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Staff

Dear Reader,

We are pleased to present you with the fourth annual edition of the Winter Issue. The Winter Issue features an open submission process where undergraduate students from the United States and across the world can exhibit their best international relations scholarship. The mission of the Winter Issue is to provide an academic medium where the voices and perspectives of students in international relations can be appreciated.

We would like to take this portion of the letter to thank our incredible contributing authors who support our efforts at YRIS. Without their continued engagement, support, and trust in YRIS to review and publish their scholarship, we would not be the publication we are today. Thank you for entrusting us with your contributions throughout the ongoing pandemic and continuing to report on the most critical global issues.

We would further like to thank our incredible design staff, editors, and all the individuals who work behind the scenes at YRIS. With every piece we are able to publish, we recognize the incredible talent we have on our hands in writing, editing, research, and design capacities. We recognize the incredible privilege and support system we have as we deliver on our promise of sharing student scholarship through our online and print mediums. Our board, especially, has been instrumental in helping us resuscitate an in-person YRIS environment– from training our writers to scouring academic submissions, our staff continues to exceed our expectations.

Our 2022 Winter Issue focuses on the theme of social protests and movements against global power structures. In light of the ongoing structural issues authority yields in modern day, we hope that the work of our featured authors sheds light on issues integral to the global systems of power that dominate the international relations landscape.

Sincerely,
Vishwa Padigepati and Blake Bridge
Editors-in-Chief

ZACHARY GOODWIN

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Essays

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State Controls and Narrative Constructions

Migration, Smuggling, and the EU at the Serbian-Hungarian Border

I n 2015, the European Union (EU) registered the arrival of more than one million migrants, thrusting the European "migration crisis" to the forefront of global discussions."[1]

1   I use "migrant" to refer to non-EU citizens, primarily from Asia and Africa, participating in mass migrations by foot and boat to the EU. Most could be defined as refugees, but I have chosen "migrant" as an all- encompassing term to avoid invoking the legal burden of proof needed to assert refugee status for each individual.

These arrivals stressed the EU's systems, spurring new measures and agreements to control migration. In addition to strengthening its own controls, the EU "externalized" (or expanded) its border to geographic spaces outside of the EU itself, arranging refugee resettlement, law enforcement, and border securitization pacts with non-EU parties like Niger, Turkey, and Serbia. What has emerged is a complex enforcement regime extending beyond the physical borders of the EU—tasked to act as a barrier, a regional unifier, and a network that manages asylum requests and protects human rights.

Within this context, European governments pivoted towards the migration management philosophy of "deterrence," believing that migrants could be discouraged from migrating if states increased risk, removed

safety nets, and built barriers, echoing the "prevention through deterrence" programs that have been formal policy at the U.S.-Mexico border since 1994.[2] In 2014, Italy halted rescue operations in the Mediterranean Sea, claiming that such missions were a pull factor.[3] The next year, states in Southeastern Europe reinforced borders, tear gassed migrants, and engaged in push backs, hoping to discourage passage through their territory. Even Germany, arguably Europe's most welcoming state, used social media and messaging through embassies to dissuade migrants from coming.[4] Meanwhile, the European Commission sought to deter migrant smugglers by heightening border enforcement and promoting "an effective return policy [as] a strong deterrent," arguing that "migrants are less likely to pay a high price to smugglers … if they know that they will be returned home quickly."[5] Still, migrant smuggling to the EU raked in between $3 billion and $6 billion in 2015 alone—a new record.[6]

Deterrence policies like these frame migrations through a national security lens, and therefore produce solutions oriented around national security, almost always with the primary focus of "securing" or hardening borders. This paper questions the deterrence paradigm's embedded assumption that augmented border controls constitute the most sensible, effective responses to increased migration at Europe's borders. To do this, I examine how the heightening of border controls at the Serbian-Hungarian border in 2015 affected the decision-making of illegalized migrants and migrant smugglers moving through the Balkan route that year. How did the threat or the implementation of heightened border controls (e.g., border barriers, deportations, repatriations, and low-yield asylum policies) influence the trajectories of migrants and their willingness to use riskier methods (e.g., smuggling networks)?[7]

I argue that heightened controls at the Serbian-Hungarian border in 2015 may have redirected

"THIS PAPER QUESTIONS THE DETERRENCE PARADIGM'S EMBEDDED ASSUMPTION THAT AUGMENTED BORDER CONTROLS CONSTITUTE THE MOST SENSIBLE, EFFECTIVE RESPONSES TO INCREASED MIGRATION AT EUROPE'S BORDERS."

2   Rory Carroll, "US Border Patrol Uses Desert as 'Weapon' to Kill Thousands of Migrants, Report Says," *The Guardian*, December 7, 2016, http://www.theguardian.com/us-news/2016/dec/07/report-us-border-patrol-desert-weapon-immigrants-mexico.
3   Arthur Nelsen and Lizzy Davies, "Italy: End of Ongoing Sea Rescue Mission 'Puts Thousands at Risk,'" *The Guardian*, October 31, 2014, http://www.theguardian.com/world/2014/oct/31/italy-sea-mission-thousands-risk.
4   Josh Smith, "Germany Launches Campaign to Deter Afghan Refugees," *Stars and Stripes*, November 16, 2015, https://www.stripes.com/news/europe/germany-launches-campaign-to-deter-afghan-refugees-1.379170.
5   European Commission, "EU Action Plan against Migrant Smuggling (2015 - 2020)," May 27, 2015, https://ec.europa.eu/anti-trafficking/sites/default/files/eu_action_plan_against_migrant_smuggling_en.pdf.
6   Europol, "Migrant Smuggling in the EU," February 22, 2016, https://www.europol.europa.eu/publications-documents/migrant-smuggling-in-eu.
7   I use the language of "illegalization" to highlight the role of the state in designating certain migrations as outside of the law, as well as to avoid the negative connotations of terms like "illegal," "irregular," or "unwanted" migration.

arriving migrants but did *not* deter them. In reaching this thesis, I conducted a discourse analysis of quotes from migrants and migrant smugglers passing through the Balkans in 2015, pulling quotes given to news organizations and coding them for indicators of how these groups interpreted these controls and adjusted accordingly. Most migrants continued towards the EU, citing physical security, family safety, and monetary concerns as greater priorities than avoiding confrontations with state actors. At the same time, this migrant discourse analysis shows how state violence at the Serbian-Hungarian border catalyzed the formation of a common migrant identity around an intense, shared subjection to necropolitics — a term coined by theorist Achille Mbembe to describe the use of social and political power to dictate individuals' deaths.[8] My smuggler discourse analysis is not conclusive given the limited number of quotes available to analyze, as few smugglers were willing to have journalists quote them. Some strands, however, suggest that border militarization consolidated the supply of smugglers while expanding migrants' demand, ultimately benefiting the operations of some smugglers.

Lastly, I found migrants articulated hypocrisies they observed between Europe's response and its espoused values. I elaborate on this point in my conclusion to illustrate the tensions between the EU's self-projection as a supranational project and the hyper-nationalist currents which operate and reinforce themselves *through* the EU's infrastructure and borders. The union's claims to a bounded territory and representational government compel it to reason and act like a nation-state, creating a disconnect between projection and reality that propelled a crisis of legitimacy for the EU in 2015. Ultimately, I show how securitized borders are incompatible with the human rights goals espoused by the EU, for the continuation of border deterrence can only create and perform further discrimination, displacement, and mass death.

Research Methodology

For my analysis of migrant discourses, I identified five publications based on the depth, specificity, and local focus of their coverage: *The New York Times, The Guardian, Reuters, The New Humanitarian,* and *Balkan Insight*. Using the advanced Google search feature, I searched within each publication for every article tagged with the main keyword "migrant" and at least one of a secondary set of keywords—Serbia, Hungary, or Croatia—between March 1, 2015, and March 1, 2016. I built this timeline around the closing of the Serbian-Hungarian border, beginning three months before Hungary announced its intent to build a barrier, and concluding three months after the closure of the Balkan route in late 2015.

I ultimately pulled 252 quotes from 135 distinct speakers as represented in seventy-seven articles, though I am hesitant to say exactly how many Balkan route migration stories these organizations published during my time frame, or to say exactly how many stories did or did not quote migrants. Computer history, cache, location, and other factors can modulate the exact results returned by the advanced Google search tool even if the search parameters are identical, and publications also have their

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8   See: Achille Mbembe, *Necropolitics* (Durham, NC: Duke University Press, 2019).

own in-house conventions which may confuse search filters. As a result, I likely missed some relevant articles. However, I feel confident that my data set is a representative sample of migrant quotes and contemporary news coverage.

Finding smuggler quotes proved more difficult than finding migrant quotes. I attempted to remedy this problem in three ways. First, I expanded my search to include *The Wall Street Journal*, *Al Jazeera*, and *Radio Free Europe/Radio Liberty (RFERL)*. Second, I included quotes from smugglers who indicated participation within a transnational network that worked at the Serbian-Hungarian border. Lastly, I searched for references outside of my time frame to smugglers whose arrests made the news within my time frame—this method yielded some quotes from Lahoo Samsooryamal, a smuggler who provided comments during his trial in 2018 for the deaths of seventy-one migrants in August 2015. All told, these expanded parameters still yielded just twenty-seven quotes. I therefore complemented these quotes with a more in-depth analysis of twenty migrant quotes which referenced smuggling in some capacity, as well as by analyzing thirteen Serbian court prosecutions of migrant smugglers as documented by the United Nations Office on Drugs and Crime (UNODC).

I analyzed quotes in all data sets through a set of coding parameters which allowed me to classify, group, and quantify quotes. First, I checked each quote against an umbrella question. If a quote fulfilled this question's criteria, I then checked it against a more detailed classification question and a set of keywords. For example, an umbrella question might allow me to determine whether a quote references border controls, while the secondary classification questions and keywords would then allow me to determine whether that quote communicated an undeterred, deterred, ambivalent, or indeterminate position in relation to those controls. I have included the umbrella questions here as a reference point.

Umbrella questions for migrant quotes:

> Border controls: *Does this statement directly reference a state migration control? (Including, but not limited to, walls, fences, barriers, police brutality, pushbacks, denied asylum claims, deportations and/or fingerprinting?)*

> Motivation (push factor): *Does this statement give a reason why the speaker left their country of origin and/or why they migrated?*

> Motivation (pull factor): *Does this statement show what the speaker is looking for in a destination country and/or why they have chosen their specific destination?*

> Methods: *Does this statement discuss the resources, information networks, or methods a migrant has used to progress to a specific point in their migratory journey?*

> Interactions: *Does this statement reflect an interaction with a non-migrant actor on the migrant trail?*

"HEIGHTENED CONTROLS AT THE SERBIAN-HUNGARIAN BORDER IN 2015 MAY HAVE REDIRECTED ARRIVING MIGRANTS BUT DID NOT DETER THEM."

Narratives of Movement: *Does this statement reveal why the speaker believes their continued migratory journey is necessary and achievable, even in the face of border violence?*

Narratives of Europe: *Does the speaker identify characteristics they believe to be inherent to Europe and/or discuss how Europe has treated them, met their expectations, or underperformed to their expectations?*

Narratives of Awareness: *Does the speaker make a statement addressing communal, political, or geopolitical situations transcending their own immediate circumstances?*

For smuggler quotes:

Border controls: *Does this statement directly reference a state migration control? (Including, but not limited to, walls, fences, barriers, police brutality, pushbacks, denied asylum claims, deportations and/or fingerprinting?)*

Motivation: *Does this statement reveal why the speaker works as a smuggler?*

Responsibility: *Does this statement reveal who the speaker believes to be the responsible party when death, injury, or other unintended consequences occur during a smuggling operation?*

Recruitment: *Does this statement reveal how the speaker finds clients?*

Network: *Does this statement reveal how and with whom the speaker works?*

Narratives: *Does this statement reveal a certain narrative or justification that the speaker tells about themselves and their work?*

For migrant quotes about smugglers:

Price: *Does the speaker mention a price paid to smugglers or spent on the journey?*

Relationship: *Does the statement reveal how the speaker knows or came to hire a smuggler?*

Knowledge: *Does the statement indicate that the speaker is aware of the possibility of death on the smuggling route, or does it reference incidences of migrant deaths?*

State Programs: *Does the statement make a reference to state programs or transfers?*

Interactions: *Does the statement reference how a smuggler, or smugglers, have treated the speaker?*

Narratives: *Does this statement reveal a certain narrative that the speaker uses to justify their decision to use or not use a smuggler?*

In considering both illegalized migrants and human smugglers, I do not mean to equate the two—a conflation which has become all too common in the popular imagination and media—and propagate an inaccurate and stereotypical association between migrants and immorality. However, I consider quotes from both groups because considering their discourses in tandem provides a more complete picture of how border controls impact migrants' trajectories, which are determined concurrently by the information networks, lived experiences, and decisions of migrants and smugglers alike.

Literature Review: The Creation and Subversion of Borders

Before I turn to the results of my discourse analysis, I will consider how the scholarly literature has conceptualized borders, migration, and migrants' decision-making. Borders are popularly thought of as physical entities dividing sovereign nation-states. However, it is important here to engage with literature theorizing borders as existing beyond their geographic demarcations, since this paper explores how actors engage with the threat and the discourse of border securitization. This school of literature identifies various processes of border construction and enforcement. David Newman and Anssi Paasi note that "state boundaries are equally social, political and discursive constructs, not just static naturalized categories located between states."[9] In this sense, borders are reproduced through education, media, memorials, and religion.[10] Etienne Balibar recognizes borders as "polysemic," showing how borders are perceived by and affect people differently based on their positionalities.[11] Similarly, Harald Bauder employs the idea of "aspect-seeing," asserting that different meanings of the border arise from "both experience and anticipation."[12] In this sense, a border's physical line across geographic space represents only one border aspect,[13] as border control has been exported to spaces (airports, workplaces, consumer arenas) within the interior.[14]

9   David Newman and Anssi Paasi, "Fences and Neighbours in the Postmodern World: Boundary Narratives in Political Geography," *Progress in Human Geography* 22, no. 2 (April 1, 1998): 187-88, https://doi.org/10.1191/030913298666039113.
10   Ivo D Duchacek, *Comparative Federalism; the Territorial Dimension of Politics* (New York: Holt, Rinehart and Winston, 1970).
11   Étienne Balibar et al., *Politics and the other scene* (London: Verso, 2002).
12   Harald Bauder, "Toward a Critical Geography of the Border: Engaging the Dialectic of Practice and Meaning," *Annals of the Association of American Geographers* 101, no. 5 (2011): 1129.
13   Haselsberger, Beatrix. "Decoding Borders: Appreciating Border Impacts on Space and People." *Planning Theory & Practice* 15, no. 4 (October 2, 2014): 505–26, https://doi.org/10.1080/14649357.2014.963652.
14   Redrawing the Line: Borders and Security in the Twenty-First Century," *International Security* 28,

Recent contributions have emphasized the expansion of border infrastructure accompanying this dispersion. Todd Miller's *Border Patrol Nation* traces the evolution of the US Border Patrol from a small 8,500-person agency in 2001 to a mushrooming agency nearly three times that size.[15] Meanwhile, A. Naomi Paik's *Bans, Walls, Raids, Sanctuary* theorizes deportation as an extension of the border, an internalized "second line of defense."[16] Harsha Walia, in her book *Border and Rule*, notes how EU leaders have exported border policing to places like Morocco, Libya, Niger, Sudan, and Turkey, piloting "transit processing centers," training militias and border guards, and generally trying to halt migrants before they reach Europe's official borders.[17] Also important in this discussion is the way authoritarians, such as Libya's former leader Muammar al-Qaddafi and Turkey's Recep Tayyip Erdoğan, have leveraged Europe's fear of migrants to bargain for monetary and geopolitical concessions.[18] In this way, the vast growth of the militarized and high-tech border has accompanied the dispersion of the border into social life, providing a number of opportunities for exploitation of the border in both international and domestic political contexts.

> "IN THIS WAY, THE VAST GROWTH OF THE MILITARIZED AND HIGH-TECH BORDER HAS ACCOMPANIED THE DISPERSION OF THE BORDER INTO SOCIAL LIFE, PROVIDING A NUMBER OF OPPORTUNITIES FOR EXPLOITATION OF THE BORDER IN BOTH INTERNATIONAL AND DOMESTIC POLITICAL CONTEXTS."

Building upon this understanding of borders as layered, externalized and internalized "boundary sets," I turn to a related discussion on the purpose and consequences of borders in contemporary geopolitics.[19] A current debate contends with the relevance of borders in a world vastly transformed by globalization. Some scholars, such as Kenichi Ohmae, argue that borders are decreasing in relevance as regional integration schemes, international organizations, and transnational crises proliferate in an increasingly interconnected and interdependent world.[20] Others, such as Saskia Sassen and Peter Andreas, assert that borders have not become irrelevant but that globalization has led governments to make them selectively permeable.[21] This permeability is sometimes portrayed as the

no. 2 (2003): 78–111; Nancy A. Wonders, "Globalization, Border Reconstruction Projects, and Transnational Crime," *Social Justice* 34, no. 2 (2007): 33–46.

15   Todd Miller, *Border Patrol Nation* (San Francisco: City Lights Books, 2014).

16   A. Naomi Paik, *Bans, Walls, Raids, Sanctuary: Understanding U.S. Immigration for the Twenty-First Century* (Berkeley, CA: University of California Press, 2020), 77.

17   Harsha Walia, *Border and Rule: Global Migration, Capitalism, and the Rise of Racist Nationalism* (Chicago: Haymarket Books, 2021), 120.

18   Walia, *Border and Rule*, 117.

19   Haselsberger, "Decoding Borders," 505-26.

20   Kenichi Ohmae, *The Borderless World, Rev Ed: Power and Strategy in the Interlinked Economy*, revised ed. edition (New York: Harper Business, 1999).

21   Saskia Sassen, "Beyond Sovereignty: Immigration Policy Making Today," *Social Justice* 23, no. 3 (65) (1996): 9–20; Peter Andreas, "Redrawing the Line: Borders and Security in the Twenty-First Century," International Security 28, no. 2 (2003): 78–111.

byproduct, if not the goal, of a capitalist system that globalizes capital for profit yet restricts labor for exploitation.[22] Paik casts the border as a buffer zone protecting wealthy countries from the consequences of colonialism and neoliberalism.[23] This is also the thesis of Walia's *Border and Rule*, in which she argues that the border is best understood "as a key method of imperial state formation, hierarchical social ordering, labor control, and xenophobic nationalism."[24] Other scholars expand on the societal ordering aspect of this definition, understanding borders as tools for creating shared identities, homogenizing society, and maintaining the "otherness" of those outside.[25] With all of these purposes in mind, we can return to Bauder's concept of aspect-seeing, which allows us to see the border as a multi-faceted "boundary set" that regulates capital, labor, culture, identity, and movement all at once with different levels of efficiency and intentionality.

Yet the question remains: How effective are borders in practice at regulating these boundaries? Some scholars maintain that forms of transnational organized crime (TOC) and irregular migration are at least partially deterred by stricter border controls,[26] though I did not come across any literature which established border deterrence as the sole or even primary determinant of migration patterns. More commonly, scholars have argued that stricter border controls are largely ineffective. Variations on the argument include that stricter border controls are largely performative,[27] only bolster potential profits for smugglers and TOC,[28] and/or do nothing to address the push and pull factors that motivate illegalized migration and labor exploitation.[29] Reports from law enforcement agencies themselves, such as the US Department of Homeland Security (DHS), have even found links between increased enforcement and increased profits for illicit border actors.[30]

"VARIATIONS ON THE ARGUMENT INCLUDE THAT STRICTER BORDER CONTROLS ARE LARGELY PERFORMATIVE, ONLY BOLSTER POTENTIAL PROFITS FOR SMUGGLERS . . . "

These discussions

22   Saskia Sassen, "Regulating Immigration in a Global Age: A New Policy Landscape1," *Parallax* 11, no. 1 (January 2005): 35–45, https://doi.org/10.1080/1353464052000321083.
23   Paik, "Bans, Walls, Raids, Sanctuary," 8-17
24   Walia, "Border and Rule," 2.
25   Haselsberger, "Decoding Borders," 505-26; Newman and Paasi, "Fences and Neighbours in the Postmodern World," 188; Basilien-Gainche, "The EU External Edges," 97.
26   Michael Jandl, "Irregular Migration, Human Smuggling, and the Eastern Enlargement of the European Union," *The International Migration Review* 41, no. 2 (2007): 291–315.
27   Peter Andreas, "The Escalation of U.S. Immigration Control in the Post-NAFTA Era," *Political Science Quarterly* 113, no. 4 (1998): 591–615, https://doi.org/10.2307/2658246.
28   Moisés Naím, *Illicit: How Smugglers, Traffickers, and Copycats Are Hijacking the Global Economy* (New York: Anchor, 2006).
29   Wayne A. Cornelius, "Controlling 'Unwanted' Immigration: Lessons from the United States, 1993–2004," *Journal of Ethnic and Migration Studies* 31, no. 4 (July 1, 2005): 775–94, https://doi.org/10.1080/13691830500110017.
30   Bryan Roberts, Gordon Hamsen, Derekh Cornwell, and Scott Borger. 2010. *An Analysis of Migrant*

could be properly understood as "macro" explanations of migration— the state policies or global economic changes that affect broad migration patterns. Yet, how do individuals consider these structures, patterns, and risks when deciding whether and how to migrate? In cases of "forced" or "involuntary" migration, scholars often emphasize physical endangerment, including conflict, persecution, and generalized violence, which expels individuals from origin countries.[31] Individuals who migrate due to these causes are often semantically and legally classified as refugees, or internally displaced persons if they do not cross a national border.[32] Other bodies of literature emphasize economic deprivation at the community or family unit level and economic inequality between countries. Authors like Paik, Walia, and Sassen point here to transnational capitalism, which drives resource extraction and poverty in origin countries. Simultaneously, wage inequities between destination and origin countries create both a demand and a pull for immigrant labor, while punitive immigration laws serve to discipline and intimidate that labor.[33] Meanwhile, other authors focus on family reunification, diasporic identities, and communication networks.[34]

Attempts to classify migration causes merit several caveats. First, migrants are often motivated by overlapping and not easily definable reasons. Antje Missbach, investigating the relationship between Australian deterrence policies and the actions of migrants en route to Australia via Indonesia, shows how migrants oscillate between referencing family reunification, economic security, and other motivations as reasons for their migrations.[35] Relatedly, a growing field of literature problematizes distinguishing voluntary from involuntary migration. Ottonelli and Torresi note that attempts to formalize this dichotomy often function to separate worthy from unworthy migrants.[36] Another problematic distinction is between illegal and legal migrants; most migrants, at some point in their journey, could be defined as both.[37] Migrants seeking asylum (legal), for example, might still utilize smugglers (illegal). Martin van der Velde and Ton van Naerssen establish such a framework for migratory decision-making, emphasizing the flexibility of migratory trajectories, the blurring of lines between origin, transit, and destination countries, and the effects of mental, communal, and economic dynamics on migrants' various serial decisions while migrating.[38]

Smuggling Costs along the Southwest Border. Office of Immigration Statistics Working Paper, Department of Homeland Security, Washington, D.C. https://www.dhs.gov/xlibrary/assets/statistics/publications/ois-smuggling-wp.pdf.

31   Susanne Schmeidl, "Exploring the Causes of Forced Migration: A Pooled Time-Series Analysis, 1971-1990," *Social Science Quarterly* 78, no. 2 (1997): 284–308, http://www.jstor.org/stable/42864338.

32   The UNHCR defines refugees as "people who have fled war, violence, conflict or persecution and have crossed an international border to find safety in another country."

33   Paik, *Bans, Walls, Raids, Sanctuary*; Sassen, *Expulsions*; Walia, *Border and Rule*

34   Francesco Castelli, "Drivers of Migration: Why Do People Move?," *Journal of Travel Medicine* 25, no. 1 (January 1, 2018), https://doi.org/10.1093/jtm/tay040.

35   Antje Missbach, "Asylum Seekers' and Refugees' Decision-Making in Transit in Indonesia: The Need for In-Depth and Longitudinal Research," *Bijdragen Tot de Taal-, Land- En Volkenkunde* 175, no. 4 (2019): 419–45, https://doi.org/10.2307/26806654.

36   Valeria Ottonelli and Tiziana Torresi, "When Is Migration Voluntary?," *The International Migration Review* 47, no. 4 (2013): 783–813. https://doi.org/10.1111/imre.12048.

37   Ilse van Liempt, "Gendered Borders: The Case of 'Illegal' Migration from Iraq, the Horn of Africa and the Former Soviet Union to the Netherlands," in *Illegal Migration and Gender in a Global and Historical Perspective*, ed. Marlou Schrover et al. (Amsterdam: Amsterdam University Press, 2008), 83–104, https://doi.org/10.2307/j.ctt46mwss.6.

38   Martin van der Velde and Ton van Naerssen, "People, Borders, Trajectories: An Approach to

The questions of how and why migrants use smugglers, as well as how and why migrant smugglers operate and see themselves, are more underdeveloped in the literature. Paolo Campana and Lorraine Gelsthorpe provide some insight into the former question, finding that migrants decide upon a smuggler by cross-referencing information gathered through social media and community networks.[39] Sue Hoffman finds a similar cost-benefit framework and cooperative nature present in smuggler-migrant relationships.[40] Meanwhile, Abdullah Mohammadi, Ruta Nimkar, and Emily Savage find that some Afghan smugglers conceive of themselves as Samaritan actors, believing their work to be in service to their community.[41] Relationships between migrants and smugglers often originate in shared lived experiences, either because smugglers were once migrants or because migrants have preexisting relationships with their future smuggler in origin communities.[42] While more research is needed to understand the smuggler-migrant relationship, the literature suggests that smuggling services fit into the rational, serial, and changeable model of migratory journeys I constructed earlier.

In conclusion, borders act as delineators of difference in both physical and social senses, disproportionately restricting mobility for those predisposed to migration due to violence, family hardships, economic deprivation, and other factors. Migrants process these hardships and border realities in logical, serial, and ever-changing ways, using community resources (including smuggling networks) to advance their cause. My discourse analysis contends directly with several of the most pressing arguments within this literature, such as the impact of borders, the motivations of migrants, and the discourses propagated by both migrants and migrant smugglers.

Zooming In: The Serbian-Hungarian Border in 2015

To contextualize my discourse analysis, I will quickly outline how the EU "migration crisis" manifested in the Balkan region, especially at the Serbian-Hungarian border. Prior to 2015, the Balkans were not a prominent route for Asian and African migrants. Migrants to Europe in 2014, who numbered fewer than half of those who traveled in 2015, primarily moved through Egypt and Libya before crossing the central Mediterranean.[43] Growing instability in Libya caused Syrians to pivot towards crossing into Greece from Turkey in 2015, a change which altered

Cross-Border Mobility and Immobility in and to the European Union," *Area* 43, no. 2 (2011): 218–24, https://doi.org/10.1111/j.1475-4762.2010.00974.x.
39   Paolo Campana and Loraine Gelsthorpe, "Choosing a Smuggler: Decision-Making Amongst Migrants Smuggled to Europe," *European Journal on Criminal Policy and Research* 27 (July 27, 2020), https://doi.org/10.1007/s10610-020-09459-y.
40   Sue Hoffman, "'If We Die, We Die Together': Risking Death at Sea in Search of Safety," in *Migration by Boat*, ed. Lynda Mannik, 1st ed., vol. 35, Discourses of Trauma, Exclusion and Survival (Berghahn Books, 2016), 219–34, https://www.jstor.org/stable/j.ctvpj7hqz.16.
41   Abdullah Mohammadi, Rita Nimkar, and Emily Savage, ""We are the ones they come to when nobody can help" Afghan smugglers' perceptions of themselves and their communities," *Migration Research Series* 56 (2019), https://publications.iom.int/books/mrs-no-56-we-are-ones-they-come-when-nobody-can-help-afghan-smugglers-perceptions-themselves.
42   Nassim Majidi, "Community Dimensions of Smuggling: The Case of Afghanistan and Somalia," *The Annals of the American Academy of Political and Social Science* 676, no. 1 (March 1, 2018): 97–113, https://doi.org/10.1177/0002716217751895.
43   Patrick Kingsley, *The New Odyssey* (New York: Liveright Publishing Corporation, 2017).

regional migration dynamics holistically.[44] At the start of 2015, transit from Greece through Macedonia and Serbia into Hungary was partially aided by state actors. Macedonia and Serbia issued migrants seventy-two-hour transit visas, while state and NGO actors chartered transport vehicles to move migrants directly between border crossings and asylum registration points. For a time, this "formalized corridor" facilitated the movement of migrants from Greece to Hungary in under a week.[45] However, on June 17, 2015, Prime Minister Viktor Orbán of Hungary announced his country's intention to erect a physical wall on its border with Serbia,[46] an announcement which triggered border controls in preceding Balkan states as the fear of getting "stuck" with large groups of migrants began to permeate state leaderships.[47] Nonetheless, migrants continued moving north as construction began, setting new records for daily arrivals into Hungary in August and September as they tried to outpace the closure.[48]

As these numbers rose, Hungary began in August 2015 to deny and repatriate all asylum-seekers back across its borders, declaring Serbia, Macedonia, and Greece to be "safe countries of transit."[49] Migrants already in Hungary camped at Budapest's Keleti station, hoping to board trains to Austria. Meanwhile, rights groups reported increasing police brutality and forced fingerprinting of migrants to register them within the EU's Dublin III Regulation system, which facilitated the return of migrants to the first EU country to which they arrived (usually Greece).[50] On August 27, authorities discovered seventy-one dead migrants in a smuggler's abandoned truck near the Austrian-Hungarian border, highlighting the increasingly dangerous methods migrants used due to Hungary's policies. Nonetheless, Orbán finished his fence on September 15, 2015, and announced he would extend it along Hungary's Romanian and Croatian borders.[51] The closure caused a last-second rush with groups and even some families separated as some but not others managed to cross in the last minutes of the border being open.[52] The unsuccessful were left stranded in Serbian border towns before some forged a route west to Croatia. A similar process ensued as Croatia and Slovenia announced themselves overwhelmed, leading them to institute controls and push backs of their own.[53]

44   Natalia Banulescu-Bogdan and Susan Fratzke, "Europe's Migration Crisis in Context: Why Now and What Next?," *Migration Policy Institute*, September 24, 2015, https://www.migrationpolicy.org/article/europe%E2%80%99s-migration-crisis-context-why-now-and-what-next.

45   Ibid, 4.

46   Agence France-Presse, "Hungary Closes Border with Serbia and Starts Building Fence to Bar Migrants," *The Guardian*, June 17, 2015, https://www.theguardian.com/world/2015/jun/17/hungary-closes-border-serbia-starts-building-fence-bar-migrants.

47   Beznec et. al, "Governing the Balkan Route," 26.

48   DW, "Hungary claims record daily migrant intake," *DW*, August 25, 2015, https://www.dw.com/en/hungary-claims-record-daily-migrant-intake/a-18670646.

49   *Amnesty International Report: The State of the World's Human Rights.* (New York: Amnesty International, 2016).

50   Amnesty International, "Fenced Out: Hungary's Violations of the Rights of Refugees and Migrants," last modified October 2015, https://www.amnesty.org/en/documents/document/?indexNumber=eur27%2f2614%2f2015&language=en.

51   Ibid.

52   Helene Bienvenu and Rick Lyman, "Hungary Blocks Migrants in Border Crackdown," *The New York Times*, September 15, 2015, https://www.nytimes.com/2015/09/16/world/europe/hungary-detains-migrants-in-border-crackdown.html.

53   Maja Zuvela and Igor Ilic, "'Heads as Well as Hearts': Croatia Says It Can Take No More Migrants," *Reuters*, September 18, 2015, https://www.reuters.com/article/us-europe-migrants-idUSKCN-0RI0CV20150918; Marja Novak and Maja Zuvela, "12,000 Migrants Arrive in Slovenia; Authorities Ask EU for Help," *Reuters*, October 22, 2015, https://www.reuters.com/article/us-europe-migrants-slo-

Though EU officials denounced Orbán's policies over the course of summer and autumn 2015, Orbán integrated elements of existing EU enforcement frameworks into his own policies, including the Dublin III Regulation and EU safe third-country concepts. Additionally, Frontex, the EU's member state-sourced Border and Coast Guard Agency, conducted around fifteen Joint Operations (JOs) or Joint Return Operations (JROs) in cooperation with Hungarian border enforcement in 2015.[54] Frontex conducted five JOs with Serbia and a total of forty-three JOs with twelve non-EU states in 2015—a testament to EU border externalization.[55]

Hungary's regime seemed an outlier in mid-2015, but states moved towards similar models as the year progressed. In November 2015, Macedonia, Serbia, Croatia, and Slovenia introduced laws which allowed passage only to Syrian, Iraqi, and Afghan migrants.[56] The policy led to violent pushbacks at the Greek-Macedonian border, where some migrants protested by sewing their lips shut.[57] Meanwhile, Slovenia and Austria constructed barriers of their own, the latter a notable reintroduction of intra-Schengen border policing, while countries like Slovakia and Poland sued their way out of previous resettlement agreements.[58] The year's events culminated in negotiations between the EU and Turkey, resulting in a March 2016 agreement where the EU agreed to resettle one Syrian refugee from Turkey for every Syrian refugee the EU repatriated to Turkey.[59]

> **"THE POLICY LED TO VIOLENT PUSHBACKS AT THE GREEK-MACEDONIAN BORDER, WHERE SOME MIGRANTS PROTESTED BY SEWING THEIR LIPS SHUT."**

The agreement, which also provided Turkey with several million in EU aid, reoriented the focal point of EU border enforcement from the Balkans to the Aegean Sea.

For the purposes of this paper, 2015 presents a rich case study. Locating migration on the Balkan route within this era of tightening and interlocking border regimes allows us to parse how migrants interpreted state measures and adjusted accordingly. Although my project focuses on the Serbian-Hungarian border, the closure of other borders during this time period, such as the Greek-Macedonian border, would provide an equally insightful look into interpretations of border controls.

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venia-idUSKCN0SG0DI20151022.

54   JROs involve the deportation or repatriation, forced or voluntary, of third-country nationals.
55   General Secretariat of the Council. "FRONTEX Annual Activity Report 2015." *Council of the European Union*, June 28, 2016. http://statewatch.org/news/2016/jul/eu-frontex-2015-activity-report.pdf.
56   Sian Jones, "Refugees Suffer Under Macedonia's New Border Rules," *Balkan Insight*, December 17, 2015, https://balkaninsight.com/2015/12/17/refugees-suffer-under-macedonia-s-new-border-rules-12-16-2015/.
57   Patrick Kingsley, "Stranded Migrants Sew Mouths Shut in Protest against Balkan Border Controls," *The Guardian*, November 23, 2015, https://www.theguardian.com/world/2015/nov/23/stranded-migrants-sew-mouths-shut-in-protest-against-balkan-border-controls.
58   "2015 in Review: Timeline of Major Incidences and Policy Responses," accessed April 12, 2020, https://www.icmpd.org/news-centre/2015-in-review-timeline-of-major-incidences-and-policy-responses/.
59   "The EU-Turkey Deal: Explained," *Help Refugees* (blog), April 5, 2018, https://helprefugees.org/news/eu-turkey-deal-explained/.

Analysis: Representations of Balkan Route Migrants in the Mainstream Press

The scale of the migrations and brutality of the border closures in the 2015 Balkans enticed many journalists to visit. As I scanned over two hundred articles for migrants quoted at or near the Serbian-Hungarian border, a few recurrent patterns in this coverage emerged. First, in the articles I scanned, migrants were more commonly talked about than quoted directly. The proportion varied by publication but was particularly skewed at *Reuters* (eight of thirty-two scanned articles quoted migrants) and *Balkan Insight* (eight of forty-one scanned articles quoted migrants). Instead, journalists often interviewed politicians, humanitarian agency representatives, aid volunteers, truck drivers, construction workers, border guards, and local residents on their plans for or opinions about migrants. Short pieces summarizing the many migration conferences convened by European leaders at the time were also very common. The result was the dominance of state voices over migrant voices in media discourses *about* migrants.

Next, media rhetoric to describe migrants was often dehumanizing. Across publications, migrants were variably referred to as a "flood,"[60] a "backlog,"[61] a "logjam,"[62] an "influx,"[63] and/or a "surge"[64] which threatened to "overwhelm,"[65] "break through,"[66] or "clog"[67] national borders—lest those borders be "seal[ed]"[68] and the migrants "diverted"[69] and "manage[d],"[70] denied access to any "back door to Europe."[71] This

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60   Maja Zuvela, "Croatia Overwhelmed by Flood of Migrants, EU Calls Summit," *Reuters*, September 17, 2015, https://www.reuters.com/article/us-europe-migrants-idUSKCN0RD0P420150917; Sewell Chan and Palko Karasz, "Thousands of Migrants Flood Into Austria," *The New York Times*, September 19, 2015, https://www.nytimes.com/2015/09/20/world/europe/thousands-flood-into-austria-as-refugees-are-bounced-around-europe.html.

61   Aleksandar Vasovic and Marja Novak, "Backlog of Migrants Swells in the Balkans, Tempers Fray," *Reuters*, October 19, 2015, https://www.reuters.com/article/us-europe-migrants-balkans-idUSKCN0S-D0J620151019.

62   Barbara Surk, "Stranded in Cold Rain, a Logjam of Migrants in the Balkans," *The New York Times*, October 20, 2015, https://www.nytimes.com/2015/10/20/world/europe/stranded-in-cold-rain-a-logjam-of-migrants-in-the-balkans.html.

63   Julia Fioretti and Gernot Heller, "Refugee Crisis to Test EU at Summit of Divided Leaders," *Reuters*, September 20, 2015, https://www.reuters.com/article/us-europe-migrants-idUSKCN0RK0H420150920.

64   Sarah Almukhtar et al., "What's Behind the Surge in Refugees Crossing the Mediterranean Sea," *The New York Times*, May 21, 2015, https://www.nytimes.com/interactive/2015/04/20/world/europe/surge-in-refugees-crossing-the-mediterranean-sea-maps.html.

65   Patrick Kingsley, "Croatia Overwhelmed by Volume of Refugees Crossing from Serbia," *The Guardian*, September 17, 2015, http://www.theguardian.com/world/2015/sep/17/croatia-overwhelmed-by-volume-of-refugees-crossing-from-serbia.

66   Patrick Kingsley, "Refugee Crisis Escalates as Migrants Break through Hungarian Border," *The Guardian*, September 16, 2015, http://www.theguardian.com/world/2015/sep/16/refugee-crisis-escalates-as-people-break-through-hungarian-border.

67   Dado Ruvic, "'Who Will Pay for That?' - Migrants Clog East Europe Trade Routes," *Reuters*, October 2, 2015, https://www.reuters.com/news/picture/who-will-pay-for-that-migrants-clog-east-idUSKCN-0RW11920151002. 2015.

68   Martin Dunai, "Migrants Face New Diversion as Hungary Prepares to Seal Croatia Border," *Reuters*, October 1, 2015, https://www.reuters.com/article/uk-europe-migrants-hungary-border-idAFKCN-0RV4T420151001; Rick Lyman, "Hungary Seals Border With Croatia in Migrant Crackdown," *The New York Times*, October 16, 2015, https://www.nytimes.com/2015/10/17/world/europe/hungary-croatia-refugees-migrants.html.

69   Barbara Surk and Stephen Castle, "Migrants Diverted to Slovenia After Hungary Closes Border," *The New York Times*, October 17, 2015, https://www.nytimes.com/2015/10/18/world/europe/hungary-closes-border-changing-refugees-path.html.

70   Reuters in Ljubljana, "Slovenia to Hire Private Security Firms to Manage Migrant Flows," *The Guardian*, October 26, 2015, http://www.theguardian.com/world/2015/oct/26/slovenia-private-security-firms-manage-migrant-flows-refugees.

71   Sarah Almukhtar, Josh Keller, and Derek Watkins, "Closing the Back Door to Europe," *The New*

vernacular recalls the imagery of water, positioning migrants as an indivisible and impersonal force of nature. Migrants become a conglomerate moving without consciousness or control, threatening—if not destined—to displace and drown local populations. In tandem, Europe is imagined as a building, complete with doors and tangible entry points, whose physical integrity is threatened by the uncontrollable elements (migrants). This imagery infers the presence of a population inside the building (native-born Europeans) whose existence is in peril. If the "back door"—that is, the border—doesn't hold, they risk drowning. This imagery reinforces the nation-state's narrative that strong borders are imperative to the security of the nation, even though arriving migrants in 2015 represented 0.29% of the EU's population.[72]

This imagery also appears in descriptions of migrant groups which render them observable, distant subjects. The following example from *The New York Times* is illustrative but not unique; the article as a whole speaks of an expectant "tension" and a "growing stream" of people at the border, again recalling water's displacive tendencies, before delivering the following description of Hungarian police firing tear gas at migrants:

> *All of a sudden, an invisible, noxious gas began to pour into the crowd from the Hungarian side. In a panic, the people nearest the gate began to scramble backward, pushing people aside as they flailed, tears streaming from their eyes. Children grabbed for their parents. Some tossed oranges and apples they had been carrying back at the riot police, ineffectually. People ran into one another, tripped, fell.*
>
> *People grabbed for bottles of water offered by volunteers along the roadside, slapping it onto their faces and trying to wash the gas out of their eyes and hair.*
>
> *The crowd collapsed into chaos and ran back into Serbia. Then, the crowd re-formed and slowly moved forward again. And again, there was a gas attack.*[73]

The portrayal lends an animalistic quality to the crowd, as if they were a herd of zoo animals momentarily dispersed, resorting in their individual forms to panic, retaliation, and chaos before reforming as a collective mass. The article does later quote migrants, but at this moment they are sketched from a distance. This point carries salience when contrasted, as I will do shortly, with one of the most common sentiments communicated in migrant quotes—the repeated, direct expression by migrants that they are "humans" and not "animals."

York Times, September 15, 2015, https://www.nytimes.com/interactive/2015/09/15/world/europe/migrant-borders-europe.html.
72   High-end estimates place the number of arriving migrants in 2015 at around 1.3 million, while the population of the EU in 2015 was 443.67 million.
73   Rick Lyman and Helene Bienvenu, "Migrants Clash With Police in Hungary, as Others Enter Croatia," *The New York Times*, September 16, 2015, https://www.nytimes.com/2015/09/17/world/europe/europe-refugee-migrant-crisis.html.

Analysis: Migrants' Life or Death Decisions at the Border

Through scanning more than two hundred articles in *The New York Times, The Guardian, The New Humanitarian, Reuters,* and *Balkan Insight*, I identified seventy-seven articles which quoted migrants, from which I pulled 252 quotes from 135 distinct speakers—the data set for my discourse analysis. Based on this set's mode age, gender, nationality, date, and location, the "average" migrant for this analysis becomes a twenty-three-year-old Syrian male attempting to cross the Serbian-Hungarian border on September 18, 2015, three days after Hungary closed its border with Serbia. Using the coding indicators outlined in my methodology, I then analyzed these quotes for how migrants communicated their motivations, justifications, experiences, and interpretations of border controls.

Put simply, my discourse analysis suggests that most migrants were *not* deterred by heightened border controls or the threat of heightened border controls at the Serbian-Hungarian border between March 1, 2015, and March 1, 2016. I coded eighty-eight statements as discussing border controls in some capacity, based on whether he quote explicitly referenced a border control—including but not limited to walls, fences, barriers, police brutality, pushbacks, denied asylum claims, deportations, detention and/or fingerprinting—or verbs of movement—including go, go through, continue, return, go back, stay, or stuck. Forty-one of these statements were "indeterminate" in that they constituted static references to border controls, conveying solely occurrences without hinting at a migrant's plan of action. However, of the remaining forty-seven statements, I coded thirty-four as undeterred, five as deterred, and eight as ambivalent.

I coded statements as undeterred when speakers expressed an intention to circumvent, avoid, or otherwise bypass mentioned migration controls. Keywords included forward motion verbs (go, go through, go past, continue, etc.), positive conjugations of modal verbs (I will, I must, I shall, etc.), or negative conjugations of modal verbs combined with reverse motion verbs (I cannot go back, I will not return, etc.). The following are examples of undeterred statements:

> *"This wall, we will not accept it,"* Mohamed Hussein, M, Syrian, age not provided. Serbia-Hungary. 06/22/2015.[74]

> *"In Afghanistan, life is not safe, and every human who wants a safe life will make a hole in that wall, or find another way,"* Yama Nayab, M, Afghan, age not provided. Serbia-Hungary. 06/22/2015.[75]

> *"I just want peace. And I'll keep going even if I have to cross another sea to find it."* Amjad el-Omairi, M, Iraqi, 40. Serbia-Croatia. 09/17/2015.[76]

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74   Patrick Kingsley, "Migrants on Hungary's Border Fence: 'This Wall, We Will Not Accept It,'" *The Guardian*, June 22, 2015, https://www.theguardian.com/world/2015/jun/22/migrants-hungary-border-fence-wall-serbia.
75   Ibid.
76   Kingsley, "Croatia Overwhelmed."

"This is an important border crossing for Serbia and Hungary. They won't leave it closed for long. I'm ready to camp here for a month." Issa Issa, M, Syrian, age not provided. Serbia-Hungary. 09/17/2015.[77]

Conversely, deterred statements featured a speaker who indicated a desire to be returned to their country of origin, expressed the wish they had not migrated, or—in one case—expressed a desire to die. I tried here to determine if controls eroded the fortitude of migrants or led them to assess the risk of continuing as higher than the risk of reversing, the latter being the goal of deterrence policies. I coded just five deterred statements, three of which occurred at Keleti train station in Budapest after days of police brutality, forced fingerprinting, and resource deprivation against migrants camped there in early September 2015.

"In Europe, they're treating us like ISIS did, beating us up. Either take me to Germany or just send me back. I don't care anymore." Ahmad Saadoun, M, Iraqi, 27. Hungary. 09/02/2015.[78]

"There's no way we can go anywhere. Even by smuggling. Apparently they have strengthened security on the border. Half of us here have [train] tickets, and we can't go anywhere." Kanwar Dali, M, Syrian, 26. Hungary. 09/02/2015.[79]

"Kill me, kill me now." Anonymous, M, Syrian, age not provided. Hungary. 09/03/2015.[80]

"I don't want to stay. Let me off. I want to go back to Syria." Anonymous, F, Syrian, age not provided. Hungary. 09/04/2015.[81]

"I wanted to go to Sweden to continue my studies of banking and finances. But now I would rather go home than stay in such horrific conditions." Mohammad Laban, M, Palestinian, 22. Croatia-Slovenia. 10/21/2015.[82]

77   Rick Lyman, "Europe Lacks Strategy to Tackle Crisis, but Migrants March On," *The New York Times*, September 17, 2015, https://www.nytimes.com/2015/09/18/world/europe/europe-migrants-refugees.html.
78   Rick Lyman and Dan Bilefsky, "Squalid Migrant City Rises in Budapest as Europe Seeks Solutions," *The New York Times*, September 2, 2015, https://www.nytimes.com/2015/09/03/world/europe/europe-migrant-crisis.html.
79   Anemona Hartocollis, "Migrants Stuck at Budapest Train Station Weigh Next Move," *The New York Times*, September 2, 2015, https://www.nytimes.com/interactive/projects/cp/reporters-notebook/migrants/budapest-train-station.
80   Anemona Hartocollis, "Hungarian Police Spray Family Trying to Cross Border," *The New York Times*, September 3, 2015, https://www.nytimes.com/interactive/projects/cp/reporters-notebook/migrants/hungary-refugees-pepper-spray.
81   Anemona Hartocollis, "At Budapest Train Station, Only the Clever and Lucky Remain," *The New York Times*, September 4, 2015, https://www.nytimes.com/interactive/projects/cp/reporters-notebook/migrants/budapest-train-refugee-camps.
82   Novak and Zuvela, "12,000 Migrants."

"IN ADDITION, UNDETTERED MIGRANTS, WITH HIGHER LEVELS OF MORALE, ARE PERHAPS MORE LIKELY TO SPEAK WITH JOURNALISTS THAN DETERRED, DISCOURAGED MIGRANTS."

I coded eight statements as ambivalent. Statements here were from migrants who expressed they had not decided on their next move, that they were waiting to see how border controls affected others before continuing, or that they had resigned themselves to any outcome.

"If we're caught, we're caught." Ahmad Majid, M, Syrian, 30. Serbia-Hungary. 08/31/2015.[83]

"We will stay here until we hear that Croatia is a safe route." Kawa Uso, M, Kurd, age not provided. Serbia-Hungary. 09/19/2015.[84]

"I have been here for two days, but I think I will spend a couple of months here and then return to Nigeria. I really don't know what will happen with me." M'Pak, M, Nigerian, 25. Serbia. 11/04/2015.[85]

While my analysis found that the majority of migrants were not deterred by Hungary's border controls, relying on quotes given to news outlets prevents several potential biases. First, journalists often talked with migrants at or in near proximity to physical border crossings — migrants congregated at these locations have likely already decided to cross, meaning they will likely express undeterred sentiments. In addition, undeterred migrants, with higher levels of morale, are perhaps more likely to speak with journalists than deterred, discouraged migrants. At the same time, the physical border is the site of greatest state violence, and my data set also includes quotes from a wide range of locations, including camps, transit stops, and urban centers well within the Serbian, Hungarian, and Croatian interiors. The size, geographic diversity, and temporal diversity of my data set—wide enough to capture, for example, periods of both open crossing and extreme repression at the same border crossing—cover a wide enough range of migrant experiences to mitigate potential biases.

Similarly, given that a quote represents a static utterance at a singular point in time, it is impossible to know whether or not "deterred" migrants actually reversed their trajectories, or whether "undeterred" migrants were, at some later point, deterred. However, my thesis correlates with border crossing statistics, as crossings into Hungary, in fact, increased between June 2015 and September 2015 even as the construction of

83   Anemona Hartocollis, "Arriving at Hungary's Border With 15 Children, Migrants Plot Next Move," *The New York Times*, August 31, 2015, https://www.nytimes.com/interactive/projects/cp/reporters-notebook/migrants/horgos-serbia-hungary.

84   Patrick Kingsley, "Refugee Crisis: Young Migrants Blaze New Trails through Europe," *The Guardian*, September 19, 2015, https://www.theguardian.com/world/2015/sep/19/young-migrants-trailblazers-hungary-croatia-serbia.

85   Filip Avramovic, "Middle East and Balkan War Refugees Share Camp," *Balkan Insight*, November 4, 2015, https://balkaninsight.com/2015/11/04/middle-east-and-balkan-war-refugees-share-camp-11-04-2015/.

Hungary's wall was underway.[86] This is not to say that border controls, once implemented, have no effect on preventing the entry of physical bodies into a territory. By late 2015, Hungary's wall had reduced crossings from the thousands to just a few dozen per day.[87] However, migrants continued moving north; the final destination was the EU, not Hungary, and so the route pivoted to Croatia. If Hungary were the specific destination, it stands to reason migrants would continue to pursue alternative routes of entry into Hungary instead. As a case in point, by October 2015, several hundred migrants had redirected to Russia and biked through the Arctic Circle into Norway.[88]

To get to and around Balkan borders, migrants used a variety of methods. Mostly, migrants relied on information from other migrants. A formalized information network, passed along via word of mouth, social media, and instant messaging, accompanied the formalization of the Balkan route, allowing migrants to adapt based on the experiences of preceding migrants. In *The New Odyssey*, Patrick Kingsley details how these networks became so specific as to recommend exact hotels, roads, dirt paths, and fence gaps.[89] In total, I coded twenty-eight statements referencing the use of word-of-mouth information in deciding trajectories. This became especially evident when the route shifted from Hungary to Croatia in mid-September 2015.

> *"Our friends told us not to go to Hungary, because they would put you in prison for three years if you tried to cross the border."* Daban Sabir, M, Iraqi, 25. Serbia-Croatia. 09/16/2015.[90]

> *"We just heard about this [Croatian] route. We thought we should check it out immediately, see if it is a route or not."* Ali Ahmed, M, Syrian, age not provided. Serbia-Croatia. 09/19/2015.[91]

> *"Are you sure? This is the route they told me to come."* Alaa Eddine, M, Syrian, age not provided. Serbia-Croatia. 09/19/2015.[92]

Migrants also relied on family connections and, occasionally, state transfers, such as when Hungary chartered transport for migrants to its border with Austria. Seventeen quotes referenced using or considering smugglers, though Europol estimated in 2016 that nearly 90% of migrants en route to the EU used smugglers at some point.[93] The next section of my paper dives deeper into smuggling dynamics, so I will not elaborate here

86   DW, "Hungary claims record daily migrant intake."
87   Bienvenu and Lyman, "Hungary Blocks Migrants."
88   Andrew Higgins, "Avoiding Risky Seas, Migrants Reach Europe With an Arctic Bike Ride," *The New York Times*, October 9, 2015, https://www.nytimes.com/2015/10/10/world/europe/bypassing-the-risky-sea-refugees-reach-europe-through-the-arctic.html.
89   Kingsley, *The New Odyssey*, 186.
90   Lyman and Bienvenu, "Migrants Clash."
91   Kingsley, "Refugee Crisis."
92   Ibid.
93   Europol, "Migrant Smuggling in the EU."

beyond saying that migrant quotes show that relationships with smugglers were both cooperative and abusive, with news of smuggling tragedies quickly making their way through migrant networks.

During their travels through the Balkans, migrants interacted with a variety of state, criminal, and civilian actors. Experiences of state violence were very common. Sixty-six quotes communicated such an experience, far eclipsing experiences of state assistance (fifteen) or violence at the hands of smugglers (eight). State violence included physical, psychological, or material harm at the hands of state actors, including beatings, tear gassing, detentions, family separations, and the weaponization of time and resources (withholding food, indefinite application wait times, etc.). Hungarian police at the Serbian border or Keleti train station were the most common culprit. I also coded thirteen statements as communicating an experience with generalized violence, wherein speakers decried poor treatment without implicating a specific actor. Meanwhile, interactions with NGOs were rare. One speaker referenced the Red Cross and one speaker referenced an unnamed group which handed out supplies at Budapest's Nyugati station. Some migrants interacted with private citizens, who on seven occasions assisted—with food, a charger, and, in one instance, a trip from Hungary to Austria—and on three occasions took advantage of migrants through robbery or scamming.

These categories provide insight into the how, but to understand why migrants might choose to continue their journeys even in the face of border controls, I also coded for motivation—both push factors, or reasons why migrants left their origin countries, and pull factors, or reasons why migrants were attracted to the destination countries they aimed to reach. Of the forty-nine statements which I coded as expressing a "push factor" motivation, fear for physical safety was the most common (thirty-one). Many migrants left their country because they feared for their lives amid conflicts or at the hands of governments and militant groups, including ISIS/Daesh (nine references), the Taliban (two), Boko Haram (one), and al-Shabaab (one). Family safety, persecution, and poverty were present but lesser concerns. Many of these factors, however, coalesced into a generalized feeling of hopelessness. I identified statements for this tricky but telling category by searching for quotes which positioned staying in one's country as equivalent to dying. Of the eleven statements which I placed in this category, many communicated that "lives" and "futures" were not only untenable but nonexistent in origin countries:

> *"We didn't have a lot of options [about leaving]. For us it was really a case of the famous Shakespearian phrase, 'To be or not be'. We didn't come here because we were choosy."* Korh, M, Syrian, 22. Serbia. 08/19/2015.[94]

> *"There is no life in Aleppo."* Mahmoud Otri, M, Syrian, 23. Hungary-Austria. 08/30/2015.[95]

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94   Sasa Dragoljo, "Refugees in Serbia Dream of Better Tomorrow," *Balkan Insight*, August 19, 2015, https://balkaninsight.com/2015/08/19/refugees-in-serbia-dream-of-better-tomorrow-08-19-2015/.
95   Alison Smale, "As Police Investigate Deaths in Truck, Migrants and Smugglers Appear to Shift Tactics," *The New York Times*, August 30, 2015, https://www.nytimes.com/2015/08/31/world/europe/as-

"Syrians think they are dying in Syria. So whether they die there or on the way to Europe, it's the same thing." Mohamed el-Haiba, M, Syrian, 23. Croatia-Hungary. 09/18/2015.[96]

"Better to die quickly, than slowly in Iraq." Muhammad Basher, M, Iraqi, age not provided. Serbia-Croatia. 10/31/2015.[97]

"There is no future in Afghanistan." Sayid Karim Hashimi, M, Afghan, 23. Serbia-Croatia. 10/31/2015.[98]

Mirroring these expressions, the most common pull factor I coded was a category I called "dignity"—the opportunity to reclaim this humanity in a new country, to separate life from dying through self-actualization. Keywords for this classification included: decent life, new life, regular life, chance, opportunity, hope, dignity, like humans. Of the twenty-nine statements I coded as communicating a pull factor, I marked twelve with this category. Examples include:

"Wherever I find a safe place, a country that accepts me and gives me a chance, I will start my life there." Yama Nayab, M, Afghan, age not provided. Serbia-Hungary. 06/22/2015.[99]

"I want to live a regular life. No more torture and no more police with electric batons and water cannons." Mohammed, M, Iraqi, age not provided. Serbia. 08/19/2015.[100]

"See what we did? We threw away all of our clothes and property in Syria to get a better life for our kids, to teach them how to live -- not how to beg." Abu al-Majd, M, Syrian, age not provided. Hungary. 09/06/2015.[101]

Other common pull factors included economic opportunity (eight), safety (seven), education (seven), and family reunification (five).

Beyond these material objectives, I also coded for what I call "narratives of movement"—statements which reveal why a speaker believed their migratory journey both necessary and just, even in the face of border violence. Within this category, I coded overlapping narratives which interacted to convince migrants they must continue migrating. Of the thirty-one statements I coded as relevant to this category, thirteen

police-investigate-deaths-in-truck-migrants-and-smugglers-appear-to-shift-tactics.html.

96   Patrick Kingsley, "Syria to Croatia: Waiting for the Trains That Never Come," *The Guardian*, September 18, 2015, http://www.theguardian.com/world/2015/sep/18/syria-to-croatia-then-taunted-by-the-trains-that-never-come.

97   Rod Nordland, "A Mass Migration Crisis, and It May Yet Get Worse," *The New York Times*, October 31, 2015, https://www.nytimes.com/2015/11/01/world/europe/a-mass-migration-crisis-and-it-may-yet-get-worse.html.

98   Ibid.

99   Kingsley, "Migrants on Hungary's Border Fence."

100   Dragoljo, "Refugees in Serbia."

101   Anemona Hartocollis, "How the Migrants' March Toward Germany Began," *The New York Times*, September 6, 2015, https://www.nytimes.com/interactive/projects/cp/reporters-notebook/migrants/march-budapest-hungary.

communicated a "no other choice" narrative. This classification was coded if a migrant expressed through explicit terms (no choice, no option) or verbs of compulsion (have to, must) that migrating was the only option available.

> *"What else can we do?"* Reen, F, Syrian, age not provided. Hungary-Austria. 09/04/2015.[102]

> *"I don't believe they would do such a thing. I will continue on the same route. My wife and children are already in Germany. What else can I do?"* Bashar Makansi, M, Syrian, 47. Serbia. 09/15/2015.[103]

> *"There is a war back home, what choice do we have? I did want to live in Syria."* Wajd Abu Sayed, M, Syrian, age not provided. Croatia-Slovenia. 10/31/2015.[104]

"FOUR SPEAKERS EXPRESSED THAT NEWS OF POTENTIAL BORDER CLOSURES CONVINCED THEM THAT THEY RISKED SQUANDERING THEIR 'LAST CHANCE' TO REACH EUROPE IF THEY STAYED IN THEIR HOME COUNTRIES."

Four speakers expressed that news of potential border closures convinced them that they risked squandering their "last chance" to reach Europe if they stayed in their home countries.

> *"From all we heard on the news, this was our last chance to reach Europe, so we left in a hurry."* Latifa Shaab, F, Syrian, 21. Croatia-Slovenia. 10/17/2015.[105]

> *"It was now or never. So I decided to go before the window of opportunity closes."* Hani al-Karaa, M, Syrian, 24. Croatia-Slovenia. 10/17/2015.[106]

Additionally, four speakers cited "sunk costs," conveying that their monetary and temporal investments in their migration to date made the cost of abandoning their journey too high and that they had "nothing left to lose."

> *"Now we are here, we have taken the plunge, we have to go on."* Emmanuel Bitjoka Njom, M, Cameroonian, 41. Serbia. 08/29/2015.[107]

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102   Emma Graham-Harrison and Jon Henley, "Hungary to Take Thousands of Refugees to Austrian Border by Bus," *The Guardian*, September 4, 2015, https://www.theguardian.com/world/2015/sep/04/hundreds-refugees-march-austria-budapest-hungary-syrians.
103   Bienvenu and Lyman, "Hungary Blocks Migrants."
104   Emma Graham-Harrison, "Still the Refugees Are Coming, but in Europe the Barriers Are Rising," *The Guardian*, October 31, 2015, http://www.theguardian.com/world/2015/oct/31/austria-fence-slovenia-wire-europe-refugees.
105   Surk and Castle, "Migrants Diverted to Slovenia."
106   Ibid.
107   Anemona Hartocollis, "Hustlers and Humanitarians on the Migrant Trail to Belgrade," *The New York Times*, August 29, 2015, https://www.nytimes.com/interactive/projects/cp/reporters-notebook/migrants/serbia-volunteers-hustlers.

"I don't have anything to lose, so I fear nothing. I've been thinking about leaving for two years. But for a long time I thought: there is still hope [of peace], I will wait." Zahraa Daoud, F, Syrian, 23. Serbia-Croatia. 09/18/2015.[108]

"We are afraid that they will close the border now. But we don't fear terror much anymore. Every village in Syria is worse than Paris… we don't have much to lose." Mossa, M, Syrian, 17. Serbia. 11/17/2015.[109]

In explaining their perseverance on the migrant trail, some migrants referenced their national character or their faith. With the former, five migrants expressed that experiences or character traits they believed inherent to their national communities—e.g., the ingenuity of Syrians or the violent realities of Palestinian life—compelled them forward. With the latter, four migrants placed their journeys in the hands of cosmic forces—God, hope, fate, or destiny.

These narratives show that, for some, securitized borders incentivize migration. Conditions in origin countries combined with the psychological, monetary, and temporal costs imposed by hard borders amplify compulsion and perceived lack of choice, prolonging migrants' journeys and heightening the consequences of ceasing one's migration. Abstractions of national community or faith can be seen as responses to these realities of violence and deprivation. These expressions, though certainly genuine in many cases, are also a defense mechanism. The migrant's dissociation from responsibility for their perilous status positions hardship as a reason to continue migrating, seeing as options are limited and perseverance is predetermined.

This dissociation, however, does not mean migrants are ignorant of their situations. I also coded for awareness, defined as when a speaker made a statement addressing communal, political, or geopolitical situations transcending their own immediate circumstances. Fifty-one statements made political references, implicating specific state and non-state actors, alluding to world events or migration policies, and/or proposing political solutions.

"[The Hungarians are] not going to solve migration like this. They need to solve the real problem and get rid of Bashar al-Assad and Isis." Mohamed Hussein, M, Syrian, age not provided. Serbia-Hungary. 06/22/2015.[110]

"Nyírbátor is Hungary's Guantánamo. They chained and handcuffed us, and gave us expired food." Vladislav, M, Ukrainian,

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108   Patrick Kingsley, "More than 2,000 Refugees Stranded at Croatian Border Town," *The Guardian*, September 18, 2015, https://www.theguardian.com/world/2015/sep/18/croatia-closes-border-crossings-with-serbia-refugees-stranded.

109   Sasa Dragoljo, "Refugees Fear EU Border Closures After Paris Attacks," *Balkan Insight*, November 17, 2015, https://balkaninsight.com/2015/11/17/serbian-refugees-scared-of-border-closing-after-paris-attacks-11-16-2015/.

110   Kingsley, "Migrants on Hungary's Border Fence."

age not provided. Hungary. 07/08/2015.[111]

> *"We want you to talk to Ban Ki-moon and ask him why he isn't helping us."* Ahmed Saadoun, M, Iraqi, 27. Hungary. 09/02/2015.[112]

Meanwhile, twenty-two statements pulled language from human rights discourse, with migrants pointing out how state actions violated their rights to freedom, justice, fairness, tolerance, dignity, and movement, as well as to more immediate material rights including shelter, food or water.

> *"We are sleeping in trash. We don't know what to do. It's a matter of human rights. If they don't do something about the situation, we are going to start walking."* Ramadan Mustafa, M, Syrian, 23. Hungary. 09/02/2015.[113]

> *"I am worried that Germany may send us back home. That would not be fair. Afghanistan is in the same situation as Syria … The Taliban killed my brother and they will kill me too if I return."* Ali Hussani, M, Afghan, 35. Croatia-Slovenia. 10/26/2015.[114]

Accompanying this discourse, migrants asserted their humanity in explicit terms, recognizing that their status as subjects of extreme violence threatened to relegate them to the status of subhuman. Four speakers compared their treatment to that of "animals," and three speakers used a variation of the phrase "we are human(s)."

> *"Hungarians look after animals more than people, they treat dogs and cats better."* Jamal al-Deenberra, M, Syrian, 23. Hungary. 09/05/2015.[115]

> *"They don't want us to pass. Why? We are humans. We are Syrians, and there is a war in our country that even we don't really understand."* Zahraa Daoud, F, Syrian, 23. Serbia-Croatia. 09/18/2015.[116]

Two speakers expressed they were "not criminals" and one speaker said migrants were "not terrorists." The assertion is that migrants' lack of criminality should protect them, intuiting that their inhumane treatment would be more valid were they actually "criminals" or "terrorists."

> *"I just don't understand. We come from a country that has*

111   Dan Nolan, "Hungary: A Grim Way Station for Asylum Seekers," *The New Humanitarian*, July 8, 2015, https://www.thenewhumanitarian.org/analysis/2015/07/08/hungary-grim-way-station-asylum-seekers.
112   Hartocollis, "Migrants Stuck at Budapest."
113   Lyman and Bilefsky, "Squalid Migrant City."
114   Ljubljana, "Slovenia to Hire Private Security Firms to Manage Migrant Flows."
115   Emma Graham-Harrison, "At Keleti Station in Budapest, the Refugees Could Wait No Longer," *The Guardian*, September 5, 2015, http://www.theguardian.com/world/2015/sep/06/keleti-station-budapest-refugees.
116   Kingsley, "More than 2,000."

been torn apart by war. We're not criminals and we don't want to sabotage anything." Marwan, M, Syrian, 19. Hungary-Austria. 09/05/2015.[117]

"We are refugees, not criminals, why are you doing this?" Anonymous migrant. Croatia-Slovenia. 11/02/2015.[118]

"They need to check the people somehow… take fingerprints… do whatever they need to separate us, because we are not terrorists… we just want to start a new life from the beginning." Sadam Ahmed, M, Afghan, 19. Serbia. 11/17/2015.[119]

These statements reflect the understanding that states reserve the right to inflict violence upon individuals they deem deviant—those othered into states of exception, to borrow Giorgio Agamben's term. Migrants' reassertions of humanity constitute attempts to escape exception; claims to refugee status here are notable, as they demonstrate an understanding of refugeedom as a legal status within human rights discourse that should protect those who fall under it.

In commenting on politics and human rights, migrants often discussed how Europe had met or betrayed their expectations. Thirty-four speakers expressed that Europe's progressive reputation had acted as a type of pull factor, a phenomenon I coded when speakers tied liberal democratic values, namely human rights language, to their descriptions of Europe. Speakers here positioned Europe as a beacon, an ultimate destination where self-actualization became possible.

"THESE FORCES PRODUCE A VISCERAL EXPERIENCE OF LIMBO, OF DYING SLOWLY, WHERE MIGRATION BECOMES THE ONLY WAY TO TRANSFIGURE FROM HALF-DEAD TO FULLY HUMAN."

"I want to go to Germany. I don't know what will happen when we leave Belgrade but I will find out. Germany is the only place I want to go to." Zaid, M, Syrian, 31. Serbia. 09/11/2015.[120]

"I am applying for asylum in Croatia for the third time. I know Croatian laws and I know that I have the right to it… every night I go to bed and imagine that asylum. I know I'll get it, it's just a matter of time." Rory, M, Jamaican, age not provided. Croatia. 09/17/2015.[121]

117   Patrick Kingsley, "On the Road with the Refugees: 'Finally I'm Getting out of Hungary,'" *The Guardian*, September 5, 2015, https://www.theguardian.com/world/2015/sep/05/on-the-refugee-buses-finally-im-getting-out-of-hungary.
118   Julian Borger et al., "Winter Is Coming: The New Crisis for Refugees in Europe," *The Guardian*, November 2, 2015, https://www.theguardian.com/world/2015/nov/02/winter-is-coming-the-new-crisis-for-refugees-in-europe.
119   Dragoljo, "Refugees Fear."
120   Avramovic, "Refugees Draw Breath."
121   Sven Milekic, "Refugees Refuse to Leave Croatian Asylum Centre," *Balkan Insight*, September 17, 2015, https://balkaninsight.com/2015/09/17/asylum-seekers-revolt-deportation-from-zagreb-asylum-centre-09-17-2015/.

"EU is good, we are not afraid of EU. Young Afghani people who want to work can make it there. They have respect for people, I believe in that." Hikmat, M, Afghan, age not provided. Serbia. 11/17/2015.[122]

Fifteen statements expressed that speakers' treatment at the hands of European states had shattered this image, which sometimes happened concurrently with the speaker tying liberal democratic values to what Europe should be, in some cases bordering on Orientalist descriptions that placed Europe as morally superior to other regions. Speakers often expressed frustration, surprise, and anger that Europe could treat them so poorly. In at least two cases, speakers interpreted "European" not as a demonym but as a value set which could be appropriated and learned, asserting their ability to "act" more European than the Europeans who had abused them.

"This is the so-called developed Europe? It's supposed to be different to the fucking Arab world." Mouti, M, Syrian, 50. Hungary. 09/07/2015.[123]

"We only want to work and have a decent life. We know how to act like Europeans and we know European values, as do most of the educated people from Syria." Korh, M, Syrian, 22. Serbia. 08/19/2015.[124]

"Once I said to a policeman: 'I am more a Croat than you are, since I obey and respect the laws of this country.' I want to be a proper citizen. Is this the way Croatia treats me?" Rory, M, Jamaican, age not provided. Croatia. 09/17/2015.[125]

These statements reflect the rhetorical work of the European project, which has positioned itself as a promoter of human dignity, freedom, democracy, equality, rule of law, and human rights—the values enumerated in the EU charter.[126] The clashing of these values with the realities of creating and maintaining borders produced a crisis of legitimacy which migrants were quick to articulate, internalizing and reproducing EU rhetoric to justify their cause and condemn European states' hypocrisies.

Lastly, migrants in my data set commonly cast themselves as part of a collective "we." Seventy-seven statements reflected this identification, using the first-person plural even when referring to individual opinions or experiences.

"This wall, we will not accept it," Mohamed Hussein, M,

122   Dragoljo, "Refugees Fear."
123   Patrick Kingsley, "Syrian Refugees in Hungary: 'This Is the so-Called Developed Europe?,'" *The Guardian*, September 7, 2015, http://www.theguardian.com/world/2015/sep/07/syrian-refugees-hungary-camp-cold-hungry.
124   Dragoljo, "Refugees in Serbia."
125   Milekic, "Refugees Refuse to Leave."
126   EU, "The EU in Brief."

Syrian, age not provided. Serbia-Hungary. 06/22/2015.[127]

"I do not know why we are here, it's terrible. I'm afraid my father will die. I do not understand why this is happening to us, but I know that we are nothing – less than zero." Mahtab, F, Afghan, age not provided. Hungary. 08/28/2015.[128]

"I am scared, everybody is scared. We are worried they will close the border, but we are also worried about winter. We must get where we are going before the snows fall." Ali Lolo, M, Syrian, 35. Serbia-Croatia. 10/18/2015.[129]

Ironically, this self-identification mirrors state and media discourses which casted migrants as an inseparable whole and could be read in part as an internalization of these discourses. However, I argue this collectivizing more so represents the coalescing of an identity around the shared experience of violence, deprivation, and near death—the shared identity of a population subjected to an extreme form of necropolitics. Fleeing countries where violent actors have destroyed "life" and "future[s]," migrants arrive at Europe's borders only to be treated as "less than zero," as "animals." These forces produce a visceral experience of limbo, of dying slowly, where migration becomes the only way to transfigure from half-dead to fully human.

This analysis can thus be read at several levels of complexity. At its most basic, it shows that migrants were not deterred by border controls at the Serbian-Hungarian border because personal motivations superseded fears of border violence. At a more abstract level, it shows that border violence amplified feelings of desperation and compulsion, allowing for the coalescence of a migrant body politic around shared experiences as necropolitical subjects. Stories of national identity, faith, and other narratives emerged as coping mechanisms and motivators, driving migrants forward, individually and collectively, in pursuit of resurrection—a more powerful impetus than can be stopped by any border wall.

Analysis: Migrant Smugglers, Border Controls, and Illegal Economies

I have dedicated most of my analysis to discourse from migrants, as they are the primary actors and targets of border controls along the Balkan route. However, since Europol estimates that 90% of illegalized migrants use "facilitation services"—otherwise known as smugglers—during their journeys to the EU, I decided to also analyze how controls affect the operations and discourses of migrant smugglers. To the extent possible, I have also tried to illuminate how deterrence policies at the Serbian-Hungarian border in 2015 affected the economics of migrant smuggling.

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127   Kingsley, "Migrants on Hungary's Border Fence."
128   Natalia Zaba, "Refugees Face Cold Shoulder in Hungary's Border Towns," *Balkan Insight*, August 28, 2015, https://balkaninsight.com/2015/08/28/refugees-face-cold-shoulder-in-hungary-s-border-towns-08-27-2015/.
129   Rick Lyman, "Winter Poses New Danger for Migrants," *The New York Times*, October 19, 2015, https://www.nytimes.com/2015/10/19/world/europe/refugees-face-winter-as-new-danger-for-europe-migration.html.

Lawmakers have at times acknowledged, though internally, the hypocritical effects of the deterrence paradigm on migrant smuggling. Strikingly, the US Border Patrol's own documents list "increased alien smuggling fees" as an "indicator of success" for its deterrence framework, believing that this change signals that migrants are attempting more difficult border crossings.[130] Indeed, smuggling fees along the US-Mexico border have increased since 1980, belying the US Border Patrol's insistence that "anti-smuggling" constitutes one of its key goals.[131] Though the EU's lack of an institutionalized and universal deterrence framework precludes drawing a similarly explicit pattern, migrant smuggling to the EU enjoyed its most profitable year in 2015 even as states closed borders, debated new strategies, and considered bombing smuggling boats off the coast of Libya.[132] Might EU policy reorientation towards deterrence in 2015 have triggered changes similar to those seen with migrant smuggling along the US-Mexico border?

"THE UNDETERRED SPEAKER EXPRESSED THAT THE CLOSURE OF THE SERBIAN-HUNGARIAN BORDER PRESENTED ONLY A MINOR HICCUP IN LARGER TRANSNATIONAL SMUGGLING OPERATIONS."

Unfortunately, a limited data set prevents me from establishing a categorical relationship between the 2015 Serbian-Hungarian border closing and migrant smuggler actions. Even with my expanded search parameters, I only pulled twenty-seven relevant smuggler quotes from ten distinct speakers as represented in eight stories across five publications (*The Guardian*, *The New York Times*, *Reuters*, *The Wall Street Journal*, *RFERL*). Only four explicitly mentioned borders or border controls, of which I coded one as undeterred, one as deterred, and two as indeterminate. The undeterred speaker expressed that the closure of the Serbian-Hungarian border presented only a minor hiccup in larger transnational smuggling operations.

"We have other ways. This was the easiest, but we have other ones." No demographic info provided. Serbia-Hungary. 09/15/2015.[133]

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130   U.S. Border Patrol, "Border Patrol Strategic Plan 1994 and Beyond: National Strategy," U.S. Border Patrol, Washington, D.C.: U.S. Border Patrol, 1994. https://www.hsdl.org/?abstract&did=.

131   U.S. Customs and Border Protection, "Border Patrol Overview," U.S. Customs and Border Protection, accessed March 2, 2021, https://www.cbp.gov/border-security/along-us-borders/overview.

132   Patrick Kingsley and Alessandra Bonomolo, "Italian Coastguards: Military Action Will Not Solve Mediterranean Migrant Crisis," *The Guardian*, May 19, 2015, http://www.theguardian.com/world/2015/may/19/italian-coastguards-military-action-will-not-solve-mediterranean-migrant-crisis.

133   Patrick Kingsley and Ian Traynor, "Crowds Build at Border with Serbia as Hungary Cracks down on Refugees," *The Guardian*, September 15, 2015, https://www.theguardian.com/world/2015/sep/15/hungary-strict-new-border-controls-crackdown-refugees-serbia.

Conversely, the deterred speaker expressed that the Serbian-Hungarian border had become impassable. It is worth noting that the smuggler is speaking to a migrant, presenting the possible ulterior motive that he is persuading the migrant of the futility of crossing without assistance.

> *"The border is so closely watched, not even a bird can fly over."* Anonymous Syrian smuggler, no age provided. Serbia-Hungary. 10/22/2015.[134]

One of the indeterminate statements, classified as such because it does not communicate a response to heightened border controls, does provide some actionable information. The smuggler is discussing route prices from the Balkans to Germany in late August and early September—before Hungary closes its Serbian border. The smuggler remarks that this period of relative ease of transit, facilitated by state bussing of migrants to external borders and welcoming policies in Germany, has forced smugglers to drop their prices. This statement establishes that some smugglers' operations did respond to changes at the Serbian-Hungarian border, and intuits that if prices go down when that border eases, the inverse is also likely to be true:

> *"There are other people who take asylum seekers from Serbia to Hungary for 100 euros per person — the rate was 500 euros before between Hungary and Germany, but nowadays routes are easier. We can take people beyond Serbia, since we have friends and contacts. But asylum seekers can go by themselves as well, because everything is easy now. You saw that people are being given tickets to go to [Germany] from Hungary."* Abdullah, M, Afghan, age not provided. Balkan route. 09/11/2015.[135]

However, my discourse analysis does not provide sufficient evidence to establish a definitive correlative relationship here. Yet, other patterns from my discourse analysis, particularly regarding smuggler methods and narratives, are more generalizable.

It is clear that many smugglers operating at the Serbian-Hungarian border operated as part of loose, transnational, horizontal networks. Smugglers like Abdullah, quoted above, formed chains which would transfer clients between smugglers at various points on the route to the EU. Four other smugglers mentioned their coordination with those working other points along the route to Europe. Quoted smugglers were of Bulgarian, Afghan, Kurd, and Syrian nationalities, with the latter three primarily smuggling migrants of their own nationality. In at least two cases, smugglers were family friends or acquaintances of the migrants they smuggled and at least one smuggler was a former migrant himself, though reporting from other contexts such as Turkey[136] shows this to be a common

134   Anemona Hartocollis, "A Family Swept Up in the Migrant Tide," *The New York Times*, October 22, 2015, https://www.nytimes.com/interactive/2015/10/22/world/europe/syrian-refugees.html.

135   Bashir Ahmad Gwakh, "From Prey To Predator: An Afghan Migrant Trafficker's Story," *RadioFreeEurope/RadioLiberty*, September 11, 2015, https://www.rferl.org/a/afghanistan-migrant-traffickers-story/27241346.html.

136   Patrick Kingsley, "Stories of 2015: The Refugee Who Became a People Smuggler," *The Guard-*

phenomenon. Other smugglers found clients by making themselves known at common transit points, such as in Serbian border towns or at Keleti train station in Budapest. These methods reveal a certain level of sophistication, but they also reveal the familial, cultural, and experiential familiarities which connect migrants to smugglers on a personal level. While the European Commission's description of migrant smugglers as members of "ruthless criminal networks organiz[ing] the journeys of large numbers of migrants" may hold for contexts like the Aegean crossing, migrant smuggling in the 2015 Balkans seems to have been more diffuse, spontaneous, and individualistic.[137]

My data set does not provide much insight into why smugglers joined the industry, aside from one Bulgarian smuggler who cited a lack of economic opportunity: "Take me to America, and I'll happily work as your gardener," he told The Wall Street Journal.[138] What does emerge are several narratives which smugglers told themselves to justify their often-deadly work. To understand how smugglers interpreted why some operations went wrong, I coded for references to events of violence and death on the smuggling trail, "I" statements, keywords signaling responsibility (blame, fault), and directives smugglers claim to have given to migrants and families. Not one smuggler in my data set took upon themselves responsibility for a death during their operations. Instead, four statements (two speakers) placed responsibility onto other smugglers and five statements (four speakers) placed responsibility onto migrants.

Other smugglers:

"Bewar [the other smuggler] is to blame because when he passed the job on … he didn't get any information. Even now we don't know the truth." Sediq Sevo, Iraqi Kurd, M, age not provided. Hungary-Austria. 11/12/2015.[139]

"I was nobody's boss. Giving information is not giving orders. I didn't create this crime group, it was not in my hands." Lahoo Samsooryamal, M, Afghan, 31. Hungary-Austria. 06/14/2018.[140]

Migrants:

"There is no guarantee in this business of trafficking. We tell people that there could be a shortage of food and water. There could be police arrest. There could even be death. Anything can happen. We tell all this to people. And they understand this. They tell us all this is evident. They tell us they know this. They accept all this on themselves." Abdullah,

ian, December 28, 2015, http://www.theguardian.com/world/2015/dec/28/refugee-people-smuggler-turkey-syria-greece-izmir.

137   European Commission, "EU Action Plan."

138   Joe Parkinson, Georgi Kantchev, and Ellen Emmerentze Jervell. "Inside Europe's Migrant-Smuggling Rings." *Wall Street Journal*, October 28, 2015, https://www.wsj.com/articles/inside-europes-migrant-smuggling-rings-1446079791.

139   Isabel Coles and Shadia Nasralla, "A Smuggler's Deathly Tale," *Reuters*, November 12, 2015, http://www.reuters.com/investigates/special-report/europe-migrants-truck/.

140   Helene Bienvenu and Marc Santora, "They Let 71 People Die in a Stifling Truck. They Got 25 Years," *The New York Times*, June 14, 2018, https://www.nytimes.com/2018/06/14/world/europe/austria-migrants-truck.html.

M, Afghan, age not provided. Balkan route. 09/11/2015.[141]

These statements give the smuggler a level of plausible deniability, where—in their minds—the risks are understood, and the journey is out of their control. Many incidents contradict this logic, not least of which was the infamous mass death event in August 2015 in Austria. Seventy-one migrants died inside the lorry, and Lahoo Samsooryamal, an Afghan smuggler charged as the ringleader, alluded that he directed smugglers to pay no mind to the migrants' pleas, even as, in court, he washed his hands of responsibility. Events like these lead other smugglers to try to distinguish themselves, claiming they have "good experience"[142] and that they're not like "smugglers who squeeze too many people in one car. You heard what happened to those seventy-one [people] in that truck."[143] We can see how smugglers conceive of themselves not just as service providers but humanitarians, professional in their craft and acting with a strong moral compass.

Smuggler prosecution case data from the UNODC correlates with many of these quote patterns, lending strength to the idea that 2015 Balkans migrant smuggling was more individualized and opportunistic than in some other regions. The thirteen cases prosecuted in Serbia and listed in the UNODC database have offense dates ranging from 2006 to 2016 and verdict dates ranging from 2013 to 2016. Cases involved between one and eleven smugglers and four and seventy-six migrants. The smugglers were of Serbian, Bulgarian, and Afghan origin, while the migrants were of Albanian, Afghan, Bangladeshi, Iranian, Iraqi, Libyan, Somali, and Syrian origin. Seven cases involved smugglers acting essentially as paid guides for migrants who wanted to move through and exclusively within Serbia's borders—that is, individuals charged migrants for private transport or even just information to help them move from southern Serbia to Belgrade or from Belgrade to towns along the Hungarian border.

"WE CAN SEE HOW SMUGGLERS CONCEIVE OF THEMSELVES NOT JUST AS SERVICE PROVIDERS BUT HUMANITARIANS, PROFESSIONAL IN THEIR CRAFT AND ACTING WITH A STRONG MORAL COMPASS."

Notably, these latter offenses do not meet the definition of migrant smuggling outlined in the 2000 Office of the High Commissioner for Human Rights (OHCHR) protocol, which defines migrant smuggling as requiring a border crossing.[144] Nonetheless, Serbian courts charged many of these individuals with "enabling illegal entry" and/or obtaining

141   Gwakh, "From Prey to Predator."
142   [Sediq Sevo, Iraqi Kurd, M, age not provided. Hungary-Austria. 11/12/2015]. Coles and Nasralla, "A Smuggler's Deathly Tale."
143   [Abdullah, M, Afghan, age not provided. Balkan route. 09/11/2015]. Gwakh, "From Prey to Predator."
144   OHCHR, "OHCHR | Protocol against the Smuggling of Migrants," last modified November 15, 2000, https://www.ohchr.org/EN/ProfessionalInterest/Pages/TransnationalOrganizedCrime.aspx.

"financial or other material benefit (to smuggler)." Several instances appear opportunistic, occurring when individuals came across lost migrants in border towns or at public transit stops and assisted them for a fee. In two cases the offenders were minors, and in one such case a fifteen-year-old Serbian male escorted a group of migrants from Macedonia into Serbia as he returned from visiting family.[145] This does not mean larger crime groups were not involved—the UNODC signaled the involvement of TOC in at least two cases[146]—but rather that the increase in migrants in the mid-2010s created opportunities for local citizens to exploit the crisis amid the inconsistency of state programs. Defendants in three cases were characterized as living in "poor" economic conditions, and a 2016 European Commission study on migrant smuggling noted "financial necessity" and destitution as predictors of Serbian local community involvement in migrant smuggling.[147]

The UNODC cases also reveal that certain routes—and the price smugglers charged migrants on those routes—increased and became standardized in the period preceding and during the 2015 migrant crisis. While cases in 2006 and 2011 involved smugglers charging migrants 250 to 300 euros[148] to move from southern to northern Serbia, three independent cases between 2013 and 2015[149] saw individuals charge migrants 500 euros to leave from towns on the Macedonian and Bulgarian borders, merge with the highway running from Niš to Belgrade, and then continue to border towns. Prices for transfers across the Serbian-Hungarian border were more erratic. A large TOC group moving Albanians in 2009 charged up to 8000 euros per group.[150] Meanwhile, one smuggler operating in February 2016[151] charged migrants 1200 euros each to move across Serbia and into Hungary, and three smugglers operating in May 2016[152] charged migrants just 100 euros each to go from Belgrade to Subotica and across the border. While, again, inconclusive as to the exact relationship between border controls and smuggling, these patterns suggest a market responsiveness to

145   UNODC, "Km. No. 25/16," UNODC Smuggling of Migrants Knowledge Portal, September 20, 2016, https://sherloc.unodc.org/cld/case-law-doc/migrantsmugglingcrimetype/srb/2016/km._no._2516.html?lng=en&tmpl=som.
146   UNODC, "SPK Po1 Br 26/16," UNODC Smuggling of Migrants Knowledge Portal, May 30, 2016, 1, https://sherloc.unodc.org/cld/case-law-doc/criminalgroupcrimetype/srb/2016/spk_po1_br_2616.html?lng=en&tmpl=som; UNODC, "OPERATION 'TISA,'" UNODC Smuggling of Migrants Knowledge Portal, https://sherloc.unodc.org/cld/case-law-doc/criminalgroupcrimetype/srb/operation_tisa.html?lng=en&tmpl=som.
147   Angeliki Dimitriadi et al., "Study on Smuggling of Migrants: Characteristics, Responses and Co-operation with Third Countries," European Migration Network, (2016): 88.
148   UNODC, "2 Kž No. 380/15," UNODC Smuggling of Migrants Knowledge Portal, October 29, 2015, https://sherloc.unodc.org/cld/case-law-doc/migrantsmugglingcrimetype/srb/2015/2_k_no._38015.html?lng=en&tmpl=som; UNODC, "19K Br.170/15," UNODC Smuggling of Migrants Knowledge Portal, January 15, 2016, https://sherloc.unodc.org/cld/case-law-doc/migrantsmugglingcrimetype/srb/2016/19k_br.17015.html?lng=en&tmpl=som.
149   UNODC, "2K 175/15," UNODC Smuggling of Migrants Knowledge Portal, April 9, 2015, 175, https://sherloc.unodc.org/cld/case-law-doc/migrantsmugglingcrimetype/srb/2015/2k_17515.html?lng=en&tmpl=som; UNODC, "5K 165/15," UNODC Smuggling of Migrants Knowledge Portal, June 15, 2015, 165, https://sherloc.unodc.org/cld/case-law-doc/migrantsmugglingcrimetype/srb/2015/5k_16515.html?lng=en&tmpl=som; UNODC, "Kž1 836/15," UNODC Smuggling of Migrants Knowledge Portal, October 13, 2015, 1, https://sherloc.unodc.org/cld/case-law-doc/migrantsmugglingcrimetype/srb/2015/k1_83615.html?lng=en&tmpl=som.
150   UNODC, "OPERATION 'TISA'."
151   UNODC, "SPK Po1 Br 26/16."
152   UNODC, "2 K. 592/16," UNODC Smuggling of Migrants Knowledge Portal, October 28, 2016, https://sherloc.unodc.org/cld/case-law-doc/migrantsmugglingcrimetype/srb/2016/2_k._59216.html?lng=en&tmpl=som.

demand and the operations of other smugglers, with operators adjusting their prices to remain in line with the market.

Prices cited in migrant quotes about smugglers—of which I coded and analyzed twenty—paint a similarly hazy picture, as the exact distances and routes to which migrants assign prices in their conversations with journalists are not always clear. The price of 500 euros reoccurs three times in the context of moving across northern Serbia or through Hungary, again supporting the idea of price standardization. Two migrants referenced exorbitant prices charged by taxi drivers in Serbia, showcasing the exploitation of the crisis by local citizens. Five quotes demonstrated a scarcity mindset, which I coded when speakers referenced the need to conserve money or expressed relief when presented with opportunities to save money, showing how the smuggling industry placed severe financial pressure on migrants.

> *"I've got to save money, we all do. I've already spent 2,500 euros, so I want to make this as fast as possible."* Ahmed, M, Syrian, age not provided. Serbia. 08/21/2015.[153]

> *"We had been going to take a taxi for €500. But then when we heard that the Hungarians were letting people get on the train, we thought 'why waste the money and take such a risk if they're letting us do this?'"* Ahmed, M, Syrian, 19. Hungary-Austria-Germany. 09/02/2015.[154]

> *"I'm lucky because we were thinking of talking to a smuggler again. The government just brought us here without any money. We saved like 400 or 500 euros."* Ashamaz Saeed, M, Syrian, 23. Hungary. 09/06/2015.[155]

These comments also reveal that migrants sought legal or state-sponsored routes when possible, turning to smugglers primarily in the absence of such options. When Hungary offered migrants train rides to its border with Austria in early September, prior to the shuttering of its Serbian border, many accepted. While Hungary's move should be read as a nativist attempt to rid its territory of migrants, my analysis suggests the campaign did fleetingly reduce migrants' reliance on smugglers in Hungary. From a humanitarian perspective, interventions to keep money in migrants' pockets also reduce migrants' reliance on cheap smugglers who are more likely to force large groups of migrants into unsafe traveling arrangements to recoup lost profit.

My analysis of migrant quotes about smugglers did not provide much actionable information about how migrants came to find

153   The New Humanitarian, "Serbia Offers Brief Welcome for Migrants Rushing to EU," *The New Humanitarian*, August 21, 2015, http://www.thenewhumanitarian.org/news/2015/08/21/serbia-offers-brief-welcome-migrants-rushing-eu.

154   Kate Connolly, "Germany Greets Refugees with Help and Kindness at Munich Central Station," *The Guardian*, September 3, 2015, http://www.theguardian.com/world/2015/sep/03/germany-refugees-munich-central-station.

155   Anemona Hartocollis, "A Migrant Family Arrives in a No Man's Land," *The New York Times*, September 6, 2015, https://www.nytimes.com/interactive/projects/cp/reporters-notebook/migrants/a-migrant-family-arrives-in-a-no-man-s-land.

"DETERRENCE-BASED POLICIES AT EUROPE'S BORDERS CAN ONLY SUBJECT MORE BODIES TO NECROPOLITICS; THEIR CONTINUATION ENSURES THE CREATION AND PERFORMANCE OF MORE DISCRIMINATION, DISPLACEMENT, AND MASS DEATH."

smugglers—one migrant said he found smugglers on the internet, another migrant said he knew his smuggler from Syria, and another quote reflected a migrant-smuggler interaction at a petrol station along the Serbian-Hungarian border. Migrants in my analysis, however, were very aware of the risks of smuggling. News of smuggling tragedies spread quickly within migrant information networks.

> *"We were close to being like them [those killed in the van]."* Mahmoud Otri, M, Syrian, 23. [Smale, The New York Times, 08/30/2015, Hungary-Austria.][156]

> *"I heard about the people that have died of suffocation in lorries."* Ahmed, M, Syrian, 19. [Connolly, The Guardian, 09/02/2015, Hungary-Austria-Germany.][157]

It was also common for migrants to note times when smugglers had scammed them or lied to them (five quotes), separate from experiences of near death like the one mentioned by Mahmoud Otri above. It is clear that consulting a smuggler was neither a preferred nor pleasant experience for most migrants moving through the Balkan route in 2015. Instead, it represented a logical, resource-based choice made with increasing frequency as state programs present in early and mid-2015 evaporated with border closures in late 2015.

Upon synthesizing these three threads of migrant smuggler analysis, a few patterns deserve reiteration. First, the sharp increase in migrants moving through the Balkans in 2015 certainly spiked demand for smuggling services. On the other hand, the effect on supply was decidedly mixed. Experienced and confident smugglers continued operating, while others were scared off by border closures. To an extent, this consolidated supply. At the same time, the UNODC cases show that opportunistic, local actors began to involve themselves in the trade, proliferating but fracturing the supply. However, even if just demand rose as supply equilibrated, this would still provoke a market-based rise in smuggling prices. Simultaneously, we can see that migrants resisted using smugglers for cost and safety reasons, preferring to use state programs when possible. Deterrence policies and border closures pushed migrants closer to smugglers as these safety nets were removed. While the exact economic effects are unclear, closures at the very least created new challenges for migrants, and therefore new opportunities for smugglers.

Conclusion: Lessons for the European Project, Borders, and Identities

Throughout 2015 and the early months of 2016, illegalized migrants moving through Balkan states en route to the EU consistently articulated discrepancies between the EU's espoused liberal institutionalist values and its treatment of those who attempted to cross its external and internal borders. Far from experiencing justice, fulfilled human rights, or equal treatment, migrants were faced with pushbacks, walls, forced

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156   Smale, "As Police Investigate."
157   Connolly, "Germany Greets."

fingerprinting, tear gas, expedited asylum denial, family separation, and vigilante violence. At the same time, the EU doubled down on a border securitization approach to combating migrant smuggling—an approach which likely boosted incentives for smuggling rings, with the industry pulling in a record profit in 2015. Some smugglers even appropriated rhetorical space to present themselves as Samaritans filling a state absence. By almost any metric, the EU failed to live up to its values or operational goals during the so-called 2015 migration crisis, and today thousands of migrants remain stranded in camps in Greece, Bosnia, France, and elsewhere. What explains this paradox?

The answer lies in the contradiction between the EU's rhetorical presentation and its territorial realities. In theory, the EU is a supranational project. Constitutive states, though mostly sovereign, give up varying degrees of autonomy in pursuit of material benefit—such as fewer internal borders, easier trade, and economic development—as well as inclusion within a normatively progressive and powerful rhetorical project based on tolerance, justice, human rights, and other similar values. The traditional elements of statecraft, such as nation building, military force, and territorial expansion, are meant to be subordinate to this more humanitarian and egalitarian model of supranational governance. Yet, because the EU maintains physical borders, it is still in practice equivalent to a traditional state, defined by Max Weber as a "human community that (successfully)

"AS SUCH, A NATIONALIST AND RACIALIZED CONCEPT OF EUROPEAN IDENTITY BEGINS TO OPERATE AND REINFORCE ITSELF THROUGH THE INFRASTRUCTURE AND BORDERS OF THE SUPRANATIONAL EU."

claims monopoly of the legitimate use of force within a given territory."[158] Further, because the EU governs through a representative democracy, it predisposes itself to the contradictions of nation-state construction, wherein determining who deserves representation (e.g., a European "people") necessarily determines who does not.[159] The border, which acts in both its physical and social manifestations as a delineator of difference, draws the fault lines of this represented people. As such, a nationalist and racialized concept of European identity begins to operate and reinforce itself through the infrastructure and borders of the supranational EU.

As the number of arriving migrants rose in 2015, these dueling presentations—one of a liberal institutionalist Europe, the other of a nationalist Europe—came into escalating conflict, driven by this disconnect between the EU's espoused goals and its territorial and representational

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158   Max Weber, "Politics as a Vocation," in Essays in Sociology, ed. Howard Garth and Cynthia Mills (New York: Macmillian, 1946), 26-45.
159   EU, "The EU in Brief."

claims. Europe as an idea presented a talking point for leaders in favor of accepting migrants, as well as those wanting to exclude them. Chancellor of Germany Angela Merkel, whose border policies oscillated between open and partially mediated as most other EU states resisted calls for burden-sharing, drew the crisis as an opportunity to prove Europe's progressive bonafides. Quoted by *Reuters* in September 2015, Merkel argued that "if Europe fails on the refugee question, its tight bond with universal human rights will be destroyed, and it will no longer be the Europe we dreamed of."[160] Merkel's fears contrasted with those of Hungary's Orbán, who constructed migrants as a threat to European civilization and Christianity, with Hungary as the frontline in a battle to prevent Europe's degradation.[161] The Serbian-Hungarian border, guarding entry into both Hungary and the Schengen Area, became a site of contention, with Hungary utilizing domestic as well as EU infrastructure, such as Frontex, to transform a supranational border into a site for enforcing, paradoxically, a nationalist European identity.

Yet, while Merkel and Orbán may have differed in rhetoric and intention, what remains unquestioned in both presentations is Europe's quintessential goodness, if not its superiority. To borrow a phrase from French sociologist Daniel Defert, Europe "takes consciousness of itself … as a planetary process rather than [as] a region of the world."[162] The ever-expanding and ever-changing nature of EU accession exemplifies this projection, furthering the idea of the EU as a supranational project into and by which nation-states are subsumed and enlightened. The world's desire to "become" Europe, therefore, is conceived as inevitable and understandable. Yet, membership is still strictly policed, as is made evident by the mediation of both EU accession and refugee admissions. Merkel and Orbán, therefore, represent distant points on a continuum of views articulating who can and cannot become European. Again, the EU's maintenance of representative borders precludes an all-inclusive answer to this question, and so the border becomes the site for dictating the terms of exclusion, by definition creating discriminatory hierarchies which contradict the EU's projections of non-discrimination, equality, and fairness.

This debate takes on an extra dimension when one considers how the EU has convinced third countries to enforce its border regime for it. For EU-candidate countries, the EU has incentivized the harmonization of migration law as a harbinger of accession. In Serbia, the EU's Stabilisation and Accession Council has shepherded the country's post-Milošević leadership towards alignment with EU migration controls.[163] Meanwhile, the EU's 2016 deal with Turkey has become a cornerstone of EU migration management. These processes show how successfully the EU has projected its progressive image, as candidate countries are willing to enforce EU

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160   Paul Taylor, "Migration Crisis Tears at EU's Cohesion and Tarnishes Its Image," *Reuters*, September 5, 2015, https://www.reuters.com/article/us-europe-migrants-eu-analysis-idUSKCN0R50Y520150905.

161   Ibid.

162   Daniel Defert, "La collecte du monde: Pour une etude des recits de voyages du seizieme au dix-huitieme sidcle," in Collections passions, ed. Jacques Hainard and Roland Kaeht (Neuchatel 1982), p. 26. Quoted in Mary Louise Pratt, "Scratches on the Face of the Country; Or, What Mr. Barrow Saw in the Land of the Bushmen," *Critical Inquiry* 12, no. 1 (1985): 119-43, accessed June 17, 2021, http://www.jstor.org/stable/1343465.

163   Beznec et. al, "Governing the Balkan Route," 29-41.

migration frameworks to preserve the integrity of a European project from which they themselves have been excluded. Indeed, Serbia's then-Prime Minister and current President Aleksandar Vučić invoked the idea of Europe for his own purposes during the 2015 migration crisis, decrying Orbán's "non-European" policies and calling on "[EU] members to behave in line with European values" or else "[Serbia] will find a way to protect [its] borders and European values as well."[164] Seizing on that opportunity to elevate Serbia to the EU's moral high ground, Vučić was less eager to place Serbia inside Europe once it became clear Serbia might have to host refugees long-term, insisting his country could not become a "parking lot" for migrants.[165] Much as Orbán used supranational border infrastructure to execute a nationalist agenda, Vučić latched onto European project rhetoric to articulate and further his goals and Serbia's positionality.

As such, rhetorical proximity to the European project sometimes outpaces territorial acceptance, with candidate states often appropriating that space even when faced with official exclusion. It is thus unsurprising that Hungary, Serbia, and Western Balkan countries on the EU's territorial and rhetorical periphery adopted deterrence-based migration policies on behalf of the EU, performing a hyper-nationalist policing of European identity in order to distance themselves from the migrant other and approximate themselves to enlightened Europe. Many EU-core countries (such as Austria, Poland, and certain movements in the Netherlands, France, and Germany) not only encouraged but ultimately adopted such policies themselves—reintroducing intra-Schengen controls, capping refugee admissions, and engaging in deterrence-focused information campaigns. As demonstrated, migrants were quick to articulate these hypocrisies, as the Europe they had heard about and ran towards—the one based on human rights, justice, and tolerance—gave way to a Europe which abused and excluded them. The fact that migrants were then able to reproduce this liberal institutionalist discourse to argue for their freedom of movement highlights the reach and power of the EU's rhetoric, as well as the distance between the EU's projected image and the realities of its border regime.

> "BORDERS, BY DEFINITION, ARE A DIRECT CONTRADICTION OF SUPRANATIONALISM AND THE VALUES THE EU VENERATES AS ITS MOST IMPORTANT."

Borders, by definition, are a direct contradiction of supranationalism and the values the EU venerates as its most important. Simply put, borders determine the fault lines of discrimination—they write

164   Maja Zuvela and Krisztina Than, "Hungarian Riot Police Detain Migrants, Including 'terrorist,'" *Reuters*, September 15, 2015, https://www.reuters.com/article/us-europe-migrants-idUSKCN-0RD0P420150916.

165   Tanjug, "PM: Serbia Won't Be Parking Lot for Migrants," *B92.net*, March 28, 2021, https://www.b92.net/eng/news/politics.php?yyyy=2016&mm=02&dd=03&nav_id=96915.

the rules for who falls inside and outside of a given territory and the society within. Deterrence-based migration policies operate as a hyperactive form of this discrimination, manifesting the idea that a territory—and, by extension, an identity—can be "secured" through the vigilant and performative enforcement of the intersections of difference. For as long as borders exist, there will always be those who seek to circumvent the hierarchies they create, just as there will be those ready (smugglers) to assist that circumvention for a fee. Ultimately, it is impossible to enforce borders in such a way that respects human rights; it is an oxymoron, equivalent to trying to find a just way to discriminate. Arguably, border abolition provides the only path towards the reality of a truly egalitarian and liberal institutionalist Europe. At the very least, reorienting migration policy with human rights concerns prioritized would necessitate border relaxation, migrant resettlement programs from traditional countries of origin, and the recalibration of the world economy to eliminate the wage and labor discrepancies which displace and incentivize migrants. Deterrence-based policies at Europe's borders can only subject more bodies to necropolitics; their continuation ensures the creation and performance of more discrimination, displacement, and mass death. In the end, the body count will include not just the millions arriving at Europe's frontiers, but the aspirations of the European project itself.

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Revolutionary Belonging:

Theorizing a Feminist, Activist Citizenship in the Autonomous Administration of North and East Syria

The nation-state is fracturing. Across the globe, the weight of colonial legacies, civil war, systemic gender-based violence, and the oppression of marginalized populations have exposed the cracks in the contemporary organization of nation-states.

This split has allowed people to reimagine their societies and build transformative communities. These community-building projects have raised questions of belonging and citizenship, particularly for populations excluded under the nation-state model. I therefore ask how grassroots organizations and cooperatives can create a more equitable citizenship for women that extends beyond the militaristic nation-state. This project seeks to reimagine the boundaries of the political community by creating a new feminist, activist citizenship framework. I begin by problematizing the nation-state and the nation as the site for citizenship formation before developing my alternative conception of citizenship and its criteria. I then apply that theory to a radical ongoing political project: a system of governance in the north and east of Syria that rejects the nation-state in favor of a feminist model of societal organization. This type of political community, I argue, offers a site to practice a new form of citizenship that

encourages participation from all members of the community. However, to theorize such a community, it is first necessary to interrogate the origins of citizenship and belonging in the nation-state.

Theorizing Citizenship in the Political Community

Traditionally, theories of citizenship have centered the concepts of the nation and state the two types of community in T.H. Marshall's definition of citizenship as: "a status bestowed on those who are full members of a community.[2] All who possess the status are equal with respect to the rights and duties with which the status is endowed."[3] As Stuart Hall and David Held have established, Marshall's definition, despite not mentioning the state, identified the nation-state as one potential layer of citizenship.[4] This has allowed for two potential groundings of citizenship and identity: the nation-state and the nation as a cultural, imagined community. However, both sites of citizenship are exclusionary due to the nation-state's colonial underpinnings and the nation's marginalization of minorities.

The most common site of citizenship formation has been the nation-state, "based on the idea of a single people in a single territory constituting itself as a unique political community."[5] The nation-state is generally understood to be the overlap between a people of a cultural community (or nation) and an explicit territorial boundary, although the state and nation rarely, if ever, completely match each other. Given the universality of the nation-state in international legal frameworks, locating citizenship in the nation-state makes sense on the surface.[6] This prevalence can be attributed to the "naturalization of the state in social and political thought," which makes it easy to dismiss different orientations and conceptions of the nation-state.[7]

Still, it is necessary to acknowledge the exclusion at the root of the nation-state due to former colonizers constructing its borders.[8] Within much of the Global South,

"HOWEVER, BOTH SITES OF CITIZENSHIP ARE EXCLUSIONARY DUE TO THE NATION-STATE'S COLONIAL UNDERPINNINGS AND THE NATION'S MARGINALIZATION OF MINORITIES"

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2   John Clarke, Kathleen Coll, Evelina Dagnino, and Catherine Neveu, "Recentering Citizenship," in *Disputing Citizenship*, 1st ed. (Bristol: Bristol University Press, 2014), 10.

3   Thomas Marshall, *Citizenship and Social Class* (New York: Cambridge New York, 1950), 14.

4   Stuart Hall and David Held, "Citizens and Citizenship," in *New Times: The Changing Face of Politics in the 1990s*, ed. Stuart Hall and Martin Jacques (London: Lawrence & Wishart, 1989).

5   Linda Bosniak, "Citizenship Denationalized," *Indiana Journal of Global Legal Studies* 7, no. 2 (Spring 2000): 454; Jane Burbank and Frederick Cooper, *Empires in World History: Power and the Politics of Difference* (Princeton: Princeton University Press, 2010), 8.

6   Lubna S. El-Gendi, "Illusory Borders: The Myth of the Modern Nation-State and Its Impact on the Repatriation of Cultural Artifacts," *John Marshall Review of Intellectual Property Law* 15, no. 3 (2016): 493.

7   Joost Jongerden, "Governing Kurdistan: Self-Administration in the Kurdistan Regional Government in Iraq and the Democratic Federation of Northern Syria," *Ethnopolitics* 18, no. 1 (2019): 62; Ephraim Nimni, "The Conceptual Challenge of Non-Territorial Autonomy," in *The Challenge of Non-Territorial Autonomy Theory and Practice: Nationalisms Across the Globe*, ed. Ephraim Nimni, Alexander Osipov, and David J. Smith (Oxford: Peter Lang, 2013), 6.

8   Alberto Alesina, Janina Matuszeski, and William Easterly, "Artificial States," *Journal of the European*

"the connection between a people and their territory [was] assumed and prescribed by Eurocentric theories of the 'nation-state.'"[9] The disregard for precolonial constructions of cultural communities both limited access to egalitarian citizenship and entailed a continued fight for self-determination after independence. Postcolonial states reinforced the original colonial demarcations to retain legitimacy in the international system.[10]

The dependence on the nation-state model also excludes populations who may constitute nations but are either denied territorial rights for statehood, like Palestinians, or cross established borders, like the Kurds. Furthermore, legitimizing the nation-state supports settler-colonial nation-states that deny land rights for Indigenous populations. Ultimately, the "statist frame precludes imaginative flowerings of self-determination…within and beyond received colonial boundaries."[11] Through the exclusion of Indigenous populations, stateless people, and national minorities, the nation-state can never act as a site for equal access to citizenship. Therefore, in the absence of a "true" nation-state per the European imagination, wherein the cultural nation and the geopolitical state naturally overlap, scholars have turned to the nation as the site of citizenship.

The nation is "essentially contested."[12] Modernist theories on nationalism have been heavily influenced by Benjamin Anderson's "imagined political community," wherein "the members of even the smallest nation will never know most of their fellow-members…yet in the minds of each lives the image of their communion."[13] One critique that has emerged is that Anderson's underlying theory for the imagined community – the development of print-capitalism and the space it afforded for creating a standardized, "national" language – is not so easily carried into postcolonial imaginings of the nation. As Partha Chatterjee explains, "the specificities of the colonial situation do not allow a simple transposition of European patterns of development."[14] Anderson's definition of the nation therefore privileges European emergences of nationalism, as it overlooks the way Global South nationalisms "are posited…on a difference with the 'modular' forms of the national society propagated by the modern West."[15]

Anthony Smith builds on Anderson's argument through the concept of *ethnie,* linking the nation as a modern construct to preconceived notions of shared identity between members of a community.[16] This theory acknowledges that nations spring from ethnic groups and that the creation and crystallization of these ethnic ties are essential components in sustaining the nation.[17] Smith argues that the "myth-symbol complex,

Economic Association 9, no. 2 (April 2011): 246.

9   Tayyab Mahmud, "Colonial Cartographies, Postcolonial Borders, and Enduring Failures of International Law: The Unending Wars Along the Afghanistan-Pakistan Frontier," *Brooklyn Journal of International Law* 36, no. 1 (2011): 25.

10   Mahmud, "Colonial Cartographies," 25.

11   Mahmud, "Colonial Cartographies," 49.

12   Craig Calhoun, "Nationalism and Ethnicity," *Annual Review of Sociology* 19 (1993): 215.

13   Benedict Anderson. *Imagined Communities: Reflections on the Origin and Spread of Nationalism*. (London, New York: Verso, 1983), 6.

14   Partha Chatterjee, "Whose Imagined Community," in *Mapping the Nation*, ed. Gopal Balakrishnan (London: Verso, 1996), 218.

15   Chatterjee, "Whose Imagined Community," 216.

16   Anthony Smith, *The Ethnic Origins of Nations* (Malden: Blackwell Publishing, 1986).

17   Smith, *Ethnic Origins*, 17.

composed of "the nature (forms and content) of their myths and symbols, their historical memories and central values" maintains the *ethnie*.[18] Smith's concept of *ethnie* is a continuation of German models of national identity, which distinguishes between the *Staatnation* (the nation-state) and the *Kulturnation* (the cultural nation).[19] The idea of the *Kulturnation* explains how narratives around the "language, religion, traditions or customs" of a nation inform the boundaries between forms of national identity, which in turn affect belonging and citizenship within the figurative demarcations of the nation.[20]

Gender, Nation, and Exclusion

One force that maintains boundaries around identity and underpins the nation is gender, a type of social structure that "denote[s] the confluence of institutional rules and interactive routines, mobilization of resources, and physical structures, which constitute the historical givens in relation to which individuals act, and which are relatively stable over time."[21] Because gender as a social structure determines access to resources and power within a nation, in addition to shaping the norms of national belonging, it denies access to the institutional protections of citizenship. As such, the gendered nature of the nation has rendered it impossible as the site of equal citizenship for women in a few ways.

Women Embodying the Nation

Women are often positioned as a symbol of the nation through their relationship to the nation's land and borders.[22] Specifically, women's bodies are mapped onto the physical territory and soil of the nation, allowing for discourse orienting the land and body as sites for masculinist expressions of power in sexualized and eroticized forms.[23] This theme is evident in the colonial construction of unknown lands as "virgin" territory requiring the masculine power of the colonizer, echoed by the perception of the colonized that their land has been "raped," implying a shared passivity and lack of agency between the woman's body and the land.[24]

The linkage between women and land is reinforced by women's roles as "symbolic boundary guards," who identify members and non-members of a group along cultural lines.[25] Yuval-Davis and Stoetzler distinguish between "borders," which refer to the territorial demarcations of the state, and "boundaries," which reflect the limit-lines of cultural collectivities.[26] Because women embody the nation's past and its traditions,

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18   Smith, *Ethnic Origins*, 15.
19   Nira Yuval-Davis, *Gender and Nation* (London: SAGE Publications, 1997), 20.
20   Veronique Mottier, "Narratives of National Identity: Sexuality, Race, and the Swiss 'Dream of Order'," *Swiss Journal of Sociology* 26, no. 3 (December 2000): 541; Hastings Donnan and Thomas Wilson, *Borders: Frontiers of Identity, Nation, and State* (Oxford: Berg Publishers, 1999), 5.
21   Iris Marion Young, "Lived Body versus Gender: Reflections on Social Structure and Subjectivity," in *On Female Body Experience: "Throwing Like a Girl" and Other Essays* (New York: Oxford University Press, 2005), 20.
22   Yuval-Davis, *Gender and Nation*, 67.
23   Uilleam Blacker, "Nation, Body, Home: Gender and National Identity in the Work of Oksana Zabuzhko," *The Modern Language Review* 105, no. 2 (2010): 488.
24   Anne McClintock, *Imperial Leather: Race, Gender, and Sexuality in the Colonial Contest* (New York: Routledge, 1995), 24; Blacker, "Nation, Body, Home," 487.
25   Nira Yuval-Davis and Marcel Stoetzler, "Imagined Boundaries and Borders: A Gendered Gaze," *European Journal of Women's Studies* 9, no. 3 (August 2002): 334.
26   Yuval-Davis and Stoetzler, "Imagined Boundaries," 330.

"AS SUCH, THE GENDERED NATURE OF THE NATION HAS RENDERED IT IMPOSSIBLE TO BE THE SITE OF EQUAL CITIZENSHIP FOR WOMEN IN A FEW WAYS."

thus maintaining Smith's myth-symbol complex, they establish the ideological foundations of the nation. In this way, women become carriers of the nation's honor, and over time, their roles as "boundary guards" may manifest into "*border* guards" over legal and territorial divisions. This becomes a point of further inquiry in later explorations of the relationship between gender and militarism. However, although their positions as "boundary/border guards" may grant them power (albeit to different degrees), these positions of power are still entrenched in masculinist structures of societal construction. Women's roles as "symbolic border guards" thus inform the idea of the *Kulturnation*; because women are tied to the cultural identity and history of the nation, they reproduce the boundaries determining which identities can be included under the scope of the nation.[27]

Women Mothering the Nation

In reproducing the boundaries of the nation - and thus national collectivities - women are perceived as the "mothers of the nation" from both a biological and socio-cultural perspective. This is because the same structures of gendering that imagine women as the nation also demand that women carry forth the nation for future generations. Women are imagined as the biological reproducers of the nation because of their perceived ability to bear children - particularly sons. Motherhood therefore becomes a central aspect of a woman's identity in relation to policy-making that draws the boundaries of the collective. For example, some of the most significant laws that shape the borders and boundaries of the nation regulate women's reproductive rights and relationships with those viewed as outside of the nation's boundaries.[28] Because women create future generations, they are responsible for upholding national purity by enacting and performing culture, as the mother is seen as the site of cultural preservation.[29] This role promotes ideologies of nationalist movements.

Nationalist Movements & Gender

For the purposes of this paper, nationalist movements seek to establish a cultural or ethnic nation within specific territorial borders. The nationalist projects that operate within and emerge from anti-colonial revolutions often fail to acknowledge women in their histories and execution, even if they were vocal and active participants in the movement.[30] Therefore, the creation of the masculinist territorial state allowed for hyper-gendered societal structures to infiltrate the process of establishing a nation. Furthermore, to throw off colonial power, masculinist nationalist traditions sought to revive the "true and pristine traditions of a distant and independent past," using the myth-symbol complex of the *ethnie*

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27   Nadje Al-Ali, "Reconstructing Gender: Iraqi Women Between Dictatorships, War, Sanctions, and Occupation," *Third World Quarterly* 26, no. 4/5 (2005): 741.
28   Loretta Ross and Rickie Solinger, *Reproductive Justice: An Introduction* (Oakland: University of California Press, 2017), 15.
29   Yuval-Davis, *Gender and Nation*, 27.
30   Yolande Bouka, "Women, Colonial Resistance, and Decolonization," in *The Palgrave Handbook of African Women's Studies*, ed. Olajumoke Yacob-Haliso and Toyin Falola (Cham: Palgrave McMillan, 2020), 5.

to formulate a new national identity rooted in anti-colonial resistance.[31]

Because the myth-symbol complex inhibits the equitable inclusion of women in the construction of cultural communities, "women have not been treated as genuine participants...in the nationalist movements organized to end colonialism."[32] As such, "nationalism is incompatible with women's liberation."[33] Although women have mobilized highly visible responses to the restrictive masculinities of nationalist movements, they are either told to disband to present a "united" nationalist front against occupying forces, or they are ignored altogether.[34] Because of this response, it is difficult to imagine how the nation in its current iteration can encompass a fully inclusive citizenship.

Up to this point, I have described how the gendered nature of the nation has rendered it impossible as the site of equal citizenship for women. In the next section, I will discuss how the relationship between gender and militarism complicates notions of citizenship in the nation.

Gender, Militarism, and Citizenship

More recently, some scholars have complicated the idea that nationalism is universally harmful for women, positing the possibility of feminist nationalisms by acknowledging the potential agency afforded to women within such movements.[35] One locus of this agency is women's participation in militaristic and militarized structures, which have a fraught relationship with gender as a social structure. For some women, participation in these militarized institutions represents an expression of

"HOWEVER, A MACRO-LEVEL PERSPECTIVE OF THE RELATIONSHIP BETWEEN GENDER AND MILITARISM REVEALS THAT WOMEN'S ASSIMILATION INTO MILITARIZED STRUCTURES DOES NOT INDICATE A TRANSFORMATIVE SHIFT AWAY FROM THE STRUCTURAL HARMS OF MILITARIZED MASCULINITY."

agency. However, a macro-level perspective of the relationship between gender and militarism reveals that women's assimilation into militarized structures does not indicate a transformative shift away from the structural harms of militarized masculinity. Militarism, according to Amina Mama and Margo Okazawa-Rey, is "an extreme variant of patriarchy, a gendered regime characterized by discourses and practices that subordinate

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31   Kumari Jayawardena, *Feminism and Nationalism in the Third World* (London: Zed Books, 1986), 5.
32   Cynthia Enloe, 2nd ed., *Bananas, Beaches, and Bases: Making Feminist Sense of International Politics* (Berkeley: University of California Press, 2014), 87.
33   Dilar Dirik, "Living Without Approval," interview by Jonas Staal, in *Stateless Democracy: With the Kurdish Women's Movement* (Amsterdam: New World Academy, 2015), 29.
34   Enloe, *Bananas, Beaches, and Bases*, 113.
35   Ranjoo Seodu Herr, "The Possibility of Nationalist Feminism," *Hypatia* 18, no. 3 (Autumn 2003); Nadje Al-Ali and Latif Tas, "Reconsidering Nationalism and Feminism: the Kurdish Political Movement in Turkey," *Nations and Nationalism* 24, no. 2 (2018): 471.

and oppress women, as well as non-dominant men."[36] The process of militarization entrenches the roots of militarism into societal practices and organizations, producing militarized masculinities and femininities that ultimately privilege masculinity in the public and private spheres and uphold its exclusionary manifestations.[37] Notably, militarism as a gendered ideology governs access to citizenship for members of the nation, both in the way it delineates national borders and internally dictates which identities have access to power.

National citizenship is reliant upon the consistent physical and psychological defense of the nation's borders. One manifestation of such defense is military service and conscription, originating from the ideal of the national (male) warrior or soldier-citizen.[38] While this ideal has been challenged with the inclusion of women within the armed forces, the militarized masculinities that underlie military structures have remained. Examples of these structural militarized masculinities include male conscription (supplemented by the contrasting image of the "patriotic mother") and the privatization of security that relies on gendered divisions of labor, not only leading to the exclusion of women from the security sector but also forming a "global hierarchy of masculinities" through the devaluation of the labor performed by non-Western men for Western contractors and contracting companies.[39] These examples demonstrate how the gendering of militarism impacts people of all genders and leads to a privileging of certain identities over others. As such, women participating in military institutions adopt militarized masculinities, upholding the privileges afforded by this power structure and allowing it to remain as a gateway to citizenship.[40]

The militarized identities that stem from the physical defense of the nation's borders extends the notion of women being "symbolic border guards" of the nation, because "the military is the guardian of national identity."[41] I argue that as women become involved in militarized activities

"AS SUCH, WOMEN PARTICIPATING IN MILITARY INSTITUTIONS ADOPT MILITARIZED MASCULINITIES, UPHOLDING THE PRIVILEGES AFFORDED BY THIS POWER STRUCTURE AND ALLOWING IT TO REMAIN AS A GATEWAY TO CITIZENSHIP."

36   Amina Mama and Margo Okazawa-Rey, "Militarism, Conflict, and Women's Activism in the Global Era: Challenges and Prospects for Women in Three West African Contexts," *Feminist Review* 101, no. 1 (July 2012): 99.
37   Alicia Decker, *In Idi Amin's Shadow: Women, Gender, and Militarism in Uganda* (Athens: Ohio University Press, 2014), 14; Cynthia Enloe, ""Demilitarization—or More of the Same? Feminist Questions to Ask in the Postwar Moment," in *The Curious Feminist: Searching for Women in a New Age of Empire* (Berkeley: University of California Press, 2004), 217.
38   Maya Eichler, "Militarized Masculinities in International Relations," *The Brown Journal of World Affairs* 21, no. 1 (Fall/Winter 2014): 84.

39   Eichler, "Militarized Masculinities," 86.
40   Noya Rimalt, "Women in the Sphere of Masculinity: The Double-Edged Sword of Women's Integration in the Military," *Duke Journal of Gender Law and Policy* 14, no. 2 (May 2007): 1119.
41   Sule Toktas, "Nationalism, Militarism, and Gender Politics: Women in the Military," *Minerva: Quarterly Report on Women and the Military* 20, no. 2 (Summer 2002): 32.

and structures, they perform the role of the "symbolic border guard" by defending the nation, increasing their proximity to the protections of a militarized, masculinized identity. Simply put, the symbolic border guard transforms into the literal border guard. This process reaffirms the way the defense of the boundaries and borders of the nation is rooted in a gendered construction of the *Kulturnation* that centers masculinity and the patriarchy.

Because access to citizenship is conditional upon assimilation into masculinist militarized structures, women's agency within nationalist movements is limited. The role of militarism and militarized masculinities in shaping the nation reinforces its exclusionary character. To counter the gendered exclusivity of the nation and nation-state, it is necessary to look beyond these constructions as the site for citizenship formation.

Rejecting the Nation: The Possibilities of Postnational Citizenship

"POST-NATIONAL CITIZENSHIP RELIES ON DECOUPLING CITIZENSHIP FROM THE NATION-STATE AND REPRESENT A SHIFT TOWARDS A PERSONHOOD-BASED MODEL OF CITIZENSHIP RATHER THAN ONE BASED ON THE NATION."

Post-national citizenship is one way to separate citizenship and the nation as it offers alternative definitions and locations of citizenship. Post-national citizenship relies on decoupling citizenship from the nation-state and represents a shift towards a personhood-based model of citizenship rather than one based on the nation.[42] There have been two primary manifestations of postnationalism in prior scholarship: transnational citizenship and global citizenship.[43] Early scholarship on postnationalism linked it to a transnational conception of citizenship due to globalization and increased multiculturalism in Europe in the 1990s and early 2000s.[44] A well-known example of this was a proposal for transnational citizenship within the European Union (Soysal 2004).[45] "Global citizenship" advocates for a universal citizenship rooted in transnational norms of human rights upheld by international legal structures.[46] As a result, some scholars

42   Bosniak, "Citizenship Denationalized," 459; Yasemin Soysal, *Limits of Citizenship: Migrants and Postnational Membership in Europe* (Chicago: University of Chicago, 1994), 1.
43   Bosniak, "Citizenship Denationalized," 485.
44   Bosniak, "Citizenship Denationalized," 457; Saskia Sassen, "Towards Postnational and Denationalized Citizenship," in *Handbook of Citizenship Studies*, ed. Engin Isin and Bryan Turner (London: SAGE Publications, 2002), 282.
45   Yasemin Soysal, "Postnational Citizenship: Reconfiguring the Familiar Terrain," in *The Blackwell Companion to Political Sociology*, ed. Kate Nash and Adam Scott (Malden: Blackwell Publishing, 2004), 335.
46   Ali A. Abdi and Lynette Schultz, "Introduction," in *Educating for Human Rights and Global Citizenship* (Albany: State University of New York Press, 2008), 4.

have placed postnationalist theories of citizenship in the context of broader anti-border movements.[47] While I reject both types of citizenship because they neglect the experiences of diverse groups within a political community, post national citizenship is still useful because it removes traditional national and state borders.

The rejection of national and state constructs allows for the second foundational aspect of post nationalist citizenship to occur: the reliance upon grassroots organizations and activism. Katherine Tonkiss argues in favor of a bottom-up, or actor-oriented, conception of postnationalism, wherein "actor-oriented perspectives are based on the recognition that rights are shaped through actual struggles informed by people's own understandings of what they are justly entitled to."[48] This approach shifts focus away from macro-level political and legal institutions that determine post-national citizenship, instead highlighting how individual and local-level actors disrupt the ties between nation and citizenship through activist organizing. Therefore, using post-national citizenship theory as a guide, I argue that civil society organizations and other models of community can build a more inclusive form of citizenship.

Building a Postnational Community: The Autonomous Administration of North and East Syria

In this section, I argue that post-national citizenship should not be enacted on a global or transnational scale, because those models still implicitly accept the nation-state framework. Rather, enacting post-national citizenship should reject national and state borders and instead seek to build a new model of community. One theoretical framework that a political community could adopt is democratic Confederalism, as in the Autonomous Administration of North and East Syria (hereafter referred to as the AANES).

Democratic Confederalism and Jineology: A Response to the Nation-State

Originally created by Abdullah Ocalan, one of the founders of the Kurdistan Workers' Party (PKK) and an ideological father of the Kurds, democratic Confederalism rejects the nation-state and its gendered, militarized, and capitalist underpinnings in favor of "grassroots democracy" or "a democracy without a state."[49] Under a democratic Confederalist political project, political action is not undertaken along ethnic or "national" lines; rather, the decentralized nature of this system allows it to accommodate multiple "ethno-cultural and ethno-religious groups."[50] Ocalan describes democratic Confederalism as a system "organized in the form of open councils, town councils, local parliaments, and larger congresses. The citizens themselves are the agents of this kind of self-

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47   Salina Abji, "Postnational Acts of Citizenship: How an Anti-Border Politics is Shaping Feminist Spaces of Service Provision in Toronto, Canada," *International Feminist Journal of Politics* 20, no. 4 (October 2018): 504.

48   Katherine Tonkiss, "Locating the Post-National Activist: Migration Rights, Civil Society, and the Practice of Post-Nationalism," *Ethnic and Racial Studies* 42, no. 2 (January 2019): 164; Celestine Nyamu-Musembi, "Towards an Actor-Oriented Perspective on Human Rights," in *Inclusive Citizenship: Meanings and Expressions*, ed. Naila Kabeer (London: Zed Books, 2005), 31.

49   Abdullah Öcalan, *Democratic Confederalism* (Cologne: International Initiative, 2011), 33.

50   Rosa Burk, "Non-Territorial Autonomy and Gender Equality: The Case of the Autonomous Administration of North and East Syria – Rojava," *Philosophy and Society* 31, no. 3 (2020): 327

government, not state-based authorities."[51] This project therefore extends the actor-oriented perspective of societal structuring and citizenship, as it prioritizes the role of citizens and grassroots organizations rather than macro-level institutions in creating a political community.

At the root of democratic Confederalism is Jineology, a feminist ideology first developed through Kurdish women's organizing and struggle on behalf of the PKK against Turkey.[52] Jineology, although its definitions vary, essentially advocates for a "women's paradigm," articulating a vision of society that centers women's liberation through the disruption of oppressive hierarchies of knowledge production.[53] Within the democratic Confederalist model, Jineology is viewed as the foundation for society, offering a unique ideology through which to organize a political community and its criteria for citizenship.

Most of the literature on Kurdish-led organizing in Syria has evaluated the success of the democratic Confederalist project through the lens of either formal political parties and institutions, or military and paramilitary groups such as the Women's Protection Units, or YPJ.[54] As a result, democratic Confederalism is still thought to foster nationalist thought, and the transformative power of Jineology remains largely unexplored. I argue that this position fails to consider local and grassroots organizing, which intentionally rejects ethnonationalism and rejects the nation or nation-state as the unit of political community.

Resisting Invasion, Becoming a Citizen: Militarism and the AANES

To protect the principles of Jineology, the concept of "defense" is central. Self-defense in the context of Jineology is a response to the "defenseless status" that male-dominated hierarchies and systems of power have forced women into.[55] As a result, the modes of self-defense that women engage in under a framework of Jineology are widely varied, and are not limited to participating in traditional, (hyper)militarized, masculinized institutions. Western media coverage fails to reflect this diversity, as it centers Kurdish women in the YPJ, or the Women's Protection/Defense Units, and their role in the fight against Daesh (ISIS). This reductionist narrative locks women within the YPJ into an especially masculinized construction. Despite their commitment to Jineology, women are still part of inherently masculinized structures due to the YPJ's status as a military organization and their collaboration with Western militaries that are not invested in the same radical project of democratic Confederalism. Furthermore, the defense of the AANES requires the bordered demarcation of territory occupied by ISIS, Syria, Turkey, or the democratic Confederalist project. Even though organizations like the YPJ may not be interested in maintaining the borders of a state in the long-term, these

51   Abdullah Öcalan, *War and Peace in Kurdistan* (Cologne: International Initiative, 2014), 32.
52   Abdullah Öcalan, *Liberating Life: Woman's Revolution* (Cologne: International Initiative, 2013), 40.
53   Gonul Kaya, "Why Jineologî? Re-Constructing the Sciences Towards a Communal and Free Life," speech given March 2014 at Jineologî Conference, Cologne, Germany.
54   Andrea Novellis, "The Rise of Feminism in the PKK: Ideology or Strategy?" *Zanj: The Journal of Critical Global South Studies* 2, no. 1 (July 2018); Pinar Dinc, "The Kurdish Movement and the Democratic Federation of Northern Syria: An Alternative to the (Nation-)State Model?" *Journal of Balkan and Near Eastern Studies* 22, no. 1 (January 2020).
55   Besê Erzîncan, "Women and Self-Defense," *Jineologî*, February 1, 2021, https://jineoloji.org/en/2018/11/30/women-and-self-defense.

borders are a product of defending the region against external threats. As established earlier, the construction of women as "border guards" limits their access to citizenship; because women in the YPJ embody the role of border guards as they defend the AANES against external forces, their capacity to fully enact citizenship is hampered.

This is not to say that the YPJ and other modes of armed self-defense that women in the region engage in cannot exist within the framework of a feminist, activist citizenship. The focus on the military activities of the YPJ against Daesh has erased the complexity of the multilayered system of self-defense in the region. Within the YPJ, for instance, while most of the members tend to be young, unmarried women, and the cut-off age to join is 18, there are younger women who attempt to join to escape abusive familial situations and living conditions. These women have academies where they receive education and vocational training but do not partake in any military operations.[56]

It is also important to note the other forms of armed self-defense for women in the region aside from the YPJ: the Asayisha Jin (Women's Internal Security Forces) and the HPC Jin (Women's Civil Defense Forces). The Asayisha Jin are an internal police force, monitoring checkpoints, conducting search and arrest operations, and sometimes joining the YPJ in their military operations. However, the HPC Jin, mostly composed of elderly women, guards the buildings and meeting halls of women's institutions and councils, in addition to facilitating intervention in domestic disputes.[57] As Samira Mihemed, a member of the HPC Jin, explains, "we are all responsible for each other and it is our duty to look out for and help each other."[58] The HPC Jin thus complicate traditional conceptions of defense, as they do not directly engage with other militant organizations; rather, "defense" includes helping other women escape abusive situations and adopting a community-oriented approach to policing.

The tension between the standard of masculinized, militarized institutions and attempts to reframe "traditional" notions of "defense" activities represents a challenge of developing a democratic Confederalist society within a hostile statist framework. There are two major implications for citizenship created by these organizations. On the one hand, the armed territorial defense that women engage in limits their capacity to adopt a feminist citizenship that resists the masculinized protection of borders and land. Because women's ideas of defense under Jineology extend beyond the protection of territorial borders though, there is a reconfiguration of "defense" that is compatible with a feminist, anti-militaristic citizenship - one that does not rely on engagement with militaristic institutions to be considered part of the community. Without various armed defense forces, the radical political project in the AANES could not occur, as it

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56   Rojava Information Center, "Beyond the Frontlines: The Building of the Democratic System in North and East Syria," *Rojava Information Center*, December 19, 2019, https://rojavainformationcenter. com/2019/12/report-beyond-the-frontlines, 52.
57   Ibid.
58   Zibeda Eli and Samira Mihemet, "Civil Defense Forces Commanders on Community Policing in North and East Syria," interview by the Rojava Information Center, *Rojava Information Center*, June 18, 2020, https://rojavainformationcenter.com/2020/06/interview-civil-defense-forces-commanders-on-community-policing-in-north-and-east-syria.

remains under occupation and attack by Turkey and Syria. However, the support that these organizations provide for the AANES's democratic Confederalist system can challenge the masculinity of militarism using Jineology and its different conception of "defense." This reframing of the connection between militarism and feminist ideology has important implications for imagining a more inclusive citizenship, as I will explain below.

Crafting a Feminist, Activist Theory of Citizenship

Building on the unique feminist ideology of Jineology, as well as the potential of post-national citizenship to decenter the nation in discourses and practices of citizenship, I theorize a new type of feminist, activist citizenship that shapes a more inclusive political community. This framing of citizenship - emphasizing a bottom-up approach through grassroots activism - extends Balibar's claim that "the practical confrontation with different modes of exclusion … always constitutes the founding moment of citizenship."[59] I argue that the exclusion wrought by the structure of the nation has necessitated a more inclusive citizenship enacted by participants within feminist collectives and grassroots organizations.

Key Concepts

"THE HPC JIN THUS COMPLICATE TRADITIONAL CONCEPTIONS OF DEFENSE, AS THEY DO NOT DIRECTLY ENGAGE WITH OTHER MILITATION ORGANIZATIONS . . ."

Before explaining my framework, I want to define a couple of the key terms associated with my theorization of citizenship: feminist citizenship and activist citizenship.

In developing a "feminist" citizenship, I draw on Ruth Lister's idea of "differentiated universalism."[60] This concept encompasses the tension between a citizenship of difference, which accounts for and attempts to rectify the ways minorities in a polity are marginalized within citizenship frameworks, and the universality of principles of equality and inclusion in the political community.[61] However, although Lister argues against the nation(-state) and recognizes the importance of post-national citizenship, the site of Lister's citizenship of "differentiated universalism" is the global community. As a result, I depart slightly from Lister's work. Instead, I propose that the site of a feminist citizenship is within a democratic Confederalist model as envisioned by Ocalan, rooted in Jineology. This placement still embraces the differentiation and the universality of citizenship but situates it in a political community that rejects the essentialism of the global community and the inequitable citizenship of the nation.

Furthermore, my use of the term "feminist" to describe a

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59   Etienne Balibar, *We, the People of Europe?: Reflections on Transnational Citizenship*, trans. James Swenson (Princeton: Princeton University Press, 2004), 76.
60   Ruth Lister, *Citizenship: Feminist Perspectives*, 2nd ed., ed. Jo Campling (London: Palgrave McMillan, 2003), 68.
61   Lister, *Citizenship: Feminist Perspectives*, 91.

citizenship rooted in Jineology deserves some explanation because of its contested nature in Global South communities and contexts. While Kurdish women have been resistant to the descriptor of "feminist" due to its associations with white, Western feminist scholarship that homogenized and erased the experiences of women in the Global South, in recent years, activists have become more comfortable identifying Jineology as an explicitly feminist ideology.[62] Additionally, feminist theory in international relations tends to favor rejecting militarism; I argue that in the long-term, it is necessary to decouple citizenship and militarization to create an egalitarian and inclusive form of belonging. As such, the word "feminist" to describe this citizenship project is intentional and rooted in the work of local activists.

The second term I want to clarify is "activist citizenship." I take this concept from Engin Isin's theory of *enacting* citizenship, wherein members of political communities rupture the traditional boundaries of the political community to enact themselves as citizens within it.[63] In this way, activist citizenship frames citizenship as a dynamic process, shaped by the resistances of the most marginalized, which in turn produces a more inclusive political community.

Therefore, to implement a feminist, activist citizenship, there are three primary requirements.

First, because a precondition of citizenship is demarcating the bounds of its political community, the foundation for this new theory of citizenship cannot rely on the nation. Rather, the political community for this citizenship must actively reject the structure of the nation through both a disavowal of territorial borders and the national boundaries that rely on the gendered myth-symbol complex. Ocalan's conceptualization of democratic Confederalism exemplifies this.

Second, it is necessary to ensure the safety of all members of the community, so that the economic, political, and social power of feminist collectives can be brought to fruition and people within the community have access to self-determination. Only by ensuring safety as a prerequisite can an "activist" citizenship have the space to develop; safety is a condition for creating other programs through which members of the community can enact themselves as citizens. This tenet reintroduces the tension in enacting a feminist citizenship within a militaristic framework for the purpose of self-defense.

Finally, to protect the autonomy and self-determination established by the first two points, it is imperative to establish a restorative justice framework. Because of the rejection of the nation-state in a democratic Confederalist model, an alternative justice system that does not depend on enforcement by the state is necessary. Restorative justice seeks to promote "reconciliation between the victim and the offender on an individual level, as well as social peace on a community level."[64] Rather

62   Chandra Mohanty, "Under Western Eyes: Feminist Scholarship and Colonial Discourses," *Feminist Review* 30, no. 1 (November 1988); Arianne Shahvisi, "Beyond Orientalism: Exploring the Distinctive Feminism of Democratic Confederalism in Rojava," *Geopolitics* 26, no. 4 (December 2018): 1006.
63   Engin Isin, "Citizenship in Flux: The Figure of the Activist Citizen," *Subjectivity* 29 (2009): 382.
64   Miran Kakaee, "Democratic Confederalist Approaches to Addressing Patriarchal Violence Within the Justice System," *Capitalism Nature Socialism* 31, no. 4 (2020): 26.

than punishing the perpetrator, restorative justice centers the survivor's experience to reach a solution that emphasizes the healing of the individual and the community at large. This allows for community participation, contributing to a fuller enactment of citizenship.

Historically, restorative justice mechanisms have not been adopted by organizations such as the International Criminal Court or the International Court of Justice; the very nature of these court systems precludes the introduction of restorative justice measures because such courts are intended to exact punitive and retributive forms of justice. Instead, restorative justice processes have usually been incorporated into post-conflict or transitional justice processes that exist outside of pre-established legal structures; notable examples include Truth and Reconciliation Commissions, which South Africa adopted while transitioning away from apartheid, and the gacaca courts of Rwanda, which were community courts intended to aid with the fallout of the 1994 genocide. While these programs have been criticized in their efficacy and lack of accountability for those accused of various crimes, their promotion of community healing by enacting restorative justice on an individual or local level provides a strong foundation for further consideration of restorative justice-oriented legal structures in other conflict or post-conflict zones.

" . . . IN RECENT YEARS, ACTIVISTS HAVE BECOME MORE COMFORTABLE IDENTIFYING JINEOLOGY AS AN EXPLICITLY FEMINIST IDEOLOGY."

Feminist, Activist Citizenship Through the Actions of Kongreya Star: A Case Study

To evaluate my theory of citizenship, I chose to examine how women's organizations in the AANES engage in the democratic Confederalist system to carve out a path to a more equitable citizenship. Within the democratic Confederalist system in the AANES, "people first meet together at the local "commune" level, which can include a whole village or from 30 to 400 or more households. The communes then send elected, rotating delegates up to the next "neighborhood council" level, comprised of the coordination boards of 7 to 30 communes. From there delegates go up to the District People's Council. Decisions are made at the level they affect and all representatives are elected, with one male and one female for every post."[65] Under the Movement for a Democratic Society (TEV-DEM), there are mixed-gender commissions with gender-parity representation in areas such as the economy, health, education, and justice. Running parallel to TEV-DEM, Kongreya Star (Star Congress) is an umbrella organization that mobilizes women-only commissions mirroring the commissions of TEV-DEM, with separate women's commissions for education, health, economic activity, and others. Under Kongreya Star, women's groups at the local and regional levels collaborate to support women-only communes

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65   Jo Magpie, "Regaining Hope in Rojava," *Open Democracy*, June 6, 2016, https://www.opendemocracy.net/en/north-africa-west-asia/regaining-hope-in-rojava/.

and practice the tenets of Jineology, enacting my theory of citizenship.

Data and Methods

To understand how the three tenets of my theory are enacted by Kongreya Star and its constitutive groups, I drew upon a few types of sources. I analyzed the content of lesson plans and curricula developed for schools run by Kongreya Star and its affiliated organizations to determine the impact of the education system. I relied on prior interviews with community members, activists, and leaders (some in translation provided by the organization and some in English) as well as news articles produced by local media organizations to comprehend both the reach and the perception of Kongreya Star's projects. I also used online reports produced by local information-gathering organizations such as the Rojava Information Center (RIC), Kongreya Star, Women Defend Rojava, Emergency Committee for Rojava, and commune- or canton-specific organizations that led activities of the women's movement.

In the following sections, I analyze this data to explain how the different actions undertaken by Kongreya Star have contributed to the formation of a new, more inclusive citizenship.

Kongreya Star and the AANES: The Power of Women's Collectives in Enacting Citizenship

Building a Symbolic Resistance to Boundaries: Education and Kongreya Star

Within the AANES, Kongreya Star has resisted the creation of symbolic boundaries around national identity through challenging the myth-symbol complex via educational and curricular reforms. There are two types of training that the Kongreya Star Educational Committee produces: practical training, such as teaching languages or trade skills; and ideological training, which consists of lessons in history, leadership, and the political and social philosophies of Jineology and democratic Confederalism, among other topics.

A critical element of Kongreya Star's practical training programs are different language classes in women-only groups. Although the first schools started in the AANES promoted Kurdish-language education due to its suppression in Turkey and Syria and the high volume of Kurds in the region, the expansion of democratic Confederalism into more cantons has allowed more languages to be included in the curriculum, such as Arabic and Syriac. A formal curriculum for these languages does not only benefit students, but also teachers. Becet Hussein, a member of the Qamishli Canton School Board, explained in 2019 that "our biggest challenges involve educating teachers to teach in Kurdish," due to its historical suppression.[66] The training for teachers provided by Kongreya Star's Education Committee rectifies this gap, allowing teachers to reclaim the language alongside their students through an educational model that emphasizes dialogue and the exchange of ideas, recognizing that people from all backgrounds have knowledge to share.[67]

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66   Becet Hussein, quoted in Daniel Stefani and Edmund Ruge, "The Linguistic Pedagogy of Co-Existence at Kurdish Schools in Rojava," *Peripheries* 4, (2019): 3.

67   Kongreya Star, "Kongreya Star and its Committees: The Diplomatic Relations of Kongreya Star,"

The acceptance of multiple languages in schools speaks to the broader integration of minority groups within the AANES to avoid Kurdish nationalist sentiment. These efforts have been reflected in cosmetic changes, like the name of the "Autonomous Administration of North and East Syria" instead of "Rojava," which translates to the "West," referencing its placement within Kurdistan as a geographic region, as well as through more concrete action, such as establishing women's organizations for different ethnicities under Kongreya Star. Furthermore, as the democratic Confederalist project has grown, more women's organizations representing non-Kurdish ethnic groups have emerged and organized for their rights.

The language programs, in conjunction with efforts to incorporate all ethnic groups equally into the democratic Confederalist project, resist national boundaries that exclude underrepresented groups. Embracing one's cultural identity through language helps women fully enact oneself as a citizen within the political community because without the ability to express oneself comfortably, there can be no true liberation. The creation of women's organizations and language programs for historically excluded populations in the region also embodies Lister's notion of "differentiated universalism." Allowing students of a particular ethnicity to learn their language (particularly when it has been repressed by the state) leaves sufficient room for a citizenship of difference, acknowledging the unique cultural attributes of certain communities. At the same time, by offering multiple languages at a single school or uniting individual organizations under an umbrella like Kongreya Star, a universal conception of citizenship can exist within the democratic Confederalist model.

Kongreya Star has also led ideological training to increase awareness of the transformative power and pedagogies of Jineology and democratic Confederalism. This ideological training has occurred through individual courses integrated into a broader school curriculum and by establishing Jineology academies across the region. Evin Emin, a teacher of Jineology at an academy in the city of Heseke, explains that through an education centering Jineology, "we leave them understanding, using their own thoughts, own feelings...researching with your own mind."[68] This statement showcases how integrating Jineology into the school system encourages a new mode of thinking about the world. As one student puts it, "Jineology is necessary because women know themselves, know their existence and social reality...how to see their society."[69]

In this vein, a particularly intriguing aspect of the curriculum is the approach to teaching history in Jineology academies, particularly as those lessons relate to the contributions of women in developing society. This is because it is often through lessons about history, and collective constructions of the past, that build the myth-symbol complex that proves to be so harmful in crafting citizenship. To counter these traditional narratives and develop an alternative history rooted in the pedagogical

Kongra Star, 2018, 32, https://rojavainformationcenter.com/storage/2021/07/Kongreya-Star-2018-Brochure.pdf; Janet Biehl, "Revolutionary Education: Two Academies in Rojava," *Jineologî*, February 7, 2015, https://jineoloji.org/en/2015/02/07/revolutionary-education-by-janet-biehl.

68 "Jineology Academy, "Jineologî in the Schools of North and East Syria," filmed June 12, 2020, in Syria, video, 5:02, https://jineoloji.org/en/2020/04/27/video-jineoloji-in-the-schools-of-north-and-east-syria/.

69 Ibid.

techniques of Jineology, Dorşîn Akîf, an instructor at the Kongreya Star Academy, says:

> We are trying to overcome women's nonexistence in history. We try to understand how concepts are produced and reproduced within existing social relations, then we come up with our own understanding. We want to establish a true interpretation of history by looking at the role of women and making women visible in history. The way people interpret history affects the way they act.[70]

For children, part of the process of learning history includes storytelling, as instructors in Jineology academies recognize that "through storytelling, children understand things the best. The meaning stays with them."[71]

The reconfiguring and reclamation of history - particularly through mixed media like performance-based storytelling - is central to undoing the historical mythologies that underlie the nationalist citizenship that relies on the myth-symbol complex of the *ethnie*. This process of undoing occurs for two major reasons. First, the history of struggle and resistance is made personal. Emin tells her students that "the grandmothers of our grandmothers were goddesses...if we don't read and study, we wouldn't know this."[72] While envisioning ancestors as goddesses might reinforce the mythologizing of history, this perspective ignores the way Jineology curricula and lessons challenge oppressive systems of knowledge production. In reconstituting modes of knowledge production, women can use the stories that once oppressed and essentialized them as a source of power. Moreover, women's organizations and Jineology academies push back on masculinist, patriarchal narratives by encouraging girls and women to develop their own narratives placing themselves within the political community. In doing so, these women resist the label of "symbolic boundary guards" by writing into existence their own status in society.

Every Jineology Academy session concludes with a performance depicting the students' vision for their continued engagement in the community. Each student must participate in some aspect of the political community, whether it be joining an organization, a women's council, or any of the armed defense forces.[73] This is a perfect application of my theorization of a feminist, activist citizenship. Because women can claim belonging and community through education, they are engaging in a feminist citizenship, building a united community that acknowledges its different experiences. With the knowledge taught by radical educational systems, women can enact themselves more effectively as citizens in the community by joining councils or organizations or creating new stories that give them a space of their own within which to claim autonomy.

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70   Biehl, "Revolutionary Education."
71   Jineology Academy, "Storytelling with Jineologî," filmed April 27, 2020, in Syria, video, 7:04, https://jineoloji.org/en/2020/04/27/video-storytelling-with-jineoloji.
72   Jineology Academy, "Jineology in the Schools."
73   Biehl, "Revolutionary Education;" Jineology Academy, "Storytelling with Jineologî."

Even when joining armed defense groups such as the YPJ or HPC Jin, the Jineological underpinnings of these organizations allows for a feminist, activist, defense-oriented approach to security and citizenship in opposition to traditional masculinist militarisms. In this way, the modes of knowledge production and education that Kongreya Star has created forms a solid foundation for the development of a more inclusive, feminist citizenship that individuals enact for themselves. The emphasis on joining and strengthening local, community-centered structures as a feminist mode of societal formation at the grassroots level notably stands in opposition to attempts to merely assimilate women into hegemonic masculinist hierarchies. A rejection of the foundational masculinities of the political community – a process that occurs through adopting a Jineological framework – in encouraging women to educate and enact citizenship for themselves makes this a particularly radical movement.

Extending Jineology's Self-Defense: The Role of Mala Jin (Women's Houses)

Another manifestation of the principle of "self-defense" has been the creation of a network of Mala (Parastina) Jin, or Women's (Protection) Houses. The purpose of the Mala Jin is twofold: to provide a haven for women facing abusive or violent situations at home and need shelter, and to adjudicate domestic conflicts using restorative justice mechanisms. It is interesting to note the use of the word "Parastina," used to describe both the YPJ and the Mala Jin. The most direct English translation is "protection," demonstrating the wide-ranging application of the principle of self-defense. Naima Mehmud, the co-chair of the Mala Jin in the city of Heseke, asserts that "women's solidarity is the most important thing. Women must defend women," a sentiment reflecting the foundation for these houses.[74] The women who work in the Mala Jin engage in various levels of protection, ranging from mediating gender-related conflicts at a neutral site to directly rescuing abused survivors from their perpetrators' homes.

The protection that the Mala Jin provide fulfills the second tenet of my theory: safety as a prerequisite for enacting citizenship. A woman cannot fully enact herself as a citizen if she is facing domestic abuse and violence. The creation of the Mala Jin by women for other women is an example of an enactment of citizenship, as other women are participating and leading community structures to support the political project. Furthermore, Mala Jin encourage a differentiated, universalist enactment of citizenship because the aid provided is culture-specific while attempting to induce a collective healing process for the community. The project in the AANES is dependent on women engaging in multiple forms of self-defense. They are only able to enact themselves as citizens by first defending themselves against external violence that threatens their potential to create a radical political community.

Mala Jin as a Site for Restorative Justice

Guiding the work that the Mala Jin undertake is the "Women's

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74   Naina Mehmud, "Women Must Defend Women!" interview by Women Defend Rojava, *Women Defend Rojava*, April 20, 2020, video, 3:25, https://womendefendrojava.net/en/2020/04/20/women-must-defend-women.

Law." Developed in 2014, this document outlines basic principles that all members of the AANES should abide by. Some of the provisions include a requirement of consent and a minimum age of 18 for marriage, outlawing gender-based violence and discrimination, and a guarantee of equality between men and women in all aspects of public and private life.[75] The creation of the "Women's Law" is an example of women enacting citizenship because they draw on their experiences as marginalized members of the community to replace state-based modes of policymaking with a liberatory legislative framework. The "Women's Law" therefore provides a legal framework through which the Mala Jin and Kongreya Star can act to protect people in the region against violence while encouraging a shift in how legal structures ought to look and act.

Mala Jin are reshaping legal and justice systems as they resolve conflict within the community through restorative justice techniques. Although they focus on gender-based conflict, they represent a broader transformation of the justice system in the AANES as they enact a feminist praxis of justice. Bahiya Murad, one of the co-founders of the first Mala Jin, explains:

> When a woman faces a problem, first, we sit down separately with the wife and discuss with her and then, with the husband. Then, we gather them together to discuss their views, understand one another and come to a common understanding. Our aim is to solve problems through dialogue, without resorting to the courts.[76]

If the house is unable to resolve the case, it is referred to a Woman's Peace and Consensus Committee, which similarly attempts to resolve disputes between the two parties without the formal court system. If neither of these options work, then the case will be referred to a separate court; however, there is a strong preference for reconciliation over sending the perpetrator to prison. This preference aligns with the principle of restorative justice that I identify as the third necessary condition of developing a feminist, activist citizenship. Particularly in a setting as intimate as the mediations set up by the Mala Jin, everyone has a chance to enact themselves as citizens by actively engaging in these reconciliation processes. This is not only because participation in restorative justice measures challenges the boundaries of conventional legal structures, but also because women are able to see themselves as equal in the eyes of the law and imagine a place for themselves within a community. This is unlike a traditional court, which is primarily interested in issuing retributive punishment to the perpetrator rather than prioritizing the perspective or needs of the victim. Therefore, the AANES creates institutions that support an activist, feminist citizenship by encouraging the participation of all involved parties and centering societal healing rather than individualized punishment.

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75 Kongreya Star, "Women's Laws in Rojava – Northern Syria," *Kongra Star,* April 6, 2019, https://eng.kongra-star.org/2019/04/06/womens-laws-in-rojava-northern-syria.
76 Ilham Omer and Bahiya Murad, "Building Peace: North and East Syria's Women's House," interview by Thomas McClure, *Sur International Journal on Human Rights* 30 (April 2020): 52.

So far, this model of justice has been overwhelmingly successful. In the city of Manbij, out of 3,000 cases handled by the various houses across neighborhoods, less than 10% were referred to the formal legal system, with the vast majority handled by the Women's Houses or the Peace and Consensus Commissions.[77] The average number of cases heard per month in Qamishli, the site of the first Mala Jin, is down to 30 to 45 from 70 to 80 cases due to the success of educational programs disseminating knowledge about Jineology and women's rights.[78] Across the entire AANES, out of 1453 cases of domestic violence in 2020, about 64% have already been solved or are being mediated by the Women's Houses.[79] The positive outcomes of this form of justice demonstrates that a feminist, activist conception of the law is possible and effective.

Indeed, as the number of the Mala Jin's internal domestic cases have decreased, the Mala Jin and similar organizations have confronted another problem within the AANES: former Daesh members. Within the AANES, there are two major refugee camps, Al-Hol and Al-Roj, that house people - mostly women and children - linked to Daesh who believed in radicalized ideology to varying degrees. The Al-Hol camp is the larger of the two, with 70,000 inhabitants as opposed to Al-Roj's population of about 2,000.[80] Within these camps, Kongreya Star, leaders of the Mala Jin, and other non-governmental organizations have attempted to de-radicalize and educate thousands of people living in the camps on the way of life in the AANES, built on Jineology and democratic Confederalism. Nura Abdo, the head of Al-Roj camp management, explains that "we go among them, we sit with them...we want to overcome the limits of our thinking...we invite them to share their problems."[81] In the Al-Roj camp, aside from banning the niqab, the women in the camp have relative freedom to do as they wish, and Abdo has observed a shift in attitude as the women in the camp grow to have more trust in the camp management and the representatives of NGOs that come and visit.

Organizations such as Kongreya Star, the Mala Jin, and Weqfa Jin

"THIS IS UNLIKE A TRADITIONAL COURT, WHICH IS PRIMARILY INTERESTED IN ISSUING RETRIBUTIVE PUNISHMENT TO THE PERPETRATOR RATHER THAN PRIORITIZING THE PERSPECTIVE OR NEEDS OF THE VICTIM."

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77   Meghan Bodette, "An Overview of AANES Women's Institutions in Manbij," *Medium*, August 16, 2020, https://mjbodette.medium.com/an-overview-of-aanes-womens-institutions-in-manbij-5089c450c24b.

78   Murad and Omer, "Building Peace," 54.

79   Jeen Peres, "An Assessment for the Year for Women in Northeast Syria," *Medya News*, December 28, 2020, https://medyanews.net/an-assessment-of-the-year-for-women-in-northeast-syria.

80   Rojava Information Center, "Hidden Battlefields: Rehabilitating ISIS Affiliates and Building a Democratic Culture in Their Former Territories," *Rojava Information Center*, December 2020, 18, https://rojavainformationcenter.com/storage/2020/12/RIC_HiddenBattlefields_-DEC2020.pdf.

81   Nura Abdo, "'Our Aim is That These Women Open Their Minds' – Roj Camp Management on Transfers from Al-Hol," interview by Rojava Information Center, *Rojava Information Center*, September 20, 2020, https://rojavainformationcenter.com/2020/09/our-aim-is-that-these-women-open-their-minds-roj-camp-management-on-transfers-from-al-hol.

Azad Suri (Foundation for Free Women of Syria) have contributed to this transformation. Ilham Omer, one of the co-founders of the first Women's House in Qamishli, states that "the kinds of education programmes that you need for these women are different from the ones for women in civil society…we are working…to bring deradicalization programmes to Hol Camp."[82] These organizations and camp leaders prioritize the daily practice of a different value system rather than theoretical learning; this is the case for both children (who have their own center) and adults. Mala Jin's leaders teach seminars and workshops about principles of democratic organization and talk with some of the women to understand their condition with the goal of reconciliation.[83]

The extension of the programming of Mala Jin into this type of environment strengthens the application of my theoretical framing of citizenship, as the women working for Kongreya Star and the Mala Jin directly enact citizenship for not only themselves but others by explicitly laying out the conditions for belonging to this political project. By teaching Daesh-affiliated people about the values of the people inhabiting the AANES and participating in the Jineological democratic Confederalist project, they establish the guiding principles that are necessary to accept for full membership and freedoms within the political community.

Additionally, the conciliatory lens adopted by the women of the NGOs to the inhabitants of the refugee camp expresses and extends a differentiated, universal feminist citizenship. This is done by acknowledging the highly varied experiences of the women in the camps, and not attempting to essentialize their experiences, while also attempting to include them under a democratic Confederalist system governed by certain universal values. Rather than furthering a carceral system, the utilization of restorative justice techniques, highlighting the possibility of reconciliation and integration, promotes a feminist conception of citizenship that is anti-militaristic. In this way, the theorizations of justice enacted by the Women's Houses form a promising framework for resolving conflict.

Conclusion and Areas for Future Study

Throughout this paper, I have demonstrated that the nation-state and the nation are flawed sites of citizenship because of their inherently gendered nature. Instead, I propose an alternative model of a feminist, activist citizenship rooted in the principles of democratic Confederalism and Jineology, a women's paradigm that challenges knowledge production and construction. Under this framework, I lay out three requirements for my theory of citizenship: there must be a rejection of national and state borders and boundaries; structures guaranteeing safety to protect the enactment of citizenship; and restorative justice mechanisms to enable the participation of all community members within the legal system. I argue that these tenets, when enacted by a grassroots or community organization, constitutes a more inclusive form of citizenship. In applying this framework to the Autonomous Administration of North and East

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82   Murad and Omer, "Building Peace," 56.
83   Rojava Information Center, "Hidden Battlefields," 4-5.

"INSTEAD, I PROPOSE AN ALTERNATIVE MODEL OF A FEMINIST ACTIVIST CITIZENSHIP ROOTED IN THE PRINCIPLES OF DEMOCRATIC CONFEDERALISM AND JINEOLOGY, A WOMEN'S PARADIGM THAT CHALLENGES KNOWLEDGE PRODUCTION AND CONSTRUCTION."

Syria, I demonstrate that the actions of the umbrella women's organization Kongreya Star, including the development of new curricula in schools and the Mala Jin (Women's Houses), create an activist, feminist citizenship for the inhabitants of the political community.

One example of this framework of citizenship and community organizing is the village of Jinwar in the AANES, meaning "Women's Land" in Kurdish. It is a commune made entirely of women and some children who have escaped from the perils of war, gender-based violence, and military siege, rooted in Jineology and progressive ecological theory.[84] Unfortunately, like much of the AANES, Jinwar has been attacked by Turkey since the latter's invasion and illegal bombing campaign in 2019. This incursion has put the radical democracy in the AANES at stake with little intervention from the international community. Whether or not the model of Jinwar is the next stage of the AANES, it represents the power of feminist collectives in radically organizing a political community - and alongside it, a more inclusive notion of belonging and membership, rooted in feminist principles, where everyone can enact themselves as citizens.

84   Kenneth Rosen, "Jinwar Women's Village: Building a Progressive Enclave Amid Syria's Civil War," *The Washington Institute*, March 31, 2021, https://www.washingtoninstitute.org/policy-analysis/jinwar-womens-village-carving-progressive-enclave-amid-syrias-civil-wae.

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Issue Linkage in China's Neighborhood Diplomacy:

A Case Study of the Lancang-Mekong Cooperation

As President Xi Jinping recalibrates an ascendant China's foreign policy grand strategy, China's "Neighborhood Diplomacy" to peripheral regions has received renewed attention.

Recognizing the strategic significance of peripheral states in the realization of the "two centenary goals" and the "great rejuvenation of the Chinese nation", Xi Jinping emphasized the strategic goal of creating a "Community of Common Destiny" (CCD) between China and neighboring countries.[2] The strategic salience of neighboring countries in China's foreign policy is reflected by the tenet "major powers as the key, neighbouring areas as the top priority, developing countries as the foundation and multilateral mechanisms as the important stage" (大国是关键，周边是首要， 发展中国家是基础，多边是重要舞台 *daguo shi guanjian, zhoubian shi shouyao, fazhanzhong guojia shi jichu, duobian shi zhongyao wutai*).[2] The creation of a CCD between China and peripheral

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2　"Xi Jinping: Let the Sense of Community of Common Destiny Take Deep Root in Neighbouring Countries," Ministry of Foreign Affairs of the People's Republic of China, last modified October 25, 2013, https://www.fmprc.gov.cn/mfa_eng/wjb_663304/wjbz_663308/activities_663312/t1093870.shtml.

states is undergirded by four diplomatic principles: "friendship (亲 *qin*), sincerity (诚 *cheng*), benefit (惠 *hui*) and inclusiveness (容 *rong*)".[3] The shift in strategic narrative from former President Hu Jintao's "Peaceful Rise 和平崛起" to Xi's CCD has effectuated a gradual repositioning of Chinese diplomatic engagement with neighboring states, which has engendered a foreign policy stance characterized by active leadership in transnational policymaking, greater amenability, and a greater propensity to cooperate. Over the past decade, Beijing has adopted a "deliberately considered diplomacy of benevolence and mutual benefit" towards the Association of Southeast Asian Nations (ASEAN) states, particularly Mainland Southeast Asian states.[4]

China has consistently regarded the ASEAN region as a top priority in its neighborhood diplomacy.[5] Intimately intertwined with ASEAN, the Greater Mekong Subregion (GMS), which comprises Cambodia, Laos, Myanmar, Thailand, Vietnam, Yunnan Province (of China), and the Guangxi Zhuang Autonomous Region (of China), stands at the nexus between China's revitalized neighborhood diplomacy and the ambitious Belt and Road Initiative (BRI).[6] Thus, Chinese foreign policy in the GMS is a paradigm case for China's recalibrated neighborhood diplomacy.

> **"INTIMATELY INTERTWINED WITH ASEAN, THE GREATER MEKONG SUBREGION (GMS) . . . STANDS AT THE NEXUS BETWEEN CHINA'S REVITALIZED NEIGHBORHOOD DIPLOMACY AND THE AMBITIOUS BELT AND ROAD INITIATIVE."**

The geopolitical paradigm of the GMS is inextricably entwined with the Mekong River (known as the Lancang River 澜沧江 in China), flowing from the Tibetan plateaus through Mainland Southeast Asia to the South China Sea.[7] As riparian states, the GMS countries are tied together by a common water resource. Actions taken by upstream states such as hydrological infrastructural projects often result in fluvial geomorphological alterations like changes in sediment flow or seasonal water levels. These unidirectional transboundary externalities of hydropower development often have adverse impacts on downstream communities that are heavily reliant on the Mekong River. More than a pillar of biodiversity, the Mekong Basin is inhabited by over 80 million people who reside mostly in agrarian communities highly dependent on the river for subsistence.[8] As such, upstream water-related policies often have a propagated and amplified

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3   Yang Xiangzhang, "The Lancang–Mekong Cooperation Mechanism: A New Platform for China's Neighbourhood Diplomacy," *China: An International Journal* 17, no. 2 (May 2019): 108.
4   Ministry of Foreign Affairs, "Xi Jinping."
5   Evelyn Goh, *Developing the Mekong: Regionalism and Regional Security in China-Southeast Asian Relations* (London, UK: International Institute for Strategic Studies, 2007), 7.
6   Xiangzhang, "The Lancang–Mekong Cooperation Mechanism," 109.
7   "About the Greater Mekong Subregion," Greater Mekong Subregion, accessed September 14, 2021, https://greatermekong.org/about.
8   Henceforth, the Lancang-Mekong River will be referred to as the Mekong River. However, the official title of the Lancang-Mekong Cooperation (LMC) will remain as such.

impact on the human security, economies, and national security of downstream GMS states. Compounding the power asymmetry between an ascendant China and other GMS states is China's significant geographical advantage as an upstream hegemon (and the concomitant disadvantages of downstream GMS states). The downstream GMS states' ability to access water resources and enjoy the derived benefits is contingent on the actions of China. However, the converse is not true, forming a skewed hydro-geopolitical paradigm.

Theorists have posited that China's control over the GMS states' water access removes China's incentive to cooperate on Mekong River water management issues. Yet, counterintuitively, China's spearheading of the Lancang-Mekong Cooperation (LMC) includes concessions and a benefit-sharing mechanism – a shift away from the theoretically predicted policy choices. Why would China accept welfare reduction and self-limitation in water resource management by locking itself into a multilateral institution? Furthermore, why is the ambit of the LMC wider than – as its name suggests – water management? In other words, why are issues that are tangential to water management included in the LMC (a river basin regime)? Through an analysis of the LMC, this paper points to issue linkage as a reason behind the shift in China's policy disposition. This paper argues that by linking water resource usage with other tangential issues of opposite interest asymmetries, China has been able to secure GMS states' participation in the LMC, which, in turn, generates benefits for China in non-water areas by furthering the establishment of the Belt and Road Initiative (BRI) and boosting regional economic integration.

This paper will take China's perspective, narrowly focusing on issue linkage as one of many factors that drove the formation of the LMC, and will be divided into three main sections. Section 1 will present the theoretical framework of issue linkage in international cooperation and river basin water management regimes. Section 2, through an examination of the different facets of the LMC, will argue that issue linkage occurs in the LMC mainly as a means for China to gain the cooperation of GMS states on other issues such as the BRI and regional economic integration. Section 3 acknowledges that there are parallel motivations for China's establishment of the LMC and suggests that issue linkage is a reflection of Xi's CCD worldview.

Section 1: Theoretical Framework

Issue linkage is the negotiating tactic of simultaneously including multiple issues in one joint settlement.[9] Issue linkage is a variation of nested games in international relations. Nested games are concurrently occurring games in "multiple arenas".[10] This concept is often employed as an explanatory framework for seemingly suboptimal choices in the principal arena (or one arena) – the actor adopts a counterintuitive, irrational, or suboptimal policy option in one game arena to produce gains in another, thus selecting an optimal overall strategy with the maximum

9   Goh, *Developing the Mekong*, 17.
10   Paul Poast, "Issue Linkage and International Cooperation: An Empirical Investigation," *Conflict Management and Peace Science* 30, no. 3 (June 10, 2013): 287, https://doi.org/10.1177/0738894213484030.

payoff.[11] Deliberate issue linkage often involves linking issues that are not directly or closely related – the linkage typically occurs between two or more issues that could have been addressed in separate agreements or settlements.[12] In a situation where there are distinct issues with opposite power asymmetries—that is, one party holds the upper hand on one issue while the other party holds the upper hand on another issue, issue linkage can ensure that both parties' losses on one issue are compensated by gains on another issue. International relations scholars and game theorists have used nested games to analyze the mechanism and efficacy of issue linkage in the formation of multilateral institutions. Axelrod and Keohane argued that by combining different "chessboards", issue linkage involves attempts to gain bargaining leverage and facilitate agreements by "making one's own behavior contingent on other states' actions towards other issues".[13] Poast argues that issue linkage can create benefits for parties that "would otherwise find an agreement to be of little value".[14] In a study of the Meuse River basin, Warner noted that issue linkages occur in "conflicting constellations" and serve to surmount an impasse, alter the cost-benefit calculus, or improve one's bargaining position during negotiations or institution-formulation proceedings.[15] Chinese academic literature has also recognized elements of issue linkage in China's foreign policy. Noting interest asymmetry in different issue-areas in great power (specifically the US and China) diplomacy, Zhou highlights the potential for linkage diplomacy to redistribute the costs and benefits of cooperation.[16] Overall, the two main goals of issue linkage are to bolster an agreement's chances of success and to maintain a long-term commitment to the agreed upon responsibilities.

Historically, issue linkage has played an instrumental role in transboundary cooperation between Mekong River riparian states. The Mekong basin, much like other basins, is characterized by an asymmetrical geographical dynamic between upstream and downstream states. Hence, issue linkage has proven to be useful in regional agreements. Using the Mekong River Commission (MRC, the LMC's predecessor and a major institution that is still in force) as a case study, Kim-Hang and Dinar observe that grouping issues with "opposite asymmetry interests" increases the likelihood of mutual agreement and "facilitate[s] credible threats against defection".[17] However, existing academic literature has not explored the element of issue linkage within the LMC, a new cooperation initiative spearheaded by China with terms that are more aligned with China's foreign policy goals than existing basinwide institutions.

Recent studies on China's neighborhood diplomacy have

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11   George Tsebelis, *Nested Games: Rational Choice in Comparative Politics* (Berkeley, CA: University of California Press, 1990), 8-11.
12   Ibid.
13   Poast, "Issue Linkage and International Cooperation," 287.
14   Robert Axelrod and Robert O. Keohane, "Achieving Cooperation under Anarchy: Strategies and Institutions," *World Politics* 38, no. 1 (October 1985): 239 https://doi.org/10.2307/2010357.
15   Poast, "Issue Linkage and International Cooperation," 287.
16   Jeroen Frank Warner, "Of River Linkage and Issue Linkage: Transboundary Conflict and Cooperation on the River Meuse," *Globalizations* 13, no. 6 (March 16, 2016): 746, https://doi.org/10.1080/14747731.2015.1136786.
17   Zhou Zhou, "中美关系中的议题联系与议题脱钩" [Issue Linkage and Delinking Issues in China-US Relations], 外交评论 [*Diplomatic Review*] 1 (2011): 118-127, 119-121.

"OVERALL, THE TWO MAIN GOALS OF ISSUE LINKAGE ARE TO BOLSTER AN AGREEMENT'S CHANCES OF SUCCESS AND TO MAINTAIN A LONG-TERM COMMITMENT TO THE AGREED UPON RESPONSIBILITIES."

highlighted the presence of issue linkage in agreements with other peripheral states. Ho explores China's transboundary river policies towards Kazakhstan for Irtysh and Ili Rivers, observing that China displayed a willingness to bind itself to agreements on "water quality protection", "information exchange", and "joint development of water resources".[18] Applying the theoretical framework of issue linkage, Ho argues that Chinese cooperation on water-related issues was "a quid pro quo for Kazakhstan's significant cooperation with China on a range of strategic, security, political and economic issues that are vital to China's domestic and foreign policy interests" such as counter-terrorism, energy cooperation, and diplomatic support in the Shanghai Cooperation Organization (SCO).[19] A similar framework could be applied to the LMC. Furthermore, while issue linkage in China-Kazakhstan river management agreements is not explicit, issue linkage has been explicitly codified into the LMC, which merits further analysis.

Section 2: Issue Linkage in the Lancang-Mekong Cooperation
The Puzzle: Hydro-Hegemony and China's Disincentive to Enter Multilateral Regimes

In game-theoretical terms, analyzed in isolation, it is not in China's interest to cooperate on Mekong River water resource management. As an upstream state, less than 1% of China's water flows in from other countries; China's outflow volume is over 40 times greater than its inflow volume.[20] Consequently, Chinese water users face little restraint in terms of repercussions of water usage: theoretically, under the assumption of the state-centric egoist international relations paradigm, as it is positioned in an advantageous geographical location, China can utilize as much water as it deems necessary (and in any manner), irrespective of the needs of the downstream states.[21] China has low intrinsic interest in altering water usage and sacrificing the benefits derived from water usage (such as hydropower) to protect the downstream riparian communities' access to the Mekong's water resources.

Additionally, China's upstream position coincides with its hegemonic status in the GMS as downstream states, along with the rest of Southeast Asia, have to contend with the "lengthening shadow" of China's economic, political, military, and even cultural power.[22] Exogenous power relations primarily brought about by China's military preeminence along with its economic centrality to the region gives China greater diplomatic leverage over its usage of the Mekong River vis-à-vis the downstream GMS states.[23] More specifically, its hegemonic status in the regional power

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18   Kim-Hang Phan Do and Ariel Dinar, "The Role of Issue Linkage in Managing Noncooperating Basins: The Case of The Mekong," *Natural Resource Modeling* 27, no. 4 (November 2014): 494, https://doi.org/10.1111/nrm.12052.
19   Selina Ho, "China's Transboundary River Policies towards Kazakhstan: Issue linkages and Incentives for Cooperation," *Water International* 42, no. 2 (January 16, 2017): 149-159, https://doi.org/10.1080/02508060.2017.1272233.
20   Ibid.
21   James E. Nickum, "The Upstream Superpower: China's International Rivers," in *Management of Transboundary Rivers and Lakes*, ed. Olli Varis, Cecilia Tortajada, and Asit K. Biswas (Berlin, Germany: Springer, 2008), 245-266, 230.
22   Miriam R. Lowi, *Water and Power: The Politics of a Scarce Resource in the Jordan River Basin* (Cambridge, UK: Cambridge University Press, 1993), 10.
23   Sebastian Strangio, *In the Dragon's Shadow: Southeast Asia in the Chinese Century* (New Haven,

dynamic insulates it from compulsion on water-related policymaking.

Considering these two factors, because China's superior geographical position coincides with its superior state resources as the dominant power in the region, unilateralism is the dominant strategy – there are no obvious incentives for concessions or cooperation.[24] Hence, as an upstream hegemon, China's dominant strategy is to reject cooperative water resource management (benefit-sharing) and multilateral agreements (that could constrain China's policy maneuverability) because sharing the Mekong River's water resources will incur welfare reduction.[25]

Historically, Chinese foreign policy has reflected a disincentive for multilateral cooperation on issues related to river basins or water resource usage. China has constructed a cascade of dams to meet its ever-increasing energy demand. China operates 11 of the world's largest dams on the upstream portion of the Mekong River. Combined, these dams can store up to 47 billion cubic meters of water (see Fig. 1 below).[26]

Fig. 1 Major Hydropower Infrastructural Projects on the Mekong River[27]

This cascade of China's upstream hydropower projects reflects the game-theoretical dominant strategy – water has been seen as a sovereign

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CT: Yale University Press, 2020), 5.

24   Heejin Han, "China, an Upstream Hegemon: A Destabilizer for the Governance of the Mekong River?," *Pacific Focus* 32, no. 1 (April 2017): 36-39, https://doi.org/10.1111/pafo.12085.

25   Lowi, *Water and* Power, 10.

26   Kim-Hang Phan Do, Ariel Dinar, and Daene McKinney, "Transboundary Water Management: Can Issue Linkage Help Mitigate Externalities?," *International Game Theory Review* 14, no. 01 (March 2012): 12, https://doi.org/10.1142/s0219198912500028; Selina Ho, "China's Transboundary River Policies to-wards Kazakhstan," 147.

27   Brian Eyler and Courtney Weatherby, "Mekong Mainstream Dams ," *The Stimson Center*, June 23, 2020, https://www.stimson.org/2020/mekong-mainstream-dams/.

"I ARGUE THAT ISSUE LINKAGE WITHIN THE LMC IS PARTIALLY RESPONSIBLE FOR CHINA'S COMMITMENT TO A MEKONG RIVER WATER MANAGEMENT REGIME."

commodity for self-consumption rather than a shared resource that requires equitable and socially responsible usage.[28] A repeated position of Chinese shareholders – that water should not be shared unless China uses it first or without paying downstream states – corroborates the game-theoretical dominant strategy.[29] These dams are constructed in light of the fact that, although debated and denied by Chinese authorities, there are signs that the hydrological fluctuations caused by the opening and closing of upstream dams have ramifications for agricultural and fishery sectors.[30] Dams have also heightened the risk of agricultural and ecological crises as a result of extreme weather patterns, such as unseasonable floods due to the unexpected release of a large volume of water and the drought caused by the dams' withholding of water in 2010.[31] The fate of downstream states' access to water has become contingent on the will of the Chinese authorities upstream.

Additionally, China has adopted a relatively recalcitrant disposition toward transboundary water management regimes. China did not agree to join the MRC and maintains a "dialogue partner" status to avoid a binding commitment to the relatively high environmental and water-usage standards of the MRC; China's engagement with the MRC has been limited to information sharing and data exchange.[32] China's refusal to join the MRC stemmed from its reluctance to adhere to MRC's relatively restrictive rules on aquatic environmental preservation and dam building.[33] Evidently, China prioritized its own energy and developmental needs over responsible usage of the Mekong River's water resources.

However, in 2016, China spearheaded the "Sanya Declaration of the First Lancang-Mekong Cooperation (LMC) Leaders' Meeting – For a Community of Shared Future of Peace and Prosperity Among Lancang-Mekong Countries", which led to the creation of the LMC mechanism.[34] The LMC signifies a milestone in a gradual shift in China's policy towards the Mekong River, particularly because "water resources" is listed as one of the five "key priority areas".[35] What caused this shift in China's Mekong

28   Brian Eyler and Courtney Weatherby, "Mekong Mainstream Dams." Digital Illustration, *The Stimson Center*, June 23, 2020, https://www.stimson.org/2020/mekong-mainstream-dams/.

29   Brian Eyler, Regan Kwan, and Courtney Weatherby, "New Evidence: How China Turned off the Tap on the Mekong River," *The Stimson Center*, June 8, 2021, https://www.stimson.org/2020/new-evidence-how-china-turned-off-the-mekong-tap/.

30   Ibid.

31   Pichamon Yeophantong, "China's Lancang Dam Cascade and Transnational Activism in the Mekong Region," *Asian Survey* 54, no. 4 (2014): 710-714, https://doi.org/10.1525/as.2014.54.4.700.

32   Eyler, Kwan, and Weatherby, "New Evidence"; Yeophantong, "China's Lancang Dam Cascade."

33   Han, "China, an Upstream Hegemon," 39-41.

34   Selina Ho, "River Politics: China's Policies in the Mekong and the Brahmaputra in Comparative Perspective," Journal of Contemporary China 23, no. 85 (July 3, 2013): 8, https://doi.org/10.1080/1067 0564.2013.809974.

35   "A Brief Introduction of Lancang-Mekong Cooperation," Lancang-Mekong Cooperation, last modified December 13, 2017, http://www.lmcchina.org/eng/2017-12/13/content_41449851.html.

River policy? Why did China commit to a multilateral basin-wide water management regime that could potentially limit its maneuverability and result in welfare loss? I argue that issue linkage within the LMC is partially responsible for China's commitment to a Mekong River water management regime.

Issue Linkage in the Lancang-Mekong Cooperation

Issue linkage within the LMC involves the bundling of water resource management with issues not directly related to water resources. The LMC institutional architecture is constructed upon the "3+5 Cooperation Framework". Under the umbrella of "three cooperation pillars" – "political and security issues, economic and sustainable development, and social, cultural and people-to-people exchanges", the LMC focuses its deliverables on five "priority areas" – "connectivity, production capacity, cross-border economic cooperation, water resources, [and] agriculture and poverty reduction" (See Fig. 2).[36] Issue linkage is apparent within the leverage or power asymmetries between China and the GMS states in each of the five priority areas. China's concessions on its usage of water resources are matched by benefits derived from the GMS states' consent to the inflow of Chinese capital and agreements on various Chinese developmental, political, and economic projects.

Fig. 2 LMC 3+5 Cooperation Framework[37]

China's Concession: Water Resource Cooperation

By spearheading and committing to the LMC, China has made several concessions that reflect a shift away from unilateralism on issues related to the usage of Mekong River Water Resources.

First, China released water from upstream dams for the benefit of downstream states. China's commitment to "flood and drought management" is explicitly codified into the Sanya Declaration of the First

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36   "3+5 Cooperation Framework," Lancang-Mekong Cooperation, last modified December 14, 2017, http://www.lmcchina.org/eng/2017-12/14/content_41449855.html.
37   Ibid.

LMC Leaders' Meeting.[38] In 2016, in the period leading up to the First LMC's Leader's Meeting, China announced that it would release water from the Jinghong hydropower dam between March 15th and April 10th to raise downstream water levels and alleviate the ecological impact of the droughts caused by that year's El Niño meteorological effect. Sacrificing derived benefits from the Jinghong hydropower dam for disaster mitigation downstream is an example of China accepting welfare reduction and suboptimal outcomes regarding the usage of water resources.

Second, by setting up regulatory institutions, as well as expanding data-sharing or data-publicizing activities, China has restricted the ambit of its water policies and shifted further from unilateralism. To encourage GMS states' participation, China has provided participant states with the opportunity to influence China's water policy and highlighted the institutional feature of "consultation on equal footing".[39] The LMC's principles of consensus-seeking and multilateral consultation on equal footing will account for the interests of all GMS states and allow each state to propose or object to agenda items in light of their interest calculations.[40] On the issue of equitable and responsible usage of water resources, the Lancang-Mekong Water Resources Cooperation Centre (LMWRCC) provided a "soft" check against unilateralism by serving as a platform for policy dialogue.[41] Additionally, China has stepped up data sharing efforts under the framework of the LMC. Pledging a higher degree of "data and information sharing", China launched the Lancang-Mekong Water Resources Cooperation Information Sharing Platform, which publicizes year-round hydrological data including the water level hydrograph of the upstream Yunnan Jinghong hydropower dam.[42] Given China's commitment to transparency and cooperation, this data sharing platform has the potential to evolve into an unprecedentedly comprehensive hydrological data sharing institution.[43] Another diplomatic concession is China's commitment to an LMC-MRC joint study on the effect of China's Lancang Hydroelectric Dam Cascade on downstream flow during extreme weather events.[44] China's openness to dialogue "on equal footing"

38   *Graphical Illustration of the LMC 3+5 Cooperation Framework*, *Lancang-Mekong Cooperation*, Digital Illustration, *Lancang-Mekong Cooperation*, December 14, 2017, http://www.lmcchina.org/eng/2017-12/14/content_41449855.html.
39   "Sanya Declaration of the First Lancang-Mekong Cooperation (LMC) Leaders' Meeting," Ministry of Foreign Affairs of the People's Republic of China, last modified March 23, 2016, https://www.fmprc.gov.cn/mfa_eng/zxxx_662805/t1350039.shtml.
40   Xue Gong, "Lancang-Mekong Cooperation: Minilateralism in Institutional Building and Its Implications," in *Minilateralism in The Indo-Pacific: The Quadrilateral Security Dialogue, Lancang-Mekong Cooperation Mechanism and ASEAN*, ed. Bhubhindar Singh and Sarah Teo (London, UK: Routledge Taylor & Francis Group, 2020), 57-73, 65.
41   Ibid, 65.
42   Hongzhou Zhang and Mingjiang Li, "China's Water Diplomacy in the Mekong: A Paradigm Shift and the Role of Yunnan Provincial Government," *Water International* 45, no. 4 (June 5, 2020): 347-364, https://doi.org/10.1080/02508060.2020.1762369, 351.
43   "Yunjinghong Water Level Hydrograph," Lancang-Mekong Water Resources Cooperation Information Sharing Platform, accessed September 18, 2021, http://www.lmcwater.org.cn/LmStation/index-en.html?STCD=90201600; "Sanya Declaration of the First Lancang-Mekong Cooperation (LMC) Leaders' Meeting."
44   China had previously signed and renewed an agreement on the provision of hydrological information (specifically for the flood season) with the MRC. Nevertheless, the institutionalization of data sharing within the LMC and the commitment to share data all year round represents a higher degree of data sharing and cooperativeness.
"Agreement on Provision of Hydrological Information Renewed by China and MRC," Mekong River Commission, accessed September 18, 2021, https://www.mrcmekong.org/news-and-events/news/agree-

and the publicizing of neutral research data signify a reposition away from recalcitrance and denial: with this increased transparency, China has opened itself to public criticism, signifying a greater willingness to act as a responsible power in the GMS.

Arguably, China has been selective in its concessions – it has used its agenda-setting power to dictate which issues to bring into the spotlight and which to conceal or temporarily ignore.[45] For example, although China agreed to increase data-sharing efforts, it did not include any dispute resolution mechanism into the LMC institutional architecture.[46] China preferred bilateral negotiations outside of the LMC framework over institutionalized equal-footing dispute settlement mechanisms because bilateral negotiations will allow China to exploit its hegemonic power to influence negotiation outcomes. Nevertheless, even by increasing transparency, opening itself to public scrutiny, and providing "soft checks", it has taken incremental steps to sacrifice benefits derived from water resource usage (or to constrain its water usage options) to encourage downstream GMS states to participate in the LMC. This was a costly but credible signal to the GMS states that China was willing to cooperate on issues related to water resource usage.

Issue Linkage: Securing GMS States' Participation in Chinese Geoeconomic Initiatives

Gainst the upstream hegemon. The assumption that GMS states are relegated to a subservient position in the regional geopolitical dynamic is a flawed simplification – secondary states do not always acquiesce to the proposals or demands of the hegemon.[47] In the words of the director of Herzfeld Rubin Meyer and Rose (HRMR) Eric Rose, "the BRI recipients, however, always have the option of saying 'NO!'" to Chinese proposals.[48] Hence, China's cooperation on water resource usage can be seen as a concession to incentivize GMS states' participation in Chinese economic and political "projects". Particularly, issue linkage in the LMC encourages GMS states to approve and support projects and policies related to the Belt and Road Initiative (BRI).

The GMS is crucial for the southward expansion of China's economic and political influence. The 642 million population of ASEAN forms the world's third-largest market. Combined with a high demographic dividend, the region's rapid economic growth has resulted in high demand for infrastructural investment.[49] The GMS states' large markets and attractive investment landscapes are key outlets for China's domestic overcapacity (goods and capital). As a land bridge and an economic and transportation hub, mainland Southeast Asia links China with South and West Asia. [50] Establishing an economic corridor in the GMS is critical

ment-on-provision-of-hydrological-information-renewed-by-china-and-mrc/.

45   Zhang and Li, "China's Water Diplomacy in the Mekong," 116.

46   Gong, "Lancang-Mekong Cooperation," 65.

47   Ibid.

48   David M. Lampton, Selina Ho, and Cheng-Chwee Kuik, *Rivers of Iron: Railroads and Chinese Power in Southeast Asia* (Oakland, CA: University of California Press, 2020), 119.

49   Thompson Chau and Win Su Phyo, "Experts Divided over Ramifications of Belt and Road Courts on Myanmar," *The Myanmar Times*, February 2, 2018, https://www.mmtimes.com/news/experts-divided-over-ramifications-belt-and-road-courts-myanmar.html.

50   Tuan Yuen Kong, "The Belt and Road Initiative in Southeast Asia and Responses from ASEAN

for the success of China's BRI efforts in Southeast Asia and the continual expansion of China's economic influence in the region. Hence, securing the approval and cooperation of the GMS states has been a key foreign policy objective for China.

The LMC's Sanya Declaration and its "3+5 Framework" is heavily laden with joint ventures (political or economic) that further China's pursuit of a greater presence in Southeast Asia and, in particular, the expansion of the BRI. The Sanya Declaration shows that China has used the LMC to push forward its plans for regional economic integration and the expansion of the BRI into Southeast Asia (see Fig. 3).

	Text of the Sanya Declaration (Emphasis Added)	Classification
Point 6	"Encourage synergy between China's Belt and Road Initiative and LMC activities"	BRI
Point 7	"Step up both hardware and software connectivity.... rivers, roads and railway network, push forward key infrastructure projects to build a comprehensive connectivity network of highway, railway, waterway, ports and air linkages... construction of network of power grids, telecommunication and the Internet; implement trade facilitation measures, promote trade and investment and facilitate business travel"	BRI and regional economic integration
Point 8	"sub-regional comprehensive industrial link"	Regional economic integration
Point 9	"Support enhanced economic and technological cooperation and the development of economic zones in border areas, industrial zones and sci-tech parks"	BRI and Regional economic integration
Point 13	"… bilateral currency swap, local currency settlement and cooperation among financial institutions…"	Regional economic integration
Point 14	"…seek support from AIIB in addressing the financing gap in infrastructure development"	BRI
Point 16	"Work together to push forward the Regional Comprehensive Economic Partnership (RCEP) negotiations…"	Regional economic integration (RCEP)
Point 23	"Welcome China's commitment to establish a LMC Fund, provide concessional loans and special loans…"	BRI

Fig 3. Excerpts of the Sanya Declaration Pertinent to the BRI or China's Goal of Achieving Regional Economic Integration[51]

Clearly and explicitly codified into the Sanya Declaration are commitments that the GMS states will open their economies to China's capital, facilitate the expansion of the BRI, and support the China-led trade and financial institutions that will boost regional economic integration.

Countries," *China: An International Journal* 17, no. 4 (November 2019): 28.
51   Ibid, 29.

As a follow-up to the First LMC Leaders' Meeting, China also committed RMB 10 billion in preferential loans and a credit limit of USD 10 billion to finance infrastructure and productive capacity projects for the GMS states.[52] A year after the establishment of the LMC, China's capital inflow into the region grew by over 20 percent.[53] The LMC has played a substantial role in increasing the GMS states' openness and receptiveness to China's economic proposals.

Yet, despite an ever-increasing Chinese economic presence in the region in recent years, before the establishment of the LMC, the GMS states had the prerogative and autonomy to reject Chinese proposals. For example, despite China's diplomatic emphasis on the Kunming-Singapore High Speed Railway (HSR) (through the GMS) and commitment to finance the construction projects, the Thai government temporarily suspended the construction of the Laos-Thailand section, citing high interest rates and debt concerns.[54] Mired in challenges caused by hesitancy and wariness from the Southeast Asian states, the HSR project experienced unforeseen stagnation. During the rule of Myanmar's Union Solidarity and Development Party (USDP) led by Thein Sein (2011 to 2106, before the LMC declaration), China-backed projects such as the Myitsone dam, deep-sea ports, and a Special Economic Zone (SEZ) were stalled or suspended; the Memorandum of Understanding for the China-Myanmar HSR also lapsed.[55] In addition to concerns over related costs and debt sustainability, China-backed projects have also faced resistance from domestic political constituents. Many of these economic or infrastructure projects have not benefited the local economy and population directly.[56] When setting up offices or projects in GMS states, Chinese companies often bring in Chinese workers instead of employing locals. Furthermore, the social impact of Chinese infrastructure projects in the GMS, particularly hydropower infrastructure, has elicited backlash from domestic political constituents and members of society. As a result of altered geomorphology, impeded sediment flow, and unnaturally fluctuating water levels, agricultural community resettlement due to low-fertility land, human security issues due to natural disasters, and a decline in fishery productivity have negatively impacted Mekong riparian

"GIVEN THAT CHINESE DEVELOPMENTAL AID WAS NOT THE ONLY FEASIBLE OPTION, BEIJING WAS AWARE THAT GMS STATES COULD HEDGE AGAINST CHINA AND ADOPT ALTERNATIVE PATHS TO DEVELOPMENT, EVEN IF THAT WOULD RISK DAMAGING DIPLOMATIC RELATIONS WITH CHINA."

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52   "Sanya Declaration of the First Lancang-Mekong Cooperation (LMC) Leaders' Meeting,"
53   Gong, "Lancang-Mekong Cooperation," 64.
54   Ibid.
55   Kong, "The Belt and Road Initiative in Southeast Asia," 30.
56   Cheng-Chwee Kuik, "Asymmetry and Authority: Theorizing Southeast Asian Responses to China's Belt and Road Initiative," *Asian Perspective* 45, no. 2 (2021): 263, https://doi.org/10.1353/apr.2021.0000.

populations.[57] Constrained by public opinion or political lobbying by domestic groups, GMS states may reject, scale down, or moderate China-backed BRI or economic integration proposals. Concerning foreign policy, in the face of overall power asymmetry, the GMS states are still able to maintain leverage over BRI negotiations – Chinese proposals are not shoo-ins. China is acutely aware of the possibility that concerns related to debt sustainability, political autonomy, and social welfare pose the risk of GMS states rejecting or resisting China's economic expansion efforts. Thus, there was a need to secure the GMS states' acceptance of Chinese proposals.

Second, the GMS states have been presented with viable alternative paths to achieving progress and development. Beginning in the Obama Administration ("Pivot to Asia" rebalancing strategy) and lasting throughout the Trump Administration, the US has reinvigorated its presence in the GMS. The Lower Mekong Initiative (LMI), which morphed into the US-Mekong Partnership under the Trump Administration, aimed to establish a multifaceted cooperation framework and "deliver equitable, sustainable, and inclusive economic growth".[58] The LMI was complemented by the US-led Friends of the Mekong (FOM) initiative, which has provided over USD 25 billion in developmental assistance since 2015.[59] Instead of turning to China's BRI, Vietnam has collaborated with American investors to set up a USD 6 billion liquefied natural gas (LNG) power plant, bolstering the energy infrastructure of the Thua Thien Hue province.[60] In 2015, Japan pledged to deliver USD 6.1 billion in developmental aid to the GMS.[61] The "New Tokyo Strategy 2015 for Mekong-Japan Cooperation" also indicated Japan's intent to help GMS with "quality infrastructure" (both hard and soft infrastructure) development.[62] As part of the Mekong-Ganga Cooperation, since 2015, India has financed 68 Quick Impact Projects (QIPs) worth USD 3.4 million.[63] Other external international actors, such as the EU, South Korea, and Australia also offered aid to the GMS in various sectors.[64] These examples show that, especially during the years leading up to the establishment of the LMC in 2016, developmental aid and infrastructural investment were not in short supply; Beijing did not have a monopoly over the provision of development aid and capital. Given that Chinese

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57   Kong, "The Belt and Road Initiative in Southeast Asia," 31.
58   Jory S. Hecht et al., "Hydropower Dams of the Mekong River Basin: A Review of Their Hydrological Impacts," *Journal of Hydrology* 568 (January 2019): 285-287, https://doi.org/10.1016/j.jhydrol.2018.10.045.
59   Fabio Figiaconi, "Geopolitical Competition in the Indo-Pacific: The Mekong Region," *ISPI*, April 2, 2020, https://www.ispionline.it/it/pubblicazione/geopolitical-competition-indo-pacific-mekong-region-25627.
60   Minh Vo, "Friends of Mekong Provides US$25b for Mekong Sub-Region in Past 6 Years," *Hanoi Times*, August 7, 2021, https://hanoitimes.vn/friends-of-mekong-provides-us25b-for-mekong-sub-region-in-past-6-years-318302.html.
61   Khanh Vu, "U.S.-Vietnam JV Plans to Invest up to $6 Billion in LNG Power Project: CEO," *Thomson Reuters Corporation*, July 22, 2020, https://www.reuters.com/article/us-vietnam-usa-energy/u-s-vietnam-jv-plans-to-invest-up-to-6-billion-in-lng-power-project-ceo-idUSKCN24N0MF.
62   Prashanth Parameswaran, "The Real Importance of Japan's New Strategy for the Mekong," *The Diplomat*, July 7, 2015, https://thediplomat.com/2015/07/the-real-importance-of-japans-new-strategy-for-the-mekong/.
63   Ibid.
64   Minh Vu, "Mekong-Ganga Cooperation Shows India's Extended Assistance to Regional Countries," *Hanoi Times*, July 22, 2021, http://hanoitimes.vn/mekong-ganga-cooperation-shows-indias-extended-assistance-to-regional-countries-318122.html.

developmental aid was not the only feasible option, Beijing was aware that GMS states could hedge against China and adopt alternative paths to development, even if that would risk damaging diplomatic relations with China. Crucially, despite China's growing influence in the region, the GMS states' support for Chinese proposals was a likely possibility but not a certainty – China's concessions and the LMC cemented GMS states' cooperation and further swayed the GMS states away from viable alternatives.

Overall, in the years leading up to the LMC, a multi-game (multi-issue) arena with opposite power asymmetries is formed. On one hand, the upstream hegemon – China – occupies a dominant position on the issue of water resource usage. On the other, the issue-specific power asymmetry created by the GMS states' prerogative to reject or resist Chinese proposals and the presence of viable alternatives provide the GMS states with bargaining leverage. Compared to a bundled agreement, if multilateral negotiations around these issues were to be conducted in isolation, there is a lower likelihood of successful negotiations as the party (GMS states or China) in the dominant position for that issue will have a relatively higher propensity not to cooperate given that it foresees a potential welfare reduction if it cooperates. However, issue linkage bolsters the chance of all parties agreeing to cooperate because potential losses on one issue are offset by potential gains. In the context of the China-led LMC negotiations, because China needed to secure the GMS states' support and openness to Chinese economic proposals, China has to develop a "reservoir of goodwill" by making concessions on an issue for which it has a dominant position.[65] As such, the LMC included issues such as cooperation on regional economic integration and the inflow of Chinese capital – issues that are beyond the scope of water resource management.

Section 3: Discussion and Conclusion

This paper argues that issue linkage is one of many factors that motivated the establishment of the LMC. It does not posit that issue linkage is the only factor; nor does it argue that issue linkage is the preeminent factor. Scholars have identified that aside from issue linkage, China's desire for greater regional leadership motivated the LMC. In the context of great power rivalry, the LMC could also consolidate China's influence in the region because of its exclusivity (external actors such as the US, Japan, or India are not participants).[66] In a region saturated with multilateral institutions led by other countries (such as the MRC, US-Mekong Partnership, Mekong-Ganga Cooperation, Mekong-Japan Cooperation), the LMC could be part of an institutional balancing strategy as China seeks to create its own institution to vie for greater influence in mainland Southeast Asia.[67] Specific to China's neighborhood diplomacy, the CCD's four undergirding values of "friendship (亲 *qin*), sincerity (诚

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65   Figiaconi, "Geopolitical Competition in the Indo-Pacific: The Mekong Region."

66   David G. LeMarquand, *International Rivers: The Politics of Cooperation* (Vancouver, Canada: Westwater Research Centre, 1977), 43, quoted in Shlomi Dinar, "Power Asymmetry and Negotiations in International River Basins," *International Negotiation* 14, no. 2 (January 1, 2009): 338, https://doi.org/10.1163/157180609x432851.

67   Pongphisoot Busbarat, Poowin Bunyavejchewin, and Thapiporn Suporn, "China and Mekong Regionalism: A Reappraisal of the Formation of Lancang-Mekong Cooperation," *Asian Politics & Policy* 13, no. 2 (April 1, 2021): 201-203, https://doi.org/10.1111/aspp.12575.

cheng), benefit (惠 *hui*) and inclusiveness (容 *rong*)" could have engendered a greater willingness to make concessions on water issues and a concerted effort to use Chinese resources to promote inclusive development for all GMS states; this would also bolster China's image as a responsible power in a regional community of states.[68] The role and political will of China's provincial authorities could have also contributed to the establishment of the LMC.[69] Lastly, other scholars have pointed to China's desire to shape narratives and shift the regional governance paradigm to alleviate international pressure on its dam-building projects.[70]

Issue linkage within the LMC can also be understood as a reflection of China's foreign policy paradigm under Xi Jinping— "Community of Common Destiny 命运共同体" (CCD). The CCD echoes Xi's identification of complex interdependence, common interests, shared challenges, as well as transboundary problems that require collective action.[71] In this view, transboundary issues are interconnected and mutually impactful (regardless of how loosely or tightly connected these issues are). Transboundary issues must be seen as an agglomerated whole rather than in siloed brackets. Hence, transboundary governance ought to be interstitial. By linking multiple transboundary issues such as water resource usage, poverty reduction, economic development, connectivity, security, environmental protection, and cultural exchanges, the LMC is an interstitial initiative that approaches these issues as a whole rather than individually.

Overall, the explicit codification of issues that are tangentially related to the Mekong River indicates the presence of issue linkage in the LMC. This has two salient policy implications. First, issue linkage in the LMC is exemplary of the ability of small or medium states to extract concessions from regional hegemons through issue-specific asymmetries, even in the face of overall power asymmetry. To sustain issue linkage over an extended period, GMS states should not allow Chinese investment, power, and institutions to gain a monopoly (or the perception of a

> "TO SUSTAIN ISSUE LINKAGE OVER AN EXTENDED PERIOD, GMS STATES SHOULD NOT ALLOW CHINESE INVESTMENT, POWER, AND INSTITUTIONS TO MAIN A MONOPOLY (OR THE PERCEPTION OF A MONOPOLY) IN THE REGION."

68   Sovinda Po and Christopher B. Primiano, "Explaining China's Lancang-Mekong Cooperation as an Institutional Balancing Strategy: Dragon Guarding the Water," *Australian Journal of International Affairs* 75, no. 3 (February 28, 2021): 323-340, https://doi.org/10.1080/10357718.2021.1893266.

69   Liu Li Ming, "以 '构建人类命运共同体'理念 建设新型国际关系思想探究" [On the Thought of Building a New Type of International Relations with the Concept of 'Building a Community with a Shared Future for Mankind'], 晋阳学刊 [*Academic Journal of Jinyang*], no. 2 (2021): 90-94, https://doi.org/10.16392/j.cnki.14-1057/c.2021.02.012.

70   Zhang and Li, "China's Water Diplomacy in the Mekong," 353-359.

71   Sebastian Biba, "China's 'Old' and 'New' Mekong River Politics: The Lancang-Mekong Cooperation from a Comparative Benefit-Sharing Perspective," *Water International* 43, no. 5 (June 6, 2018): 633, https://doi.org/10.1080/02508060.2018.1474610.

monopoly) in the region. GMS states should continue to engage with other actors such as the US, Japan, India, the EU, South Korea, Australia, and ASEAN to credibly signal that they are able and might be willing to adopt alternative developmental paths. Hedging behavior – not fully siding with any competing power – can ensure that GMS states maintain their leverage over China and preserve the issue-specific asymmetry within the LMC.[72] Second, issue linkage could catalyze future agreements regarding the equitable usage of rivers between China and neighboring states. For example, Downstream India's concerns surrounding China's upstream hydropower dams and unnatural fluctuations of water levels are similar to the Mekong downstream states' woes.[73] In the future, if China-India diplomatic relations become friendlier, and exogenous conditions allow for negotiations, issue linkage could underpin a benefit-sharing agreement between the two powers.

72   Liu Li Ming, "以 '构建人类命运共同体'理念建设新型国际关系思想探论" [On the Thought of Building a New Type of International Relations with the Concept of 'Building a Community with a Shared Future for Mankind'], 90-94.

73   Cheng-Chwee Kuik, "How Do Weaker States Hedge? Unpacking ASEAN States' Alignment Behavior towards China," *Journal of Contemporary China* 25, no. 100 (March 2, 2016): 504, https://doi.org/10.1080/10670564.2015.1132714.

74   Bhaskar Jyoti Deka, "Hydro-Politics between India and China: The 'Brahma-Hypothesis' and Securing the Brahmaputra," *Asian Affairs* 52, no. 2 (May 15, 2021): 330-335, https://doi.org/10.1080/03068374.2021.1914449.

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