the police car that carries the engine of a slave ship, the handcuffs that replicate shackles, and the ancestral pains of dehumanization that flood Nya's affective experiences. These feelings and sensations are not a pathology, but instead are the very social relations of racial carceral migration governance that haunt carceral subjects, revealing how "the over and done with […] of slavery has not entirely gone away, even if it seems to have passed into the register of history and symbol" (Gordon, 2008, p. 168). Nya's ghosts signal that the haunting past need not be one's own, but it is a past that nevertheless structures the conditions of sociality in the

present as it operates as the threshold of the racial subject's entry into the world; as commodified subjects to be captured, controlled, confined, and expelled from the nation-state.

Conclusion

In this chapter, I have explored how carceral encounters impress upon racialized bodies to structurally produce a racial subjectivity that is experienced through visceral emotions and bodily sensations. These affective states conjure ghosts that haunt migrants and their loved ones, and affectively work to expand carceral power beyond the confines of time and space. The ghostly stories shared in these pages signal a past that is not over and done with; as Gordon writes, "such endings that are not over is what haunting is all about" (p. 139). Carceral power enters the microscoptic minutia of the body and the subtle and mundane spaces of everyday life, producing socio-political psychological states that linger, "not as cold knowledge but as transformative recognition [of racial violence]" (Gordon, 2008, p. 8). The violent expressions of the law and of carceral power are not contingent on the coercive event of detention or deportation alone, but instead are continuously exercised, and hauntingly felt, by way of the meticulous impressions and transformations that power leaves on the (social) body. Racial carceral migration governance does not only draw its power from political rationalities that suture family (re)unification policies (Chapter 3) and that justify its expansion (Chapter 4), but, as I have shown in this chapter, also shapes and is shaped by affect.

As much as ghosts signal to a past that lingers unfinished, ghosts also signal to that which must be reckoned with, right now, in the present moment. Importantly, ghostly hauntings call us to deal not only with state carceral power, slavery, colonialism, and racial capitalism, "but also on the unavoidability of reckoning with *the structure of feeling* of a haunting, of reckonning with the fundamentally animistic mode by which worldly power is making itself *felt* in our lives, even

if that feeling is vague, *even if we feel nothing*" (Gordon, 2008, p. 202, emphasis mine). The vocabulary and semiotics of the haunting universe aid in expressing this structure of feeling, where affective dispositions are not reduced to individual belief systems, pathologies, or emotional states (or lack thereof, as Danny implores), but instead centre the political, legal, and social systemic elements that structure these feelings into being (Ahmed, 2014; Gordon, 2008; Williams, 1977). In other words, I have sought to theorize the realm of the politics of carceral migration governance from the perspective of racialized affect. This chapter forms an archive of this political structure of feeling, underscoring how it *feels* to be a racialized target of carceral migration governance and the bodily and psychic toll of living under conditions of detention, deportation, disposability, and exclusion.

For migrants and their loved ones, the haunting legacies of slavery, settler-colonialism, nation-state formation, and racial capitalism that are the foundations of the Canadian immigration regime manifest in the contemporary moment within the racially violent encounters with systems of detention and deportation. While we can understand haunting through its more immediate and direct articulations, such as in monsters, nightmares, and flashbacks of slavery and captivity, we must also remember to take note of its more insidious and oblique formations that can appear as the mundane lack of dental care, weight loss, aging, and emotional depletion. Haunting takes place here too, through an accelerated yet gradual violence that proceeds even after the source of law's violence, of detention or deportation, is "concluded." Hauntings manifest even in scents that linger and in the images and colours that stick, in hues of pink and shades of black. The ghosts that are among us within these pages – the offputting scent, the pink gown, the lost tooth, the fever, the thinning, aging body, the zombie, the police car, the handcuff, the dark clothes of border agents, the nightmares, and monsters – notify us that a haunting is

taking place, unearthing the ruptures of racial violence that are undeniably very much alive and present in the regimes of carceral migration governance.

Conclusion

I just don't know how this ends. Or if it ends.

– Rachel, friend.

The struggle for freedom is a struggle not just against cages, but against a society that would have cages. Let us look everywhere, so that we can act anywhere.

– Brett Story in *Prison Land*

The families and migrants who contributed to this dissertation are still tangled within the regimes of racial carceral migration governance. Most are still dealing with immigration proceedings and their afterlives. Families remain separated. Nigel is seeking a pardon for his criminal conviction so that he can return to Canada to be with his children. Renée and Mona are both hoping to save enough funds to be able to visit their fathers soon. Jojo's brother and Danny remain stateless. There are, however, some cases where reunification has been granted. Thanks to the work of his lawyers, Brave has been able to return to Canada on a temporary status to be with his wife, Sara, and their children. The temporary nature of his admission means, however, that he cannot work. In many ways, the economic materiality of deportation still impresses upon his family life.

At the selection and admissions tail of the immigration continuum, families are confronting increasingly restrictive and limited opportunities for family reunification. Legislative and policy changes following the Standing Committee on Citizenship and Immigration's review of "Family Reunification" in 2017 were limited. While the Government of Canada did increase intake levels for parents and grandparents applications, admission levels have not similarly increased. More recently, Prime Minister Mark Carney's government has resurrected the moratorium on the intake of new parent and grandparent applications, indefinitely suspending families from applying to sponsor their loved ones under the program "until further notice"

(IRCC, 2026b; Woolfe, 2026). Furthermore, the racial figures of the nuclear family unit and bad-faith spousal applicants (Chapter 3) continue to insidiously govern family reunification policies. Members of the nuclear family unit, including spouses, partners, and children steadily represent the majority of family class admissions. Section 4(1) test of "bad faith" for spousal applications remains a disjunctive test (IRPR SOR 2002, 4(1)). Prime Minister Mark Carney has also reduced immigration targets for the 2026-2028 immigration levels plan. The reduction in opportunities for families to seek reunification signals us to a ghostly return to the "tap off" approach and sustains the 2017 policy spectacle that was manufactured by the Trudeau Liberal Government (Chapter 3). In line with "tap off" logics that operate as race-neutral economic mechanisms of exclusion (Chapter 3), the immigration plan for 2026-2028 prioritizes economic migrants, who will constitute roughly 63 to 64% of the new targets for permanent residency, and significantly reduces admission levels for family-class migrants and refugees to 21 to 22%, and 13% respectively (See Table F1.3, Appendix F\). The new immigration plan further separates temporary residents from their families by imposing cuts and bans on family reunification. As such, we are currently in a period where commitments to the "humanitarian" pillar of family admissions and family reunification continue to be deprioritized compared to economic admissions, exposing, in turn, the fallacy of national mythologies that exalt the Canadian nation-state as a welcoming, inclusive, and generous host committed to seeing that families are together in Canada.

This dissertation has been driven by the desire to illuminate how the racial violence of carcerality permeates time and space. Carceral power is not tethered or bound to a single moment in time at the event of detention or deportation. Carceral power is equally not tethered to the physical walls of prisons, detention centres, or borders. Nor is carceral power isolated to the

subjects the law directly makes 'illegal.' Even when the violence of carcerality is supposedly over and done with – when migrants are released from detention, when deportation orders are lifted or finalized, and even in instances where citizenship status is granted – families and their loved ones remain haunted by the racial violence of these encounters. The presumed security of citizenship status fails to protect racialized communities from the violence of a nation-state wrought with structural racism and the violent legacies of slavery and settler-colonialism. Such an understanding is imperative to adequately grasp the devastating effects and *long durée* of the racial violence of carceral migration governance.

Findings and Scholarly Contributions

This dissertation has explored the discursive, ideological, and material expansion of carceral migration governance. The project has importantly advanced that a study of migration governance is necessarily a study of carcerality. Such an understanding is only made possible when critical theories of race, racism, and racial violence are centred in the research design and analysis. Chapter 1 offers the theoretical approach of racial carceral migration governance as a novel framework for examining the expansion of carceral power through immigration law. Bringing together theoretical insights from racial governmentality studies, critical race theory, critical legal geographies, racial capitalism, and affect theory, the chapter contends that bordering practices, such as detention and deportation, operate to entrench carceral relations of capture, regulation, control, confinement, and expulsion to produce a racial order. In this vein, law is more than a regulatory force; it is a governmental technology and a productive site (Foucault, 1971), where norms, populations, and subjects are produced through the racial grammars and modes of political ordering that emerged with racial colonial modernity (Moffette & Vadasaria, 2016). The dissertation's theoretical framework purposefully brings the processes of

racialization, political rationalities, and technologies of racial governance that target the mobility and inclusion of racialized people back into view. Who gets to move is always a racial question; neither the 'citizen,' the 'migrant,' the 'family', nor the 'criminal' are raceless figures. To this end, the dissertation has contributed to addressing a significant gap in border studies, carceral studies, and migration studies by attending to the regimes of racial violence that have constituted the carceral state and that have shaped and governed migratory flows, including colonialism, slavery, and empire.

The three empirical chapters of the dissertation contribute to the literature by demonstrating the discursive, ideological, material, and affective expansion of carceral power in Canadian immigration law. Chapter 3 canvases the politics of family reunification in Canada. As an official objective of the *Immigration and Refugee Protection Act* (IRPA), family reunification policies produce the affective economies of compassion and humanitarianism to construct the Canadian national imaginary. However, the chapter demonstrates how the racial logics of carcerality also permeate the 'welcoming' and 'humanitarian' processes of family-class migration – a process of selection and admission within the immigration continuum. The analysis of the proceedings and outcomes of the Standing Committee on Citizenship and Immigration's 2017 review of "Family Reunification" found four interrelated figures that animate the political discourse and the governance strategies for family migration: 1. the "best and the brightest" potential migrants; 2. the legitimate nuclear family; 3. the economically burdensome "drain on society" dependent family member; and 4. the "bad faith" fraudulent family member. The chapter shows how these figures are discursively thread together by way of a racialized ontology that is at the heart of representations of the migrant and the family, as well as the political economy of racial capitalism that produces conditions of exploitation and disposability. Together,

these figures produce racial logics that delimit those who have the 'right' and are 'worthy' to have and be family, and those who are not – that is, those for whom the violence of family separation is justified. The spectre of racial exclusion that undergrids these discursive figures contributes to the apparatus of racial logics that come to bear on the existence, continuation, and expansion of racial carceral migration governance, even within the "humanitarian" and "progressive" policies of family reunification.

Importantly, the spectral animation of these figures is not only symbolically produced at the level of discourse but is also materialized and felt in the experiential. Chapters 4 and 5 of the dissertation turn to the tail end of the immigration continuum – immigration enforcement. These chapters explore the lived experiences of migrants, family members, and loved ones to fully understand the materiality of carcerality and the effects of these indelible figures. The stories of family separation, longing for unification, and racial carceral violence that I trace in these chapters reveal the key aspects of the infrastructure of racial migration governance in Canada, and further unravel Canada's national imaginary as a "welcoming" nation-state. Chapter 4 offers a significant empirical contribution to the literature by mapping the Canadian immigration carceral landscape and the far-reaching racial violence inflicted on families and communities. The chapter finds that carceral power extends to the migration governance regimes of detention and deportation. The legal institutions, practices, technologies, and network of actors of racial carceral migration governance extend the territorial border to cover the entire territory of the nation-state, turning national spaces into carceral spaces of capture, control, and separation for non-citizens and their loved ones. The chapter further demonstrates how the extractive economy of racial capitalism is sustained by carceral migration governance. The extraction of time, resources, and (care) labour of families and loved ones is required for the carceral regime to be

sustained. Resultingly, the spectre of the prison and the carceral industrial complex animates racial carceral migration governance and haunts the home, intimate relationships, and the spaces of community of migrants and their loved ones. These findings contribute to a broader conception of punishment that centres families as the forgotten subjects of carceral power.

Chapter 5 demonstrates how the materiality of carcerality also manifests in the affective and emotional worlds of migrants and their families. The chapter theorizes the realm of the politics of carceral migration governance from the perspective of racialized affect, documenting an "archive of feelings" (Cvetkovich, 2003) of carceral encounters. The chapter makes a significant contribution to the literature by demonstrating how the law's racial violence extends to the minutiae of the body and senses, revealing, in turn, the political, social, and material effects on racial carceral subjects and how the workings of state racial violence can find expression in our bodies. The chapter finds that encounters with carceral systems structurally produce visceral emotional and bodily experiences and sensations that haunt racial carceral subjects across time and space. The racial violence of carceral migration governance impresses upon the visual, olfactory, and physical and emotional decay processes of bodies, producing a knowledge that is *felt* in emotions and sensations. As such, the chapter advances that the violent expressions of carceral power are not contingent on the coercive event of detention or deportation alone, but instead are continuously exercised and hauntingly felt by way of the meticulous impressions and transformations that power leaves on the (social) body through various emotions such as fear, anxiety, sadness, trauma, anger, anguish, and through bodily sensations such as sight, smell, and decay. Most importantly, the chapter links these affective dispositions to the political, legal, and social systemic elements of racial carceral migration governance that *structure* these feelings into being. Law, therefore, is racially charged and affect-

producing. Reducing these emotions and sensations to individual belief systems, pathologies, or emotional states obscures the historical legacies and hauntings of racial violence of slavery, settler-colonialism, nation-state formation, and racial capitalism that are at the foundations of the Canadian immigration regime.

The focus on 'the family' as a microcosm of racial governance is an important second contribution of the dissertation. Chapter 3 contributes to this in two ways. First, the chapter demonstrates *how* 'the family' is imagined and constructed in political discourses on immigration to fulfil the governance strategies of the racial state. A review of Canada's history of immigration policies and the analysis of the Standing Committee's 2017 review on "Family Reunification" reveal a politics of racial desirability that saturates the construction of 'the family.' At the heart of the national conception of 'the family' are political rationalities that legitimize the racialized liberal episteme of the nuclear family unit – a constellation of family that was central to the settler-colonial objectives of a "White Canada Forever." Historically and today, liberal inclusion into the Canadian nation-state is predicated on the symbiotic conceptualization of the 'ideal migrant' and the 'ideal family,' who evoke the ethos of "good," "productive," and "adapted" neoliberal subjects. This ethos, as the chapter shows, is profoundly tethered to the logics of racial capitalism and a historical repertoire of governance that exalts the white nuclear family as the normative ideal family structure, while non-white racialized families and their extended kin are, at best, tolerated as inferior racialized threatening 'Other,' or are violently excluded from the national polity. Second, the chapter reveals where 'the family' is imagined in the immigration continuum and where families are subsequently forgotten and erased. While the Canadian government recognizes the importance of families being together, this is almost exclusively imagined in the context of family-class sponsorship. The discursive narrowing of family

(re)unification to the family sponsorship program constructs family (re)unification as a concern of immigration *admissions*, thereby rendering the family separation produced through immigration enforcement, including detention and deportation, invisible and beyond the scope of policy consideration. Indeed, the chapter finds that while the political project of family reunification holds a strong presence within Canada's family class sponsorship program, concerns for the emotional, physical and financial well-being of families vulnerable to separation receive scant attention in carceral contexts. Families that seek unification in the carceral contexts of migration governance are erased from the political imaginary and rendered unintelligible, unthinkable, disposable, and ungrievable.

To this effect, the dissertation not only investigates *what* becomes 'the family' in the political imaginaries of the nation-state, but also what, then, *becomes of* the family. Discursive constructions of the desirable migrant and the desirable family not only regulate knowledge of the world and our shared political understanding of events, but they also constitute distinctions and subject positions that have material implications on the daily lives of migrants and their families. Reading into the discursive absences found in Chapter 3, Chapters 4 and 5 illustrate the materialized racial violence of carceral migration governance through the microcosm of the family unit. The racial exclusionary imaginaries and unintelligibility of 'the family' in carceral contexts are profoundly felt by carceral subjects and impact their sense of belonging within the nation-state.

Specifically, Chapter 4 finds that the racial violence of the regimes of detention and deportation is experienced symbiotically by migrants and their families. Interactions with carceral systems are filtered through the prism of familial relationships, simultaneously reaching, touching, and governing families, loved ones, and communities. Families and loved ones are

enmeshed in the racial violence of the carceral state by way of their desires and efforts to support and maintain relationships with their loved ones. As such, family members and loved ones also become carceral subjects that are regulated, governed, and surveilled by the state. The chapter illustrates how families' ways of relating *to* space, such as the home and spaces of community, as well as the ways families relate to each other *in* these spaces, are voided of safety, security and sanctity by the carceral power of the state. Chapter 4 equally finds that families also become implicated in the bureaucratic management and surveillance of their loved ones. Through its expansion into spaces of the home and the community, carceral power is decentralized from the state; it entraps family members and transforms them into de facto carceral agents of the state. Having internalized the political rationalities and racialized logics of the carceral state, including the indelible figures outlined in Chapter 3, families are disciplined into subscribing to the policing, discipline, and punishment of their family members, thereby participating in the carceral governance and management of their loved ones.

While Chapter 4 finds that family members are governed by the racial carceral logics of migration governance despite not being 'official' targets of detention and deportation, Chapter 5 advances this finding by demonstrating how this governance also reaches and touches their emotions and sensations. The racial subjectivity of family members is structurally produced through bearing witness to and experiencing, in their own right, the oppressive weight of incarceration, detention, and deportation of their loved ones. Put differently, family members and loved ones also encounter the carceral border symbiotically through their relationships, and it is in witnessing the affective weight of carceral migration governance that understandings of race, racism, exploitation, and belonging are forged.

Directions for Future Research

This dissertation has traced the dual expansion of carceral power: first into spaces of migration governance, and second, its expansion to the family, friends, and loved ones of migrants. While scholarship from Europe, the United States, and Australia has considerably contributed to border criminology literature, which largely investigates the criminalization of migration, little attention has been paid to whether this is also a reality experienced by those close to migrants (Peterie, 2024). Moreover, there is a considerable lacuna in the literature on the carceral nature of migration governance in the Canadian context. My research, therefore, provides an original empirical contribution located at the intersections of the growing scholarship on the criminalization of migration, the expansion of carceral power, and the forgotten subjects of carceral regimes. However, the generalizability of these findings is limited due to the small number of participants in the study and the existence of potential biases in the recruitment strategy (Chapter 2). Future research should continue to explore the carcerality of migration governance in the Canadian context, on both small and large scales, to build an understanding of the Canadian crimmigration landscape, including admissions and enforcement through detention and deportation. Indeed, elsewhere, Kathryn Dennler and I have argued that the deportation process in Canada is underexplored in the literature (Dennler & Garneau, 2022). This is, in part, a result of the ways in which the deportation process is obscured and operates in invisible, insidious, and opaque ways (Dennler & Garneau, 2022). More research is needed on the governance process – the specific political rationalities, assemblages of actors, mechanics, routines, and techniques – of carceral migration governance Canada, and their *messy actualities* (O'Malley et al., 1997) – that is, the lived materialities of these governance practices. Such research is imperative when confronting Canada as a nation-state that frequently positions itself

as humanitarian, welcoming, and tolerant in contradistinction to its southern neighbours, whose violent detention and deportation practices are increasingly visible.

Relatedly, more research that contextualizes the practices of carceral migration governance within the racial history of the nation-state is required, both in Canada and in the Global North more broadly. Migration studies, border studies, and carceral studies frequently fail to meaningfully engage with processes of racialization that have constituted, and continue to constitute, the Western nation-state, liberalism, the ontological human, the workings of capitalism, and the very law itself. The failure to attend to the racial grammar that informs, produces, and governs carceral structures and subjects renders the operations of carcerality as ahistorical abstractions (Moffette & Vadasaria, 2016). Research must examine immigration laws, technologies, and discourses that seem indifferent to racial differences, or that purport to be race-neutral, but nevertheless are deeply imbricated in projects of colonialism and racism. For example, this dissertation has shown how legal and political narratives that shape family reunification laws in Canada disavow entrenched histories of racial and colonial violence that continue to manifest in the contemporary moment. The dissertation argues this to be reflective of the processes of racialization and dehumanization that constitute the "desirable family" worthy of inclusion into the nation-state (Chapter 3). Moreover, by turning to the lived experience of migrants and their families, the dissertation found that these discursive figures permeated carceral spaces, including the letter-writing process of the humanitarian and compassionate application to stay a deportation order (Chapter 4). Further research can examine deportation policies and cases to consider how the discursive making and unmaking of family structures shape the governance of migration at the expulsion end of the immigration continuum. For instance, research can explore the subject-making of family life through the legal process of the

humanitarian and compassionate application — both by state decision-makers and those mobilizing the legal remedy to stop their deportation — and its ties to the legacies and hauntings of racialization in nation-state formation.

The dissertation is fundamentally concerned with advocating for the families ensnarled in racial carceral migration governance in Canada. I have shown the expansion of carcerality to migrants and their families in two contexts of the Canadian immigration continuum: the immigration admissions context of family reunification policies, as well as the enforcement and expulsion contexts of detention and deportation. The dissertation is driven by the motivation to centre the lived experiences and stories of migrants and their loved ones, who are often the forgotten subjects of carceral racial violence. The stories of family members who experience the detention or deportation of a loved one are essential to capture the extent to which carceral power seeps, touches, and haunts racialized communities.

The dissertation highlights the tensions and contradictions that exist within a critical analysis of the family. On the one hand, the dissertation argues that 'the family' is a violent institution when instrumentalized as a strategy of state governance. Chapter 3 shows how certain family compositions, namely those outside of the nuclear family unit, are delegitimized, rendered unintelligible, and subsequently rendered disposable. Moreover, even within progressive advocacy strategies for family unification, racial logics are reproduced. Rather than disrupt the liberal ethos of productivity, consumption, accumulation, and class mobility, progressive discourses reproduce the logics of racial capitalism and the nation-state, in turn reproducing the family as a site of violence by allowing the state to determine its very existence (King, 2018). The discursive figures canvassed in the chapter work to produce narrative scaffolds that "reconfirm public intimacies predicated on whose connections matter [and for what ends] and

whose don't" (Sarah Ahmed in Antwi et al., 2013, p. 115). Furthermore, the 'family' as a possible source of violence is also explored in Chapter 4. By internalizing liberal grids of intelligibility that position some people as deserving of inclusion, belonging, and family unity, family members and loved ones are coercively invited to perform the policing and governing functions of the nation-state.

However, at the same time, there is an underlying ethos at the heart of the dissertation that advocates for the importance of families *being together.* It is my hope that in unravelling the political narratives of 'the family' within immigration discourse and advancing an understanding of the impacts of carceral migration governance practices as racial violence that this dissertation offers a commentary about and for racial justice; a justice understood as the freedom from containment, the freedom to traverse space, the freedom to move, the freedom to stay, and the freedom to make a place for oneself in the world in communion with those we love and care for. Importantly, this freedom can also be understood as the capacity to self-determine – your life, your movement in the world, your land, your home, your love, your family, and your *self* – in all its affective, emotional, and sensorial iterations. These are the conditions that act as the antithesis to racial exclusion, commodification, isolation, dispossession, and expulsion that carcerality fundamentally rests upon. Significant work in these empirical and theoretical contexts remains to be done.

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Appendix A: Interview Guide, Family Members, Friends and Loved Ones

Introduction of Project and Informed Consent

In this interview, we are going to speak about your experience of having a loved one in immigration detention (or under an alternative to detention) and under threat of deportation (or having actually been deported). I want to ask you questions about your relationship, what life looked like, your interactions with CBSA if you had any. I also want to speak about the themes of racism and belonging.

I sent you a copy of the informed consent form and of the Your Rights in Research document. Thank you for signing the form. I want to remind you of a few things and see if you have any questions. First, your participation is voluntary and you can stop participating anytime, including after the interview. All the information you give me is confidential. Your name and the name of your family member will be removed from the interview notes and not be used in any reports. I will also remove any other personal details that may identify you or your loved one. Do you have any questions?

I would like to record the interview so that I can focus on listening instead of writing your answers. If you agree to be recorded, I will transcribe the interview and then delete it within 8 weeks. Do you agree to be recorded? [if on zoom, ask for permission to record the meeting. Inform them that the video will be deleted immediately, and only the audio file will be kept]. [turn on recording device if consent is given].

Intro questions

Can you tell me about your family member/loved one? What is your relationship to them?

What is your migration story? Were you born in Canada or did you immigrate from somewhere else?

What happened to your family member? Were they detained? Did they have an alternative to detention arrangement? Did they have a deportation order? Were they deported?

Detention

Let's start from the beginning of your experiences – the arrest or initial detainment. Can you tell me what that was like?

How long was your loved one in detention for? What was the reason that you were told? How did you maintain your relationship with them during this time? Were you able to keep contact? Visits or phone calls?

Were they detained in an immigration detention centre or a provincial prison? Did you ever visit? How were the visits? Can you tell me about how some of your visits were like? What did your usual day look like when you had a visit?

What sort of interactions with CBSA did you have, if any? If held in a provincial prison, what were your interactions like with CSC staff?

Was your loved one released? What sort of conditions were imposed on them, if any? How did this impact your relationship?

Alternatives to Detention

Was your loved one in one of the alternatives to detention programs? There are three official ones:

1. Electronic monitoring
2. Community Case Management and Supervision Program
3. Voice reporting

Or sometimes people are just released with conditions. Which one(s)?

What were the conditions for release under X program (reporting? How often? Curfew? CBSA home visits? Geographic restrictions?)

How/what was the home environment like? How was your relationship with your loved one? How was your relationship with other members of your family? Your community?

Did you ever attend reporting appointments with your loved one? What happened at the appointments?

Deportation

When did your family receive the deportation letter for your loved one? Can you tell me what that day was like?

What was the outcome of the deportation order? Were you able to stop the deportation or was your family member deported?

Was there fear around the deportation? What strategies did you use to try to stop it? Did you seek support from anyone? Extended family? Community organizations? Legal council?

[if person has been deported]
What was life like leading up to the day of deportation? Did you go to the airport or border on the day of the deportation? What was that day like?

Do you still keep in contact with your family post-deportation? How? How are they doing? How are you doing? What are some of the challenges being apart?

Racism & Belonging

How much do you think your race or racism influenced your experience and/or the experience of your loved one?

What are your perceptions of Canada? Did they change over the course of this experience?

Support and Resources
What support did you have during this time?

What do you wish you knew about the process in advance that could have helped?

Is there any support or resources you feel are missing or that you would have benefitted from?

Wrap up Questions
Is there something important you want to share that we did not speak about today?

Is there anything that we spoke about that is particularly important to you? “Is there something that you might not have thought about before that occurred to you during this interview?” (Charmaz, 2014:66).

What do you think the public should know about detention and deportation practices in Canada?

What changes do you hope to see? Why?

Is there anything you would like to ask me?

Thank you so much for sharing your story with me. I have provided a list of community resources at the end of the consent form if you need. You have my contract information. Please do not hesitate to reach out to me if you have any other questions.

Appendix B: Interview Guide, People with Direct Experience

Introduction of Project and Informed Consent

In this interview, we are going to speak about your experience with the immigration system. I also want to ask you questions about how these experiences may have impacted your relationships with family and friends, what life looked like, your interactions with CBSA, and the themes of racism and belonging

I sent you a copy of the informed consent form and of the Your Rights in Research document. Thank you for signing the form. I want to remind you of a few things and see if you have any questions. First, your participation is voluntary and you can stop participating anytime, including after the interview. All the information you give me is confidential. Your name and the name of your family member will be removed from the interview notes and not be used in any reports. I will also remove any other personal details that may identify you or your loved one. Do you have any questions?

I would like to record the interview so that I can focus on listening instead of writing your answers. If you agree to be recorded, I will transcribe the interview and then delete it within 8 weeks. Do you agree to be recorded? [if on zoom, ask for permission to record the meeting. Inform them that the video will be deleted immediately, and only the audio file will be kept]. [turn on recording device if consent is given].

Intro questions

What is your migration story?

Can you tell me about your case? How did it start? What happened? (i.e.: detained, put under ATD, deportation order, deported?)

Can you tell me about your loved ones that were supporting you during this time? What is your relationship to them?

Detention

Let's start from the beginning of your experiences – the arrest or initial detainment. Can you tell me what that was like?

How long was were you in detention for? What was the reason that you were told?
How did you maintain your relationship with family/friends during this time? Were you able to keep contact? Visits or phone calls?

Were you detained in an immigration detention centre or a provincial prison? Can you tell me about how some of your visits were like? What did your usual day look like when you had a visit?

What sort of interactions with CBSA did you have? If held in a provincial prison, what were your interactions like with CSC staff?

Were you ever released? What sort of conditions were imposed, if any? How did this impact your relationships in the home with family? With friends? With work?

Alternatives to Detention

Were you ever put in the alternatives to detention program? There are three official ones:

1. Electronic monitoring
2. Community Case Management and Supervision Program
3. Voice reporting

Or sometimes people are just released with conditions. Which one(s)?

What were the conditions for release under X program (reporting? How often? Curfew? CBSA home visits? Geographic restrictions?)

How/what was the home environment like? How were your relationships with your loved ones? Your friends? Your community?

Did anyone ever go to your CBSA reporting appointments with you? What happened at the appointments?

Deportation

When did you receive the letter of your deportation? Can you tell me what that day was like? What was telling other people about it like?

What was the outcome of the deportation order? (stop? Still under it? Deported?)

Was there fear around the deportation? What strategies did you use to try to stop it? Did you seek support from anyone? Extended family? Community organizations? Legal council?

[if person has been deported]
What was life like leading up to the day of deportation? What was the day like at the airport or border?

Do you still keep in contact with your family post-deportation? How? How are they doing? How are you doing? What are some of the challenges being apart?

Racism & Belonging

How much do you think your race or racism influenced your experience and/or the experience of your loved one(s)?

What are your perceptions of Canada? Did they change over the course of this experience?

Support and Resources

What support did you have during this time?

What do you wish you knew about the process in advance that could have helped?

Is there any support or resources you feel are missing or that you would have benefitted from?

Wrap up Questions

Is there something important you want to share that we did not speak about today?

Is there anything that we spoke about that is particularly important to you? “Is there something that you might not have thought about before that occurred to you during this interview?” (Charmaz, 2014:66).

What do you think the public should know about detention and deportation practices in Canada?

What changes do you hope to see? Why?

Is there anything you would like to ask me?

Thank you so much for sharing your story with me. You have my contract information. Please do not hesitate to reach out to me if you have any other questions.

Appendix C

Figure C1 – The Facebook ad for the project



Image description:

Facebook post with text that says: “The symbiotic harms project is looking to hear the voices and stories on the realities and challenges experienced by those with loved ones who have been subjected to the Canadian migration controls of detention and deportation. If you are family member, friend or community support person who cares for those impacted by detention and deportation in Canada, please reach out. Together, we can raise public awareness on these issues and build the capacity to support one another.”

The text is followed by an image of the call for participants poster that was designed for the project which outlines what the research project is, criteria for participating and the project goals.

Figure C2 – The reactions to the Facebook post

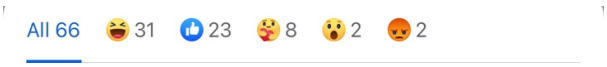


Image description: A total of 66 reactions: 31 laughs, 23 likes, 8 hearts, 2 shocks, 2 angry.

Figure C3 – The comments posted on the Facebook post

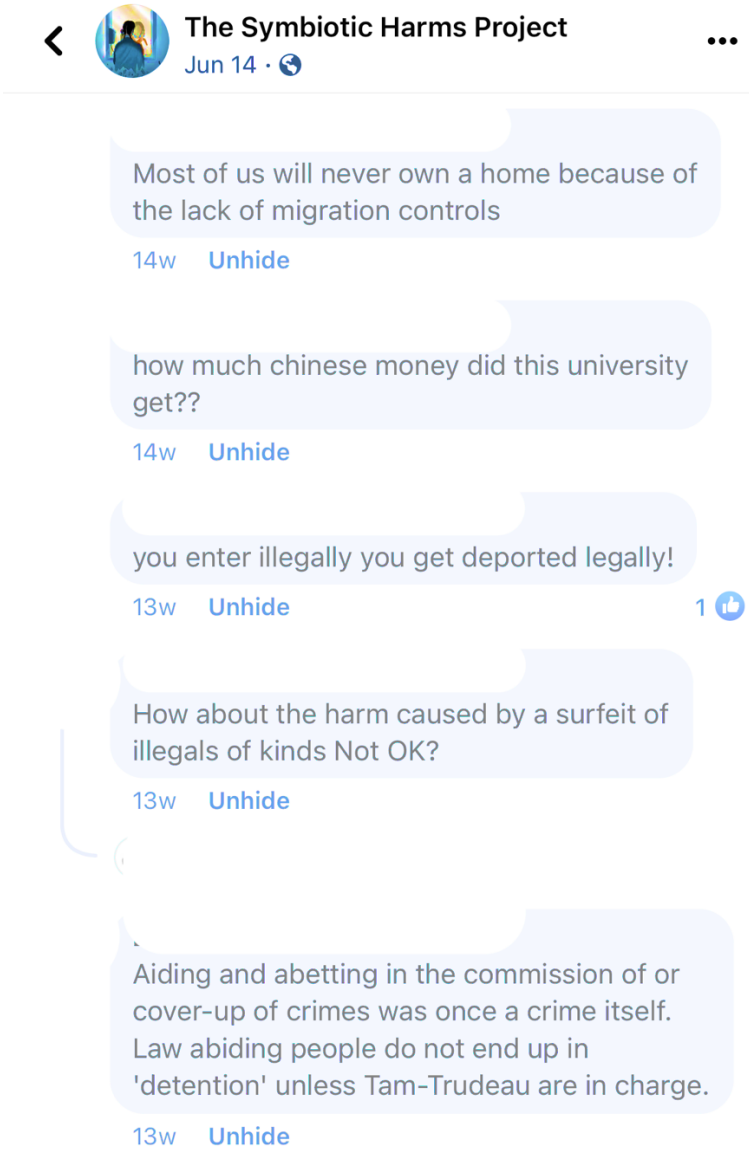


Image Description:

Comment 1: “Most of us will never own a home because of the lack of migration controls”

Comment 2: “How much Chinese money did this university get?”

Comment 3: “you enter illegally you get deported legally!” Comment has one like.

Comment 4: “How about the harm caused by a surfeit of illegals of kinds Not OK?”

Comment 5: “Aiding and abetting in the commission of or cover-up of crimes was once a crime itself. Law abiding people do not end up in ‘detention’ unless Tam-Trudeau are in charge.”

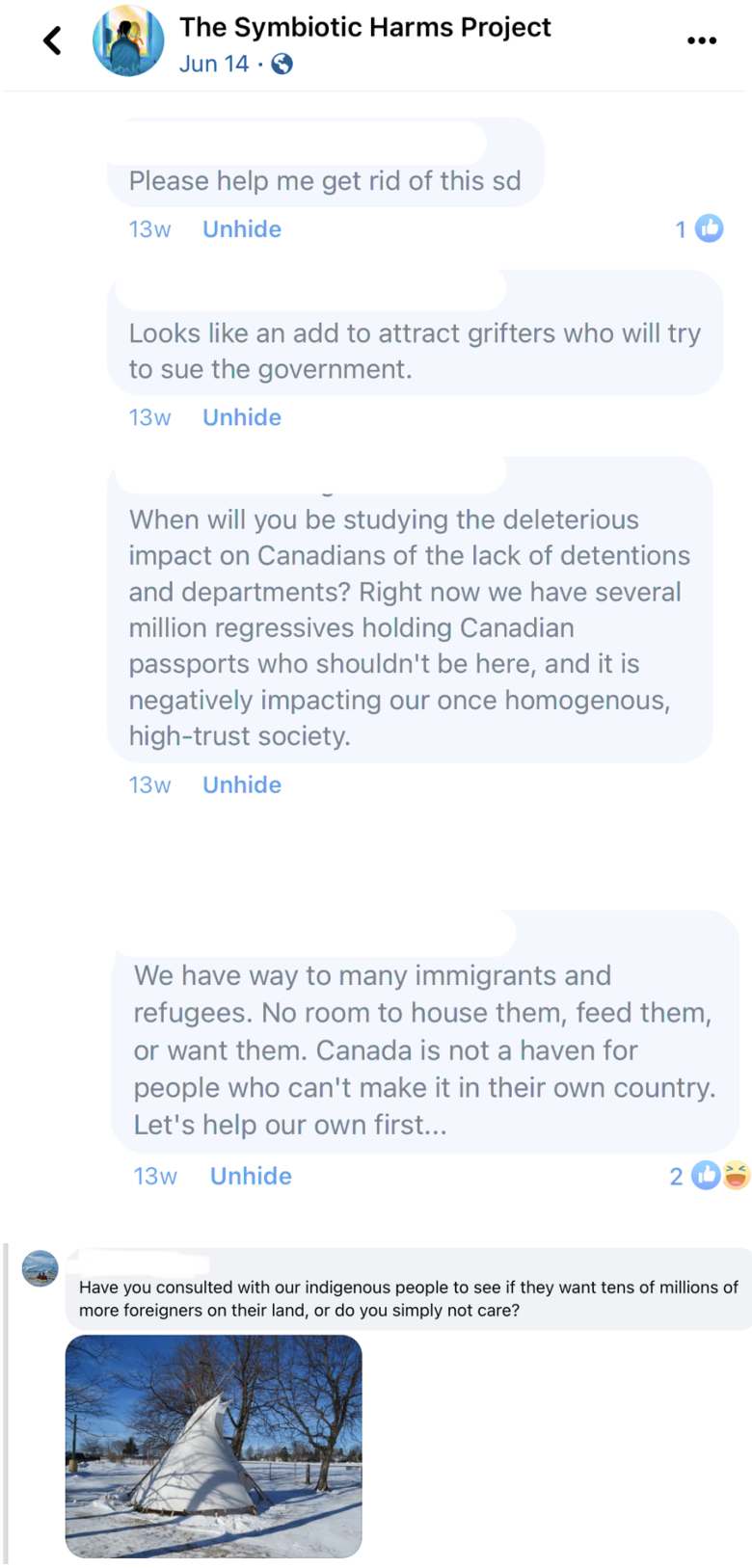


Image Description:

Comment 6: “Please help me get rid of this sd [sic] [ad].” Comment has one like.

Comment 7: “Looks like an add [sic] to attract grifters who will try to sue the government.”

Comment 8: “When will you be studying the deleterious impact on Canadians and the lack of detentions and departments[sic] [deportation]? Right now we have several million regressives holding Canadian passports who shouldn’t be here, and it is negatively impacting our once homogenous, high-trust society.”

Comment 9: “We have way to [sic] many immigrants and refugees. No room to house them, feed them, or want them. Canada is not a haven for people who can’t make it in their own country. Let’s help our own first…” Comment has one like and one laugh.

Comment 10: “Have you consulted with our indigenous people to see if they want tens of millions of more foreigners on their land, or do you simply not care?”

Appendix D: List of Community Resources

Here are a few community resources that you can access in different provinces. It is not a complete list, so I can help you find another resource that may not be included here. There is also this list of resources here that has more options: https://ccrweb.ca/en/members

Most of the sites of these organizations are in English, but it is possible to translate them into other languages, using the Google TM Translate tool. This tool offers visitors who speak other languages a way to access the information presented on the site. Google Translate is an automated translator that may make mistakes.

Across Canada

No One is Illegal

- Toronto : http://toronto.nooneisillegal.org
- Vancouver: https://noii-van.resist.ca
- Halifax/ Kjipituk: https://www.migrantjusticens.ca
- Fredericton: https://www.facebook.com/NoOneIsIllegalFredericton/

Migrant Rights Network: https://migrantrights.ca/

Migrante Canada: https://www.migrante.ca

Alberta :

Alberta Association of Immigrant Serving Agencies (AAISA): https://ccrweb.ca/en/org/alberta-association-immigrant-serving-agencies-aaisa

Association of Mexicans in Calgary : https://amexcal.ca

End of the Rainbow Foundation: https://endoftherainbow.ca/

Migrante Alberta: https://www.migrantealberta.ca/home

British Columbia:

Rainbow Refugee Society: https://www.rainbowrefugee.com/

Vancouver Committee for Domestic Worker's and Caregiver's Rights: https://www.cdwcr.org//

Vancouver Association for Survivors of Torture (VAST): https://www.vastbc.ca/

Vancouver Island Counselling Centre for Immigrants and Refugees (VICCIR): https://www.viccir.org/

Manitoba:

Manitoba Association of Newcomer Serving Organizations: https://mansomanitoba.ca/resources/

Saskatchewan:

Saskatchewan Association of Immigrant Settlement and Integration Agencies (SAISIA): http://www.saisia.ca

Saskatoon Open Door Society: https://www.sods.sk.ca/

Nova Scotia:

Atlantic Region Association of Immigrant Serving Agencies (ARAISA): http://www.araisa.ca

Halifax Refugee Clinic: http://www.halifaxrefugeeclinic.org

Immigrant Services Association of Nova Scotia (ISANS): http://www.isans.ca/

Rainbow Refugee Association of Nova Scotia: http://www.rainbowrefugeens.com

New Brunswick:

Asian Heritage Society of NB: http://ahsnb.org/

New Brunswick Refugee Clinic: http://www.nbrc-crnb.ca

Newfoundland and Labrador:

Association for New Canadians (ANC): http://www.ancnl.ca/

Ontario:

A guide for refused refugees in the deportation process: https://romerohouse.org/wp-content/uploads/2022/08/Know-your-rights.pdf

Afghan Women's Organization Refugee and Immigrant Services: https://afghanwomen.org/

Arab Community Centre of Toronto: https://acctonline.ca/

Black Legal Action Centre: https://www.blacklegalactioncentre.ca/

FCJ Refugee Centre: https://www.fcjrefugeecentre.org

COMPASS Refugee Centre: https://compassrefugee.ca

Care Workers Connections, Education and Support Organization: https://www.cceso.org

Chinese and Southeast Asian Legal Clinic: https://csalc.ca/

Romero House: https://romerohouse.org

Sojourn House: https://www.sojournhouse.org

Matthew House
- Toronto: https://www.matthewhouse.ca
- Ottawa: https://www.matthewhouseottawa.org

Migrant Workers Alliance for Change: https://migrantworkersalliance.org

Parkdale Community Legal Services: https://www.parkdalelegal.org/what-we-do/immigration/

Rainbow Railroad: https://www.rainbowrailroad.org/

Worker's Action Centre: https://workersactioncentre.org

Vivimos Juntxs, Comemos Juntxs: https://vjcj.org

Prince Edward Island:

Immigrant & Refugee Services Association PEI - IRSA PEI: https://www.irsapei.ca/

***Quebec*:**

Solidarity Across Borders: https://www.solidarityacrossborders.org/en/

Action Réfugiés Montréal: https://actionr.org/

Centre communautaire LGBTQ+ de Montréal: https://ccglm.org/

La Société John Howard du Québec: http://john-howard.qc.ca/fr/

Yukon:

Yukon Cares: https://yukoncares.ca/

Appendix E: Members of the Standing Committee on Citizenship and Immigration and List of Witnesses Heard for the 2017 study on "Family Reunification."

Standing Committee Members

Liberal Members

1. Julie Dzerowicz, Davenport
2. Ali Ehsassi, Willowdale
3. Randeep Sarai, Surrey, Centre
4. Marwan Tabbara, Kitchener South-Hespeler
5. Borys Wrzesnewskyj, Chair, Etobicoke Centre
6. Salma Zahid, Scarborough Centre

Conservative Members

7. Hon. Michelle Rempel, Calgary Nose Hill
8. Bob Saroya, Markham – Unionville
9. David Tilson, Dufferin – Caledon

New Democratic Party Members

10. Jenny Kwan, Vancouver East

List of Witnesses

Government of Canada and Immigration, Refugee and Citizenship Canada (IRCC) Officials

1. The Hon John McCallum, Minister of IRCC
2. Robert Orr, Assistant Deputy Minister, Operations, IRCC
3. David Cashaback, Acting Director General, Immigration Branch, IRCC
4. Paul Armstrong, Director General, Centralized Network, IRCC
5. James Bisset, Canadian Immigration Service, former ambassador and executive director
6. Sharon Chomyn, Area Director for North Europe and the Gulf, IRCC
7. Mark Giralt, Area Director for U.S and Caribbean, IRCC
8. Olivier Jacques, Area Director for Latin America, IRCC
9. Elizabeth Snow, Area Director for North Asia, IRCC
10. Shannon Fraser, Area Director for South Asia, IRCC
11. Alexandra Hiles, Area Director of Sub-Saharan African, IRCC

Non-Governmental Organizations and Advocacy Groups

12. Huda Bukhari, Executive Director, Arab Community Centre of Toronto
13. Zena Al Hamdan, Programs Manager, Arab Community Centre of Toronto

14. Dianqi Wang, Executive Director, Canadian Alliance of Chinese Associations
15. Zaisun Ma, Adviser, Canadian Alliance of Chinese Associations
16. Anila Lee Yuen, Chief Executive Officer, Centre for Newcomers
17. Admasu Tachble, Director of Settlement and Career Development, Centre for Newcomers
18. Anabela Nunes, settlement counsellor, Working Women Community Centre Toronto
19. Effat Ghassemi, Newcomer Centre of Peel
20. Alex Leblanc, Executive Director, New Brunswick Multicultural Council
21. Erika Garcia, Settlement Worker, Davenport-Perth Neighborhood and Community Health Centre
22. Ms. Marichu Antonio, Executive Director, Ethno-Cultural Council of Calgary
23. Ms. Bronwyn Bragg, Former Research and Policy Manager, Ethno-Cultural Council of Calgary
24. Lisa Bamford De Gante, Multicultural Association of Fredericton Inc

Legal Community

25. Jaimie Liew, Immigration Lawyer and Law Professor from the University of Ottawa
26. Lobat Sadrehashemi, Lawyer
27. Patricia Wells, Barrister and Solicitor
28. Toni Schweitzer, Staff Lawyer, Parkdale Community Legal Services
29. Deepak Kohli, Vice President, Canadian Association of Professional Immigration Consultants
30. Vilma Filici, Representative, Canadian Association of Professional Immigration Consultants
31. Avvy Go, Clinic Director, Metro Toronto Chinese and Southeast Asian Legal Clinic
32. Vincent Wong, Staff Lawyer, Metro Toronto Chinese and Southeast Asian Legal Clinic
33. Vance Langford, Chair of Immigration Law Section, Canadian Bar Association
34. Tamra Thomson, Director of Legislation and Law Reform, Canadian Bar Association
35. Sheuka Monteiro, East Toronto Community Legal Services Inc

Individuals

36. Usha George, as an individual, Interim Vice-President of Research and Innovation at Ryerson University
37. Professor Madine VanderPlaat, as an individual, Saint Mary's University
38. Professor Jeffrey Reitz, as an individual, Ethnic, Immigration and Pluralism Studies, University of Toronto
39. Gishelle Albert, individual
40. Chantal Desloges, as an individual, Lawyer
41. Professor Athur Sweetman, as an individual
42. Sergio Karas, as an individual, Barrister and Solicitor, Karas Immigration Law Professional Corporation
43. Professor Rupalemm Bhuyan, as an individual, Faculty of Social Work at the University of Toronto

44. Ma Lean Andrea Gerente, as an individual
45. Amit Harohalli, as an individual
46. Richard Kurland, as an individual, Lawyer and Policy Analyst
47. Dr. Ungar, Dalhousie University, as an individual, Chair in Child, Family and Community Resilience and Child and Youth Refugee Research Coalition
48. Puneet Uppal, as an individual

Sources:

1. CIMM-2 (February 23, 2016): https://www.ourcommons.ca/documentviewer/en/42-1/CIMM/meeting-2/evidence
2. CIMM-30 (October 4, 2016): https://www.ourcommons.ca/documentviewer/en/42-1/CIMM/meeting-30/evidence
3. CIMM-31 (October 6, 2016): https://www.ourcommons.ca/documentviewer/en/42-1/CIMM/meeting-31/evidence
4. CIMM-33 (October 20, 2016): https://www.ourcommons.ca/documentviewer/en/42-1/CIMM/meeting-33/evidence
5. CIMM-34 (October 25, 2016): https://www.ourcommons.ca/documentviewer/en/42-1/CIMM/meeting-34/evidence
6. CIMM-35 (October 27, 2016): https://www.ourcommons.ca/documentviewer/en/42-1/CIMM/meeting-35/evidence
7. CIMM-36 (November 1, 2016): https://www.ourcommons.ca/documentviewer/en/42-1/CIMM/meeting-36/evidence
8. CIMM-37 (November 3, 2016): https://www.ourcommons.ca/documentviewer/en/42-1/CIMM/meeting-37/evidence
9. CIMM-38 (November 15, 2016): https://www.ourcommons.ca/documentviewer/en/42-1/CIMM/meeting-38/evidence
10. CIMM-41 (November 24, 2016): https://www.ourcommons.ca/documentviewer/en/42-1/CIMM/meeting-41/evidence
11. CIMM-48 (February 8, 2017): https://www.ourcommons.ca/documentviewer/en/42-1/CIMM/meeting-48/evidence

Appendix F: Datasets and Tables

Table F1.1: Permanent Resident Admissions by IRCC Category, 2008-2016

Category	2008	2009	2010	2011	2012	2013	2014	2015	2016
Economic Class	149,072 (60.3%)	153,498 (60.9%)	186,913 (66.6%)	156,121 (62.8%)	160,819 (62.4%)	148,252 (57.2%)	165,198 (63.5%)	170,375 (62.7%)	156,000 (52.6%)
Family Class*	65,567 (26.5%)	65,200 (25.9%)	60,220 (21.5%)	54,446 (21.9%)	65,008 (25.2%)	81,377 (31.4%)	67,117 (25.8%)	65,484 (24.1%)	78,004 (26.3%)
Refugee and Protected Persons**	21,860 (8.8%)	19,600 (7.8%)	24,696 (8.8%)	27,872 (11.2%)	23,094 (9.0%)	24,139 (9.3%)	24,070 (9.2%)	32,113 (11.8%)	58,912 (19.9%)
Humanitarian and Compassionate & Other***	10,742 (4.3%)	10,634 (4.2%)	8,845 (3.2%)	8,306 (3.3%)	8,961 (3.5%)	5,264 (2.1%)	3,911 (1.5%)	3,844 (1.4%)	3,430 (1.2%)
Total	247,243	252,179	280,681	248,748	257,887	259,032	260,293	271,816	296,346

* Excludes sponsored family members under H&C considerations. These have been included in the totals for the "Humanitarian and Compassionate & Other" category to ensure the categories were counted consistently across datasets and tables.
**Includes government-assisted, privately sponsored and blended/visa-office-referred refugees, plus protected persons in Canada and eligible dependants abroad.
*** Includes admissions of persons selected on humanitarian and compassionate grounds, for reasons of public policy and in the Permit Holder Class.

Sources:

1. Annual Report to Parliament on Immigration 2009, Table 2. https://publications.gc.ca/collections/collection_2010/cic/Ci1-2009-eng.pdf
2. Annual Report to Parliament on Immigration 2010, Table 2. https://publications.gc.ca/collections/collection_2010/cic/Ci1-2010-eng.pdf
3. Annual Report to Parliament on Immigration 2011, Table 2. https://publications.gc.ca/collections/collection_2011/cic/Ci1-2011-eng.pdf
4. Annual Report to Parliament on Immigration 2012; Facts and Figures 2011. https://publications.gc.ca/collections/collection_2012/cic/Ci1-2012-eng.pdf
5. Annual Report to Parliament on Immigration 2013, Table 2. https://publications.gc.ca/collections/collection_2013/cic/Ci1-2013-eng.pdf
6. Facts and Figures, 2016: Immigration Overview – Permanent Residents. https://ircc.canada.ca/opendata-donneesouvertes/data/Facts_and_Figures_2016_PR_EN.pdf

Table F1.2: Permanent Resident Admissions by IRCC Category, 2017-2024

Category	2017	2018	2019	2020	2021	2022	2023	2024
Economic Class	172,500 (55.6%)	177,500 (58.0%)	191,600 (57.6%)	195,800 (57.6%)	232,500 (62.3%)	241,850 (58.4%)	266,210 (57.8%)	281,135 (58.2%)
Family Class	82,470 (28.8%)	85,179 (26.5%)	91,311 (26.8%)	49,290 (26.7%)	81,423 (20.1%)	97,338 (22.2%)	109,730 (23.3%)	105,985 (21.9%)
Refugee and Protected Persons*	41,475 (14.5%)	45,758 (14.3%)	48,530 (14.2%)	25,486 (13.8%)	60,228 (14.8%)	74,342 (17.0%)	74,979 (15.9%)	76,685 (15.9%)
Humanitarian and Compassionate & Other**	3,272 (1.1%)	3,746 (1.2%)	4,681 (1.4%)	3,408 (1.8%)	11,377 (2.8%)	10,199 (2.3%)	14,355 (3.0%)	19,355 (4.0%)
Total	286,479	321,035	341,180	184,606	405,999	437,539	471,808	483,640

**Includes government-assisted, privately sponsored and blended/visa-office-referred refugees, plus protected persons in Canada and eligible dependants abroad.
** Includes admissions of persons selected on humanitarian and compassionate grounds, for reasons of public policy and in the Permit Holder Class.

Sources:

1. CIMM Admissions by Category and Year. https://www.canada.ca/en/immigration-refugees-citizenship/corporate/transparency/committees/cimm-oct-30-2025/admissions-category-year.html

Table F1.3: Permanent Resident Target Levels by IRCC Category, 2025-2028

Category	2025	2026	2027	2028
Economic Class	232,150 (58.8%)	239,800 (63.1%)	244,700 (64.4%)	244,700 (64.4%)
Family Class	94,500 (23.9%)	84,000 (22.1%)	81,000 (21.3%)	81,000 (21.3%)
Refugee and Protected Persons*	58,350 (14.8%)	49,300 (13.0%)	49,300 (13.0%)	49,300 (13.0%)
Humanitarian and Compassionate & Other**	10,000 (2.5%)	6,900 (1.8%)	5,000 (1.3%)	5,000 (1.3%)
Total	**395,000**	**380,000**	**380,000**	**380,000**

Note: This data only reflects immigration target distributions. Admissions data for 2025 has not been published, and we are yet to know the final admission numbers for 2026-2028.
*Includes government-assisted, privately sponsored and blended/visa-office-referred refugees, plus protected persons in Canada and eligible dependants abroad.
** Includes admissions of persons selected on humanitarian and compassionate grounds, for reasons of public policy and in the Permit Holder Class.
Sources:

1. Supplementary Information for the 2025-2027 Immigration Levels Plan. https://www.canada.ca/en/immigration-refugees-citizenship/news/notices/supplementary-immigration-levels-2025-2027.html
2. Supplementary Information for the 2026-2028 Immigration Levels Plan. https://www.canada.ca/en/immigration-refugees-citizenship/corporate/mandate/corporate-initiatives/levels/supplementary-immigration-levels-2026-2028.html

Table F2.1: Permanent Resident Admissions by Family Class Category, 2008-2016

Category	2008	2009	2010	2011	2012	2013	2014	2015	2016
Spouses, Partners and Children	48,659 (74.2%)	47,735 (73.2%)	44,533 (74.0%)	41,968 (74.4%)	42,685 (65.7%)	48,738 (59.9%)	48,628 (72.5%)	49,666 (75.8%)	60,588 (77.7%)
Parents and Grandparents	16,597 (25.3%)	17,179 (26.4%)	15,324 (25.4%)	14,078 (24.9%)	21,815 (33.5%)	32,320 (39.7%)	18,201 (27.1%)	15,489 (23.7%)	17,041 (21.8%)
Other*	311 (0.5%)	286 (0.4%)	363 (0.6%)	400 (0.7%)	508 (0.8%)	319 (0.4%)	285 (0.4%)	329 (0.5%)	375 (0.5%)
Total Family Class	65,567	65,200	60,220	56,446	65,008	81,377	67,117	65,484	78,004

* Includes (1) extended relatives, and (2) orphaned brother, sister, nephew, niece and grandchild

Sources:

1. Annual Report to Parliament on Immigration 2009, Table 2. https://publications.gc.ca/collections/collection_2010/cic/Ci1-2009-eng.pdf
2. Annual Report to Parliament on Immigration 2010, Table 2. https://publications.gc.ca/collections/collection_2010/cic/Ci1-2010-eng.pdf
3. Annual Report to Parliament on Immigration 2011, Table 2. https://publications.gc.ca/collections/collection_2011/cic/Ci1-2011-eng.pdf
4. Annual Report to Parliament on Immigration 2012; Facts and Figures 2011. https://publications.gc.ca/collections/collection_2012/cic/Ci1-2012-eng.pdf
5. Annual Report to Parliament on Immigration 2013, Table 2. https://publications.gc.ca/collections/collection_2013/cic/Ci1-2013-eng.pdf
6. Permanent Residents – Ad Hoc IRCC (Specialized Datasets) - Canada - Admissions of Permanent Residents by Immigration Category, 1980 - Q2 2016. https://open.canada.ca/data/en/dataset/ad975a26-df23-456a-8ada-756191a23695/resource/a1fca442-1263-4730-a831-3ad4ee0c2db0
7. Facts and Figures, 2016: Immigration Overview – Permanent Residents. https://ircc.canada.ca/opendata-donneesouvertes/data/Facts_and_Figures_2016_PR_EN.pdf

Table F2.2: Permanent Resident Admissions by Family Class Category, 2017-2024.

Category	2017	2018	2019	2020	2021	2022	2023	2024
Spouses, Partners and Children	61,646 (74.7%)	66,704 (78.3%)	68,809 (75.4%)	38,607 (78.3%)	69,278 (85.1%)	69,449 (71.3%)	81,417** (74.2%)	78,655** (74.2%)
Parents and Grandparents	20,494 (24.9%)	18,026 (21.2%)	22,011 (24.1%)	10,459 (21.2%)	11,738 (14.4%)	27,262 (28.0%)	28,313 (25.8%)	27,330 (25.8%)
Other*	330 (0.4%)	449 (0.5%)	491 (0.5%)	224 (0.5%)	407 (0.5%)	627 (0.7%)	--	--
Total Family Class	82,470	85,179	91,311	49,290	81,423	97,338	109,730	105,985

* Includes (1) extended relatives and (2) orphaned brother, sister, nephew, niece and grandchild.

** In 2023 and 2024, IRCC included "orphaned relatives (brother, sister, nephew, niece, and grandchild) and other eligible relatives" in the category of "spouses, partners, and children." (Annual Report to Parliament on Immigration, 2025). As a result, these numbers are skewed slightly higher compared to this category in other years, making it difficult to cross-compare to other annual data statistics.

Sources:

1. CIMM Admissions by Category and Year. https://www.canada.ca/en/immigration-refugees-citizenship/corporate/transparency/committees/cimm-oct-30-2025/admissions-category-year.html
2. 2025 Annual Report to Parliament on Immigration. https://www.canada.ca/en/immigration-refugees-citizenship/corporate/publications-manuals/annual-report-parliament-immigration-2025.html

Table F2.3: Permanent Resident Target Levels by Family Class Category, 2025-2028.

Category	2025	2026	2027	2028
Spouses, Partners, and Children	70,000 (74.1%)	69,000 (82.1%)	66,000 (81.5%)	66,000 (81.5%)
Parents and Grandparents	24,500 (25.9%)	15,000 (17.9%)	15,000 (18.5%)	15,000 (18.5%)
Total Family Class	94,500	84,000	81,000	81,000

Note: This data only reflects immigration target distributions. Admissions data for 2025 has not been published, and we are yet to know the final admission numbers for 2026-2028. No targets were provided for "Other" family members category.

Sources:

1. Supplementary Information for the 2025-2027 Immigration Levels Plan. https://www.canada.ca/en/immigration-refugees-citizenship/news/notices/supplementary-immigration-levels-2025-2027.html
2. Supplementary Information for the 2026-2028 Immigration Levels Plan. https://www.canada.ca/en/immigration-refugees-citizenship/corporate/mandate/corporate-initiatives/levels/supplementary-immigration-levels-2026-2028.html

Table F3: Persons Detained by Grounds for Detention

This table has been reproduced from Canada Border Services Agency, May 29, 2026. "Immigration Detention and Alternatives to Detention Statistics." Retrieved on September 18, 2026. https://www.cbsa-asfc.gc.ca/security-securite/detent/qstat-eng.html

Grounds for detention	2019	2020	2021	2022	2023	2024	2025	2026 (ongoing)	
								January to March	April to June
Danger to public	73	48	29	26	59	70	76	26	26
Examination	247	93	47	277	298	141	92	17	19
Identity	556	169	85	338	338	173	135	42	47
Security certificate	0	0	0	0	0	0	0	0	0
Suspected inadmissibility on grounds of human/ international rights violation	Withheld *	Withheld	0	Withheld	6	Withheld	Withheld	0	Withheld
Suspected inadmissibility on grounds of security	9	Withheld	Withheld	8	6	18	14	0	Withheld
Suspected inadmissibility on grounds of serious criminality/ criminality/ organized criminality	45	24	33	120	102	107	109	31	42
Unlikely to appear/ danger to the public	539	296	290	377	439	388	427	224	234
Unlikely to appear	7,740	2,523	2,025	3,794	3,986	3,395	2,795	754	1,021

Note: the total number of persons detained by ground for detention, when added together, is greater than the total number of persons detained in that quarter, as the same person may be detained on multiple grounds for detention.

* Where the number is fewer than five, information regarding the precise number has been withheld on the grounds that there is a risk of compromising privacy and confidentiality

Table F4: Total Active Alternatives to Detention Participants, 2019-2026 (ongoing).

This table is reproduced from: Canada Border Services Agency, May 29, 2026. "Immigration Detention and Alternatives to Detention Statistics." Retrieved on September 18, 2026. https://www.cbsa-asfc.gc.ca/security-securite/detent/qstat-eng.html

Year	CCMS* (with mandatory residency)	Electronic Monitoring	CCMS (excludes mandatory residency)	Remote Reporting	Voice Reporting	In-person Reporting	Total
2019	40	36	513	-	3,195	13,296	15,117
2020	46	58	538	-	3,087	11,760	13,902
2021	66	58	536	-	3,558	12,087	14,460
2022	57	66	480	-	3,223	13,216	15,379
2023	64	68	440	-	2,238	15,909	17,030
2024	86	117	418	110	1,040	17,790	17,705
2025	87	151	373	2,841	-	19,607	19,863
2026 (ongoing)							
January to March	40	88	267	3,100	-	13,978	16,082
April to June	37	94	314	-	-	13,941	14,392
July to Sept.	Data not yet available						

* Community Case Management and Supervision (CCMS)

Notes:

- Persons can be released on many alternative to detention programs at one time.
- The total count only counts each participant one time, regardless of the number of programs they are enrolled in.

Table F5: Removals by priority and fiscal year, 2014-2021

This table has been reproduced from Canada Border Services Agency, March 24, 2021. "Program Investments and Initiatives," Briefing Binders. Retrieved on September 18, 2026. https://www.cbsa-asfc.gc.ca/transparency-transparence/pd-dp/bbp-rpp/pacp/2020-11-24/pii-ipi-eng.html#s1

Period	Total	Priority 1		Priority 2	Priority 3
		Serious inadmissibility	Irregular migrant failed refugee	Refugee claimants	Other inadmissibilities
2014/2015	11,932	1,200	Information not available	6,703	4,029
2015/2016	8,688	967		4,105	3,616
2016/2017	7,995	879		4,180	2,936
2017/2018	8,211	903	139	4,032	3,137
2018/2019	9,695	931	436	4,630	3,698
2019/2020	11,527	1,026	548	6,312	3,641
2020/2021	6,417	252	113	5,491	561

CBSA prioritizes removals using a risk-based approach:

- Priority 1: Cases involving security, organized crime, human rights violations and criminality; failed irregular migrant refugee claimants (due to their impact on program integrity and Canada's asylum system)
- Priority 2: Failed refugee claimants
- Priority 3: all other inadmissible persons

Table F6: Total Enforced Removals by Inadmissibility Type, 2020-2026 (ongoing)

This table is reproduced from Canada Border Services Agency, April 27, 2026. "Immigration removal statistics." Retrieved on September 18, 2026. https://www.cbsa-asfc.gc.ca/agency-agence/reports-rapports/security-securite/removals-renvois-eng.html

Inadmissibility	2020	2021	2022	2023	2024	2025	2026*
Criminality (s.36)	584	494	568	656	804	1,066	897
Misrepresentation (s.40)	145	116	106	153	156	145	88
Non-compliance (s.41)	1,519	1,329	1,665	2,162	2,329	2,549	1,794
Non-compliance (s. 41) – refugee claimants	10,493	5,525	5,939	12,136	13,950	19,225	12,005
Others **	117	59	57	124	158	175	113
Grand Total	**12,858**	**7,523**	**8,335**	**15,231**	**17,397**	**23,160**	**14,897**

* Up to August 31, 2026.

** This category includes inadmissibility types under Security Grounds (s. 34), Human or International Rights Violations (s. 35), Organized crime (s. 37), Health (s 38), Financial (s. 39), Cessation (s. 40.1) and Inadmissible Family Member (s. 42).