

The Ethics and Politics of Deportation in Europe

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Abstract

This thesis explores key empirical and normative questions prompted by deportation policies and practices in the contemporary European context. The core empirical research question the thesis seeks to address is: what explains the shape of deportation regimes in European liberal democracies? The core normative research question is: how should we evaluate these deportation regimes morally? The first part of the thesis addresses the empirical question by examining deportation from a variety of perspectives. A historical lens facilitates the uncovering of the ways in which contemporary deportation echoes earlier forms of forced removal, such as criminal banishment, political exile and expulsions based on economic, religious or ethnic grounds. A comparative perspective enables the development of a typology of national deportation regimes based on the major dimensions of differentiation between European countries in how, and how much, deportation is used as a policy instrument today. A multilevel perspective brings out how both supranational (European Union) and subnational (provincial and municipal) authorities are increasingly involved in shaping deportation in the European context, either through restraining or frustrating national deportation efforts or by facilitating or instigating such efforts. The second part of the thesis explores the normative questions deportation gives rise to. It argues, firstly, that a moral and legal status of non-deportability should be extended beyond citizenship to all those who have established effective domicile, or long-term and permanent residence, in the national territory. Second, it contends that deportation can and should be implemented in a way that does not dominate those it subjects by ensuring its non-arbitrary application through a limiting of executive discretion and by establishing proportionality testing in deportation procedures. Lastly, it proposes a normative framework for morally justified anti-deportation resistance, specifying what may and (in certain circumstances) must be done by whom in the face of unjust deportation regimes.



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Bio

Rutger Birnie holds a BSc in Political Science from the University of Amsterdam, an MA in Legal and Political Theory from University College London and an MRes from the EUI. He specialises in normative political theory, and his main research interests are in the ethics and politics of deportation, migration and citizenship.