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SYMPOSIUM ON UNSETTLING THE SOVEREIGN "RIGHT TO EXCLUDE"

PREFACE

Jaya Ramji-Nogales

This exciting symposium takes on one of the most vexing and timely questions in international law: the relationship between exclusionary migration regimes and national sovereignty. The authors push thoughtfully and powerfully against the largely unquestioned conventional wisdom that migration control is an intrinsic and unrestricted power allocated to states qua sovereigns. This assumption undergirds not only xenophobic nationalist political movements but also the perspectives of most self-described liberal lawmakers and politicians in the contemporary era. But what if we were to inspect more closely the logics and beliefs at the core of this relationship, seeking to problematize the unqualified nature of state authority over border control? This symposium presents a multidisciplinary response to that question, upsetting the foundations of absolute sovereign power at the border. It does so through a range of perspectives and methods, puncturing myths, highlighting historical contingencies, unearthing the roles of race and politics, and always foregrounding the humanity of migrants. This set of essays offers a groundbreaking step forward in the literature on international migration law, refusing to drink from the River Lethe, and offering new foundations for scholars of international law more broadly to rethink sovereign power. It is sure to be a touchstone for those seeking to inject greater context, morality, and humanity into the conversation around migration law and state control of borders.

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