

## INDEX

- Abdi, Abdoul, 45  
*Abdi v. Canada (Public Safety and Emergency Preparedness)*, 48–49, 54–55  
Access T.O. policy, in Toronto, 201–203, 208  
Act XXI, India (1883), 169–170, 179  
additionality, in community sponsorship of refugees, 258–259  
    as protection principle, 265–266  
African Centre for Migration and Society, 59  
African National Congress Party (ANC Party), 86  
Aliens Control Act of 1991, South Africa, 62–63  
    amendments to, 64–65  
    “ouster clauses,” 64–65  
    xenophobic language in, 65  
Amit, Roni, 67  
ANC Party. *See* African National Congress Party  
anti-black racism, in Canada, 41–42  
anti-immigration movement, in Germany, 223  
Apartheid regime, in South Africa, 58  
    detention regimes after, 62–63  
    two-gates system, 58, 72, 85, 129–132  
Assam Movement, in India, 186–190  
Asylum Act, Germany, 94, 97–98, 102  
    “Königstein key,” as quota system, 94  
asylum paradox, 99  
asylum seekers  
    community sponsorship of refugees and, 266–267  
    in Germany  
        under Asylum Act, 94, 97–98, 102  
        under Asylum Seekers Benefit Act, 15  
        New Pact on Migration and Asylum, 252  
    in South Africa, rejection of, 64  
Australia, community sponsorship of refugees in, 261–262, 268  
Bagh, Shaheen, 190  
Balibar, Étienne, 170, 177  
Ballantyne, Tony, 169  
Bauder, Harald, 120–121, 132  
Benton, Lauren, 169  
Berlin, Germany, as “safe harbor”  
    analysis of, 109–111  
    under Asylum Act, 94, 97–98, 102  
    “Königstein key,” as quota system, 94  
asylum paradox, 99  
Cities of Safe Harbors Alliance, 87–88, 90  
    entry into, 91  
    establishment of, 100, 104–105  
    purpose of, 105–106  
conceptual approach to, 87–90  
development as “safe harbor,” 92  
divergence strategies in, 93–98  
    defiance approaches, 96–97  
    dilution, 94–95, 102  
    housing approaches, 97–98, 104  
    local governance involvement in, 108  
    normative implications of, 105–109

- refugee admissions, 95–96  
*Seebrücke* movement and, links  
     with, 104–105  
 under German Basic Law, 96–97  
 horizontal dynamics integration of,  
     101  
 methodological approach to, 89–90  
 under Residence Act, 98  
     Section 22, 103–104  
     Section 23, 95, 96, 100–105  
 Save Me campaign in, 99–100  
*Seebrücke* movement, 87–88, 90–92  
     divergence strategies and, links  
         with, 104–105  
     local government involvement in,  
         98–105  
     origins of, 90–91  
     symbolism of, 91  
 status as city-state, 87
- Biden, Joseph, 2  
     immigration law under, 250  
     sanctuary policies under, 149–150
- Black Lives Matter Movement, in  
     Canada, 46
- Bond, Patrick, 85
- Border Management Authority Act,  
     South Africa, 83
- Brenner, Neil, 166
- Brexit campaign, 2
- Briffault, Richard, 146–147
- CABC. *See* Collective Approach to  
     Border Control
- Canada, immigration law in. *See*  
     *also* Toronto, Canada; urban  
     securitisation
- Abdi v. Canada (Public Safety and  
 Emergency Preparedness)*,  
     48–49, 54–55
- anti-black racism and, 41–42  
 apprehension of illegal migrants, in  
     cities, 39–42  
     jurisdictional orders for, 39–40
- Black Lives Matter Movement and,  
     46
- Charter of Rights and Freedoms,  
     53–55
- child welfare agencies and, 40–41, 44
- fiduciary duties of, 49–53, 57
- children of migrants  
     Children's Aid Society of Toronto,  
         40  
     citizenship for, 38–39  
     protections of, provincial  
         jurisdiction for, 40–41  
     racial discrimination against,  
         41–42
- citizenship and, 34–35  
     applications for, 44–45  
     under Citizenship Act, 54–55  
     for crossover youth, 42–46  
     definition and scope of, 42, 56–57  
     local barriers to, 43–44  
     for migrant children, 38–39  
     politics of belonging, 56–57  
     presence-based forms of, 34–35  
     redefinition of, 37–46  
     as social legality, 34–35, 47
- community sponsorship of refugees  
     in, 259–260  
     Sponsorship Agreement Holders  
         model, 260–261
- courts systems in, 47–56
- crimmigration and  
     crossover youth and, 45  
     Faster Removal of Foreign  
         Criminals Act, 47–48  
     theoretical approach to, 33–37
- crossover youth and  
     citizenship for, 42–46  
     crimmigration consequences for,  
         45  
     deportation mechanisms for, 35,  
         36  
     deportation mechanisms in, 33  
         for crossover youth, 35, 36  
         multi-scalar approaches to, 33  
     emplacement concept and, 36–46,  
         56–57  
     definition of, 38  
     for migrant children, 38–39
- fundamental principles of, 33
- international law as influence on, 47
- K. L. B. v. British Columbia*, 51
- local migration governance in,  
     178–185

- Canada, immigration law (cont.)  
 Continuous Journey Regulation,  
 180–181  
 for Indian migrants to Canada,  
 179–185  
*Komagata Maru* event, 181–183  
 national identity passports,  
 183–184  
 nationalisation of, 171–172, 178–179  
 migration sites, cities as, 39–42, 56  
 crossover youth in, 42–46  
 jurisdictional orders for, 39–40  
*Papassay v. The Queen (Ontario)*,  
 51–52  
 private refugee sponsorship in, 280  
 social legality in, transformation to  
 formal legality, 47–57  
 administrative discretion of  
 immigration officials, 47–49, 57  
 citizenship as, 34–35, 47  
 equality as constitutional right,  
 53–57  
 fiduciary duties of child welfare  
 agencies, 49–53, 57  
 non-discrimination as  
 constitutional right, 53–56  
*T. L. v. British Columbia (Children  
 and Family Development)*, 52  
 wards of the state, 36–37  
 xenophobia and, 41–42
- Canada Border Services Agency  
 (CBSA), 126–137
- Canada Border Services Agency Act  
 (2005), 126
- Canada Emergency Response Benefit,  
 205–207
- Canadian Police Information Centre  
 (CPIC), 128
- Carens, Joseph, 21
- CBSA. *See* Canada Border Services  
 Agency
- centralisation of governance, migration  
 governance and  
 as re-centralisation of federal power,  
 6–7  
 in Germany, 6  
 as methodological stateism, 7  
 in U.S., 6
- Chanock, Martin, 174, 173
- Charter of Rights and Freedoms,  
 Canada, 53–55
- child welfare agencies, in Canada,  
 40–41, 44  
 fiduciary duties of, 49–53, 57
- Children's Aid Society of Toronto, 40
- Chronotopes of Law* (Valverde), 281,  
 282
- Cities for Refuge project, 272–283  
 governance networks and, analysis  
 of, 278–281  
 jurisdiction of governance in,  
 273–278  
 migration and, 281  
 municipal governance of, 272–273  
 reception of migrants and, 281  
 scale of governance in, 273–278
- Cities of Safe Harbors Alliance, 87–88,  
 90  
 entry into, 91  
 establishment of, 100, 104–105  
 purpose of, 105–106
- citizenship. *See also specific countries*  
 as birthright lottery, 22  
 racial principles for, 193  
 urban citizenship theory, 120–121
- Citizenship Act, Canada, 54–55
- Citizenship Act of 1955, India, 185–186
- Citizenship Amendment Act, India  
 (2019), 3, 189–190
- city-states, as “safe harbor,” 87
- Collective Approach to Border Control  
 (CABC), 74–75
- Colombia, Temporary Protected Status  
 in, 221
- colonialism, in India  
 direct rule, 173  
 indirect rule, 173  
 local migration governance and,  
 during 19th century, 168
- community sponsorship of refugees  
 additionality in, 258–259  
 as protection principle, 265–266  
 in Australia, 261–262, 268  
 in Canada, 259–260  
 Sponsorship Agreement Holders  
 model, 260–261

- conceptualisation of, 256–259  
 definition of, 252–253  
 discrimination between refugees, 261  
 European Commission on, 252  
 European model of, 252, 264–267  
   Solidarity Cities project, 263–264  
 EU-Turkey Statement, 256  
 in Germany, 259–261  
   Federal *Länder* Sponsorship Scheme, 258  
 Global Compact on Refugees, 270–271  
   complementary pathways  
     objective, 253–256, 258–259  
     protection initiatives, 259–262  
     resettlement objective, 254–256  
 Global Refugee Sponsorship Initiative, 253–254  
 historical development of, 252  
 international refugee regime, 270–271  
 local governance authorities and, role of, 262–265, 270–271  
 New Pact on Migration and Asylum, 252  
 New York Declaration, 253–254  
 in New Zealand, 261–262  
 problematic practices of, 259–262  
 protection principles, 265–269  
   additionality, 265–266  
   for asylum seekers, 266–267  
   equal treatment principles, 267–268  
   Global Compact on Refugees, 259–262  
   for legal status, 268–269  
   non-discrimination principles, 267–268  
   policy framework for, 269  
   refugee protections, 268  
   under Refugee Convention, 269  
 UN High Commissioner for Refugees and, 252–253  
 in U.S., 261  
 Constitution, U.S., sanctuary policies and, constitutionality of  
   under Fourth Amendment, 145  
 Spending Clause doctrines and, 143–144, 147–148  
   under Supremacy Clause, 142–143  
   under Tenth Amendment, 143–146, 151, 152, 162–163  
 Continuous Journey Regulation, in Canada, 180–181  
 Corruption Watch, South Africa  
   border control policies and, 82  
 COVID-19 pandemic, in Toronto, 216–217  
   Canada Emergency Response Benefit, 205–207  
   conceptual approach to, 197–201  
   Guardian Angels pathway, to permanent residency, 203–207  
   relief assistance for undocumented individuals, 205–207  
 CPIC. *See* Canadian Police Information Centre  
 crimmigration, in Canada  
   crossover youth and, 45  
   under Faster Removal of Foreign Criminals Act, 47–48  
   theoretical approach to, 33–37  
 crossover youth, in Canada  
   citizenship for, 42–46  
   crimmigration consequences for, 45  
   deportation mechanisms for, 35, 36  
 DACA. *See* Deferred Action for Childhood Arrivals policy  
 decentralisation, of immigration law, in U.S., 249  
 decoupling, local migration governance and, 12  
 Deferred Action for Childhood Arrivals policy (DACA), 154  
 defiance approach, as divergence strategy, 96–97  
 Department of Home Affairs (DHA), in South Africa, 65, 75–77, 79–80  
 detention enforcement by, 66–67  
 deportation mechanisms  
   in Canada, 33  
   for crossover youth, 35, 36  
   multi-scalar approaches to, 33–35  
   migration governance and, 3–4  
   in South Africa, racialised foundations for, 62–72

- deportation mechanisms (cont.)  
 increase in deportations, 62–72  
 Special Dispensation for  
 Zimbabweans, 66–67  
 under Title 42, 2
- deportation turn, 193  
 Brexit campaign and, 2  
 Trump and, 2
- deracination, 230
- detention centers, 2–3  
 in South Africa, Lindela Repatriation  
 Center, 68–69, 82–84  
 in Spain, 2–3
- detention mechanisms. *See also specific  
 countries*  
 in U.S. sanctuary policies  
 formalistic authority frameworks  
 for, 151  
 power struggles over, 144–146
- devolution of state authority, 4–6  
 definition of, 4  
 in EU, 4–5  
 in Indonesia, 5–6  
 trends in, 5–6  
 in U.S., 4–5
- DHA. *See* Department of Home Affairs
- dilution, as divergence strategy, 94–95,  
 102
- direct rule colonialism, 173
- discrimination, racial  
 against children of migrants, in  
 Canada, 41–42  
 between refugees, 261
- divergence strategies. *See* Berlin,  
 Germany
- documentary citizenship, in India, 188
- “Don’t Ask, Don’t Tell” approach, in  
 Toronto, Canada, 208, 215
- Elmi, Abdilahi, 45
- emplacement  
 in Canada immigration law, 36–46,  
 56–57  
 for migrant children, 38–39  
 definition of, 38
- equality, as constitutional right, in  
 Canada, 53–57
- equity planning approach, 198
- ethnonationalism, rise of, 193
- EU. *See* European Union
- European Commission, on community  
 sponsorship of refugees, 252
- European Union (EU)  
 community sponsorship of refugees  
 in, model for, 252, 264–267  
 Solidarity Cities project, 263–264  
 devolution of state authority in, 4–5  
 migration scholarship in, 9
- EU-Turkey Statement, 256
- Faster Removal of Foreign Criminals  
 Act, Canada, 47–48
- Federal Education Rights and Privacy  
 Act, U.S., 123
- Federal *Länder* Sponsorship Scheme, in  
 Germany, 258
- federal states  
 sanctuary cities in, 118–122  
 Catholic cantons and, 121–122  
*lex domicilii* and, 121–122  
 urban securitisation in sanctuary  
 cities, 123–126  
 border policies, 124–125  
 dual sovereignty in, 123–124  
 under federalism doctrines,  
 125–126
- federalism. *See also* centralisation of  
 governance  
 immigration federalism, 3  
 migration scholarship and, 8  
 sanctuary cities and, 116–117  
 urban securitisation in sanctuary  
 cities and, 125–126
- Floyd, George, 153
- Foucault, Michel, on scaling of  
 migration governance,  
 paradigms for, 17
- Freedom of Information and  
 Protection of Privacy Act,  
 Canada, 129
- Galarza, Ernesto, 156–157
- Galarza v. Szalczyk*, 156–157
- Geisel, Andreas, 96
- de Genova, Nicholas, 191
- German Basic Law, 96–97

- Germany. *See also* Berlin, Germany;  
 Hamburg, Germany  
 anti-immigration movement in, 223  
 Asylum Seekers Benefit Act, 15  
 centralisation of governance in, 6  
 community sponsorship of refugees  
 in, 259–261  
 Federal *Länder* Sponsorship  
 Scheme, 258  
 migration governance in, 6  
 Gibney, Matthew, 193  
 Global Case Management System, in  
 Canada, 128  
 Global Compact on Safe, Orderly and  
 Regular Migration, 1  
 Global Refugee Sponsorship Initiative,  
 253–254  
 Goodlatte, Bob, 143  
 Goswami, Manu, 164–165  
 governance. *See* local migration  
 governance  
 de Graauw, Els, 119–120  
 Grobler, Piet, 74  
 Guardian Angels pathway, to  
 permanent residency, in  
 Toronto, 203–207  
 Gulasekaram, Pratheepan, 116–117, 123
- Hamburg, Germany, as “safe harbor”  
 Cities of Safe Harbors Alliance,  
 87–88, 90  
 entry into, 91  
 establishment of, 100, 104–105  
 purpose of, 105–106  
 status as city-state, 87  
 Haney-López, Ian, 153  
 Harris, Karen, 177–178  
 Hart-Cellar Act of 1965, U.S., 233–234  
 Hershkowitz, Mia, 132  
 high-modernist ideology, immigration  
 law and, 229–230, 233–234  
 Hirshl, Ran, 226  
 housing, in Berlin, in divergence  
 strategies, 97–98, 104  
 Hudson, Graham, 78–79
- Illegal Migrants Determination by  
 Tribunals, India (1983), 186–187
- Imam, Syed Ali, 175  
 immigrant ghettos, in U.S., 240  
 Immigration Act, South Africa (2002),  
 63, 65  
 amendments to, 71  
 Immigration and Naturalization  
 Services (INS), U.S., 73–74  
 Immigration and Refugee Protection  
 Act, Canada, 126, 136  
 immigration federalism, 3. *See also*  
*specific countries*  
 migration scholarship and, 8  
 immigration law, in U.S.  
 under Biden, 250  
 in cities, 239–243  
 immigrant ghettos, 240  
 in sanctuary cities, 243  
 conceptual approach to, 224–227  
 decentralisation of, 249  
 deracination fears and, 230  
 divergent perspectives on, 238–250  
 in cities, immigration law  
 practices in, 240, 239–243  
 in rural areas, immigration law  
 practices in, 243–246  
 in suburban areas, immigration  
 law practices in, 246–250  
 Hart-Cellar Act of 1965, 233–234  
 high-modernist ideology and,  
 229–230, 233–234  
 as immigration control  
 moral value of, 227–230  
 in pluralist nation, 230–234  
 national identity and, 224–225, 251  
 nationalism and, 224  
 postmodern identity and, 225,  
 234–238  
 under Quota Acts, 229–230  
 structure of, 234–238  
 under Trump, 231–234, 243–246  
 White Nationalism movement and,  
 231–234  
 decentering of whiteness as focus  
 of, 231, 232  
 as high-modernist ideology and,  
 233–234  
 immigration raids, in United States, 2  
 immigration reform, 215–216

- indentured labor, 169–170
- India
- citizenship in
    - Assam Movement and, 187–190
    - categories of, 191
    - Citizenship Act of 1955, 185–186
    - Citizenship Amendment Act, 3, 189–190
    - documentary citizenship, 188
    - under Indian Constitution, 185
    - nationalisation of, 185–192
    - political parties and, 187–190
    - racial principles for, 193
  - colonialism in
    - direct rule, 173
    - indirect rule, 173
    - local migration governance and, during 19th century, 168
  - Illegal Migrants Determination by Tribunals, 186–187
  - labor migration in
    - under Act XXI, 169–170, 179
    - for indentured labor, 169–170
    - local migration governance of, 168–171
    - quantitative scale of, 169
  - local migration governance in
    - during colonial era, in 19th century, 168
    - for labor migration, 168–171
    - migration flows, 168–170
    - regulation of, 173
  - migrants to Canada
    - Komagata Maru* event, 181–183
    - local migration governance for, 179–185
    - national identity passports for, 183–184
  - migrants to South Africa
    - under Indian Relief Bill, 177–178
    - marriage legislation for, 174–175
  - National Register of Citizens, 3
  - nationalism in, 171
    - ethnonationalism, rise of, 193
    - predatory majoritarianism in, 191–192
  - Indian Constitution, 185
  - Indian Relief Bill, South Africa (1914), 176–178
  - indirect rule colonialism, 173
  - Indonesia, devolution of state authority in, 5–6
  - influx control policy, in South Africa, 78
  - INS. *See* Immigration and Naturalization Services
  - interlegality, 274
  - international law, Canada immigration law influenced by, 47
  - International Order for Migration, 59
  - Jayal, Niraja Gopal, 185–186
  - Johnson, Kevin, 140, 142–143, 146, 155–156
  - K. L. B. v. British Columbia*, 51
  - Komagata Maru* event, in Canada, 181–183
  - “Königstein key,” as quota system, in Germany, 94
  - labor migration, for Indian migrants
    - under Act XXI, 169–170, 179
    - for indentured labor, 169–170
    - local migration governance of, 168–171
    - quantitative scale of, 169
  - Lanz, Stephan, 98–99
  - Laurier, Wilfred, 179–181
  - Lawyers for Human Rights, in South Africa, 67, 82
  - Lefebvre, Henri, 164–165
  - lex domicilii*, sanctuary cities and, 121–122
  - Lindela Repatriation Center, in South Africa, 68–69, 82–84
  - local laws. *See* local migration law
  - local migration governance, 11–16. *See also* Canada; India; South Africa
    - decoupling and, 12
    - federal sanctuary policies and, in U.S., conflicts with, 143–144
    - interdependence elements of, 25–26
    - normative perspectives on, 21–29
    - silos thinking in, 21
    - relational approaches to, 24–25

- sanctuary cities and, 115  
 scholarship on, 27  
 tensions in, 13
- local migration law, normative perspectives on, 21–29
- Lodge, Tom, 80–81
- Lofgren, Zoe, 147
- majoritarianism. *See* predatory majoritarianism
- The Making of South African Legal Culture* (Chanock), 173
- Maputo Corridor, in South Africa, 75–76
- marriage legislation, in South Africa, 174–175, 177
- Mayor's Migration Council, 1
- Mbeki, Thabo, 76
- Merkel, Angela, 223–224
- Merritt, Deborah Jones, 152
- methodological nationalism  
 migration scholarship and, 8  
 re-centralisation of federal power and, 7
- methodological stateism, 7
- Migrant Rights Network, 204
- migration governance. *See also* scaling of migration governance  
 deportation and, 3–4  
 devolution of state authority, 4–6  
 definition of, 4  
 in EU, 4–5  
 in Indonesia, 5–6  
 trends in, 5–6  
 in U.S., 4–5
- dynamics of, 3–7
- legal contradictions in, 11–16
- local, 11–16  
 decoupling and, 12  
 tensions in, 13
- “messy approach” to, 5
- in policy frameworks, 4
- re-centralisation of federal power, 6–7  
 in Germany, 6  
 as methodological stateism, 7  
 in U.S., 6
- research on, 3–7
- migration scholarship, 7–11  
 in EU, 9  
 immigration federalism and, 8  
 methodological nationalism and, 8  
 sovereigntism and, 8
- Miller, David, 21
- Miller, Stephen, 223
- morality, immigration control and, 227–230
- Mozambique, migrants from, into South Africa, 58–59, 63
- Müller, Michael, 92
- multi-scalar perspectives, on migration, 1  
 deportation mechanisms and, 33–35
- national identity, in U.S. immigration law, 224–225, 251
- national identity passports, 183–184
- National League of Cities v. Usery*, 152
- National Register of Citizens, in India, 3
- national space, citizenship and, 166–167
- nationalisation, process of, 170
- nationalism  
 ethnonationalism, 193  
 in India, 171  
 methodological  
 migration scholarship and, 8  
 re-centralisation of federal power and, 7
- U.S. immigration law influenced by, 224
- White Nationalism movement, in U.S., 231–234  
 decentering of whiteness as focus of, 231, 232  
 as high-modernist ideology and, 233–234
- New Orleans, as sanctuary city, 147
- New Pact on Migration and Asylum, 252
- New York Declaration, 253–254
- New Zealand, community sponsorship of refugees in, 261–262
- Nolte, Paul, 98–99
- non-discrimination, as constitutional right, in Canada, 53–56



- Obama, Barack, sanctuary policies  
 under, 147–148  
 Deferred Action for Childhood Arrivals, 154  
 Operation Crackdown, 78, 79  
 Operation Fiela, 78  
 Operation Passport, 78  
 “ouster clauses” in Aliens Control Act of 1991, 64–65
- Papassay v. The Queen (Ontario)*, 51–52  
 Police Services Act (PSA), Canada, 132–135  
 politics of belonging, in Canada, 56–57  
*The Politics of Disintegration* (Taylor), 231  
 postmodern identity, 225, 234–238  
 Pound, Roscoe, 280  
 predatory majoritarianism, 191–192  
 presence-based forms of citizenship, 34–35  
 Prevention and Combating of Corrupt Activities of 2004, South Africa, 82  
 private refugee sponsorship, 280  
*The Production of Space* (Lefebvre), 164–165  
 PSA. *See* Police Services Act
- racial profiling, in U.S. sanctuary policies, 142–143  
 racism. *See* Apartheid regime; discrimination; White Nationalism movement  
 Rahman, Talha, 189  
 Refugee Convention, 269  
 refugees. *See also* community sponsorship of refugees; UN High Commissioner for Refugees  
 in Berlin, Germany, as “safe harbor” city, 95–96  
 Global Compact on Refugees, 270–271  
 complementary pathways  
 objective, 253–256, 258–259  
 protection initiatives, 259–262  
 resettlement objective, 254–256  
 Global Refugee Sponsorship Initiative, 253–254  
 international refugee regime, 270–271  
 New Pact on Migration and Asylum, 252  
 private refugee sponsorship, 280  
 Refugee Convention, 269  
 Refugees Act, South Africa, 64–65  
 relief assistance, for undocumented individuals, in Canada, 205–207  
 Residence Act, Germany, 98  
 Section 22, 103–104  
 Section 23, 95, 96, 100–105  
 Rove, Karl, 159–160  
 Roy, Anupama, 186–187
- Sadiq, Kamal, 188  
 sanctuary cities. *See also* Berlin, Germany; Hamburg, Germany; Toronto, Canada  
 conceptual approach to, 115–118  
 in federal states, 118–122  
 Catholic cantons and, 121–122  
*lex domicilii* and, 121–122  
 under federalism doctrine, 116–117  
 local migration governance and, 115  
 New Orleans, 147  
 scale of formal belonging in, 120–121  
 theoretical approaches to, 115–118  
 in United States, 2–3, 21–22, 118–122  
 immigration law in, 243  
 urban political economies of, 120  
 sanctuary policies, in U.S.  
 analysis of, 161–163  
 under Biden, 149–150  
*Chinese Exclusion* cases, plenary power doctrine and, 162  
 communal values and, conflict with governance authority structures, 146–149  
 formalistic authority frameworks and, 148–149  
 conceptual approach to, 139–141  
 constitutionality of  
 under Fourth Amendment, 145  
 Spending Clause doctrines and, 143–144, 147–148

- under Supremacy Clause, 142–143
  - under Tenth Amendment, 143–146, 151, 152, 162–163
- formalistic authority frameworks, 139–140, 149–161
  - ahistoricism through, 157–160
  - communal values and, 148–149
  - decision-making in, 156–157
  - false equivalences as result of, 160–161
  - for immigration detention, 151
  - narratives in, 154–156
  - status regime modernisation and, 158
- Galarza v. Szalczyk*, 156–157
- historical development of, 139–141
- immigration detention mechanisms
  - formalistic authority frameworks for, 151
  - power struggles over, 144–146
- litigation over, 162–163
- National League of Cities v. Usery*, 152
- under Obama, 147–148
  - Deferred Action for Childhood Arrivals policy, 154
- power struggles over, 141–146
  - in Arizona, in Senate Bill 1070, 142–143, 155, 156
  - defunding sanctuary jurisdictions, 143–144
  - federal supremacy and, 143–144
  - immigration detention and, 144–146
    - under state laws, 143–144
  - racial profiling and, 142–143
  - SB4 Bill, in Texas, 160–161
  - theoretical approach to, 139–141
  - under Trump, 139, 140, 143–144, 154
  - under Values Act, 161
  - as violations of federal law, 159–160
- SANDF. *See* South Africa National Defence Forces
- Santos, Boaventura, 274
- SAPS. *See* South African Police Service
- Sarrazin, Thilo, 98–99
- Sassen, Saskia, 137–138
- Saunders, Mark, 133–134
- Save Me campaign, in Germany, 99–100
- SB4 Bill, in U.S. (Texas), 160–161
- scale of formal belonging, in sanctuary cities, 120–121
- scaling of migration governance
  - conceptual approach to, 19
  - critiques of, 16–21
  - Foucauldian paradigm for, 17
  - legal processes of, 16–21
  - re-scaling, conceptual approach to, 19
- Scott, James, 274
- Scott, James C., 229
- Security of Canada Information Sharing Act (2015), 127
- Seebrücke* movement, 87–88, 90–92
  - divergence strategies and, links with, 104–105
  - local government involvement in, 98–105
  - origins of, 90–91
  - symbolism of, 91
- Senate Bill 1070, in U.S. (Arizona), 142–143, 155, 156
- Sessions, Jeff, 146–147
- Siegel, Reva, 153, 158
- Singh, Gurdit, 181–183
- Singh, Ujjwal, 186–187
- social legality, in Canada,
  - transformation to formal legality, 47–57
    - administrative discretion of immigration officials, 47–49, 57
    - citizenship as social legality, 34–35, 47
    - equality as constitutional right, 53–57
    - fiduciary duties of child welfare agencies, 49–53, 57
    - non-discrimination as constitutional right, 53–56
- Solidarity Cities project, 263–264
- South Africa, border enforcement in
  - African Centre for Migration and Society, 59
  - African National Congress Party and, 86

- South Africa, (cont.)
- Aliens Control Act of 1991, 62–63
    - amendments to, 64–65
    - “ouster clauses,” 64–65
    - xenophobic language in, 65
  - analysis of, 84–86
  - Apartheid regime and, 58
    - detention regimes after, 62–63
    - two-gates system, 58, 72, 85, 129–132
  - for asylum seekers, rejection of, 64
  - border control agencies, 75–77
    - Department of Home Affairs, 65–67, 75–77, 79–80
    - South Africa National Defence Forces, 76–77
    - South African Police Service, 75–76, 79–81
  - under Border Management Authority Act, 83
  - citizenship in, racial principles for, 193
  - corruption in, in post-Apartheid regime, 80–84
    - Corruption Watch, 82
    - Lawyers for Human Rights and, 82
    - legal governance strategies against, 82–84
    - prevalence of, 81–82
    - under Prevention and Combating of Corrupt Activities of 2004, 82
    - in South African Police Service, 81
    - White Paper on International Corruption, 83
  - Department of Home Affairs and, 65, 76–77, 79–80
    - detention enforcement by, 66–67
  - deportation and, racialised foundations for, 62–72
    - increase in deportations, 66–67
    - Special Dispensation for Zimbabweans, 66–67
  - detention and, racialised foundations for, 62–72
    - after Apartheid regime, 62–63
    - Department of Home Affairs and, 66–67
    - enforcement norms for, 66–67
    - legal reforms for, 64–65
    - statistical data on, unreliability of, 63–64
    - “white list” and, 63–64
    - xenophobia and, 68–72
  - Immigration Act (2002), 63, 65
    - amendments to, 71
  - influx control policy, 78
  - International Order for Migration, 59
  - Lawyers for Human Rights in, 67, 82
  - Lindela Repatriation Center, 68–69, 82–84
  - local migration governance and, 172–178
    - over Indian migrants, in South Africa, 174–175
    - Indian Relief Bill, 176–178
    - marriage legislation and, 174–175, 177
    - nationalisation of, 171–172
    - Union of South Africa and, establishment of, 172–174
  - Maputo Corridor, 75–76
  - methodological approach to, 60–62
  - Mozambique and, 58–59, 63
  - Operation Crackdown, 78, 79
  - Operation Fiela, 78
  - Operation Passport, 78
  - racist governance policies, 77–80
  - Refugees Act, 64–65
  - scholarship literature on, 59–61
  - South African Migration Project, 59
  - Sword and Shield operation, 78
  - theoretical approach to, 58–62
  - UN High Commissioner for Refugees and, 59
  - U.S.-style approaches to, 73–80
    - Collective Approach to Border Control, 74–75
    - INS reports on, 73–74
  - xenophobia and
    - in Aliens Control Act of 1991 language, 65
    - deportation policies and, 68–72
    - detention policies and, 68–72
    - as form of stigmatisation against foreigners, 69–70
    - government responses to, 70–72

- against South Africans, through racial categories, 68
  - Zimbabwe and, 58–59
  - Special Dispensation for Zimbabweans, 66–67
- South Africa National Defence Forces (SANDF), 76–77
- South African Migration Project, 59
- South African Police Service (SAPS), 75–76, 79–81
- sovereignty, 8
- space
  - conceptual approach to, 164–167
  - analysis of, 192–194
  - local migration governance and, 167–185
  - national space, citizenship and, 166–167
  - scale and, 165–166
  - analysis of, 192–194
  - colonial considerations of, 168–185
  - social production of, 164–167
- Special Dispensation for Zimbabweans, 66–67
- Sponsorship Agreement Holders model, in Canada, 260–261
- stateism. *See* methodological stateism
- Su, Rick, 240
- Sword and Shield operation, 78
- T. L. v. British Columbia (Children and Family Development)*, 52
- Taylor, Charles, 231
- Temporary Protected Status, in Colombia, 221
- Title 42, deportation under, 2
- Toronto, Canada, as sanctuary city
  - analysis of, 220–222
  - during COVID-19 pandemic, 216–217
  - Canada Emergency Response Benefit, 205–207
  - conceptual approach to, 197–201
  - Guardian Angels pathway, to permanent residency, 203–207
  - relief assistance for undocumented individuals, 205–207
  - declaration as sanctuary city, 200
    - Access T.O. policy, 201–203, 208
  - equity planning approach to, 198
  - immigration reform and, 215–216
  - local migration governance in, 207–210
    - “Don’t Ask, Don’t Tell” approach, 208, 215
    - urban development as factor in, 209–210
  - Migrant Rights Network, 204
  - sanctuary policy, 200, 220–222
  - solidarity in, as concept, 210–220
    - definition of, 211
    - domicile principle and, 219–220
    - extension of, 214–220
    - for migrant rights, 211–212
    - planning for, 218–219
    - solidarity networks, 212–213
    - urban belonging and, 214–220
  - solidarity movements and, 200, 202
  - urban planning approach to, 198–199
- transmunicipal solidarity, 1
- Triandafyllidou, Anna, 5
- Trump, Donald, 223
  - deportation turn under, 2
  - immigration law under, 231–234, 243–246
  - sanctuary policies under, 139, 140, 143–144, 154
- two-gates system, 58, 72, 85, 129–132
- U.K. *See* United Kingdom
- UN High Commissioner for Refugees (UNHCR)
  - community sponsorship of refugees and, 252–253
- Global Compact on Refugees, 270–271
  - complementary pathways
    - objective, 253–256, 258–259
  - protection initiatives, 259–262
  - resettlement objective, 254–256
  - in South Africa, 59
- Union of South Africa, establishment of, 172–174. *See also* South Africa

- United Kingdom (U.K.), Brexit  
campaign in, 2
- United States (U.S.). *See also*  
Constitution; sanctuary policies  
centralisation of governance in, 6  
community sponsorship of refugees  
in, 261  
deportation mechanisms in, Title 42, 2  
devolution of state authority in, 4–5  
Federal Education Rights and  
Privacy Act, 123  
immigrant ghettos in, 240  
Immigration and Naturalization  
Services, South Africa border  
control policies and, 73–74  
immigration raids in, 2  
migration governance in, 6  
sanctuary cities in, 2–3, 21–22,  
118–122  
under immigration law, 243  
urban political economies of, 120  
South African border enforcement  
influenced by, 73–80  
Collective Approach to Border  
Control, 74–75  
INS reports on, 73–74  
urban securitisation in sanctuary  
cities in, 123  
Values Act, 161  
urban citizenship theory, 120–121  
urban planning approach, in Toronto,  
Canada, 198–199  
urban securitisation, in sanctuary cities  
analysis of, 137–138  
in Canada, 117–118, 126–137  
Canada Border Services Agency  
Act, 126  
Canada Border Services Agency  
and, 126–137  
Canadian Police Information  
Centre, 128  
data collection for, at federal scale,  
126–128  
data sharing for, between local and  
federal institutions, 129–132  
under Freedom of Information  
and Protection of Privacy Act,  
129  
Global Case Management System  
and, 128  
Immigration and Refugee  
Protection Act, 126, 136  
jurisdiction for, sharing of,  
132–137  
under Police Services Act, 132–135  
under Security of Canada  
Information Sharing Act, 127  
in federal states, 123–126  
border policies, 124–125  
dual sovereignty in, 123–124  
under federalism doctrines,  
125–126  
urban citizenship theory and, 120–121  
in U.S., under Federal Education  
Rights and Privacy Act, 123  
U.S. *See* United States
- Values Act, U.S., 161
- Valverde, Mariana, 25, 164–165, 281,  
282
- Villazor, Rose Cuison, 116–117, 123
- Walzer, Michael, 226–231  
on fears of national deracination, 230  
on national immigration control,  
230–234
- wards of the state, under Canadian  
immigration law, 36–37
- “white list,” in South Africa, 63–64
- White Nationalism movement, in U.S.,  
231–234  
decentering of whiteness as focus of,  
231, 232  
as high-modernist ideology and,  
233–234
- White Paper on International  
Corruption, 83
- xenophobia  
in Canada, immigration law  
influenced by, 41–42  
in South Africa border enforcement  
policies  
Aliens Control Act of 1991,  
xenophobic language in, 65  
deportation policies and, 68–72

- detention policies and, 68–72
- as form of stigmatisation against foreigners, 69–70
- as institutionalised government response, 70–72
- against South Africans, through racial categories, 68
- Yoshino, Kenji, 153
- Zimbabwe, South Africa and, border enforcement and, 58–59
- Special Dispensation for Zimbabweans, 66–67
- Zuma, Jacob, 76