

SINGAPORE SYMPOSIUM IN LEGAL THEORY

Privatizing Border Control

BY **Dr Ashwini Vasanthakumar**
King's College London

2 APRIL 2018, MONDAY

5.00PM – 7.00PM (TEA RECEPTION STARTS AT 4.45PM)

LEE SHERIDAN CONFERENCE ROOM, LEVEL 1, EU TONG SEN BUILDING
FACULTY OF LAW, NUS (BUKIT TIMAH CAMPUS)

ABSTRACT

Liberal democracies increasingly rely on private actors, from private security corporations to civilian gatekeepers, to control their borders. Privatisation in this context, as it has in others, attracts criticism for its attendant abuses and inefficiencies. For the most part, these criticisms focus on the consequences of privatisation, which in principle can be remedied through better institutional design and practice. Recently, theorists have advanced intrinsic arguments against privatisation (Harel & Dorfman, and Cordelli). Intrinsic arguments proceed as follows: (1) they identify some goods as public goods that the state must provide (2) they specify what public provision consists in, focusing on an 'integrative practice' that subjects frontline agents' deliberations to political principals and that thereby precludes prominent forms of privatisation. On its face, border control is a public good. By their own account, however, I argue that an integrative practice is neither feasible nor desirable, and that this is especially in contexts that implicate the interests of those who are not subjects of the state. I argue that the public provision of goods relies on the reasons for their provision and not the status of the agents providing them; that these reasons do not admit of a clear public-private distinction; and that non-public actors and reasons may be useful for realising public goods, especially in those cases implicating the interests of outsiders.

ABOUT THE SPEAKER



Dr Ashwini Vasanthakumar is currently a Lecturer in Politics, Philosophy & Law at the Dickson Poon School of Law, King's College London, and a researcher at the Institute for Futures Studies (Stockholm). She holds an A.B. in Social Studies from Harvard, a J.D. from Yale Law School, and a D.Phil in Political Theory from Oxford, where she studied as a Canadian Rhodes Scholar.

Her research interests broadly are in normative ethics, contemporary political theory, and law. Her primary research explores normative questions arising out of migration and transnationalism, focusing on the relationship between emigrants and sending states.

Participation is By Invitation Only

Registration commences at 4.45pm and light refreshments will be served. For more information, please contact Ms Yvonne Lim at lawylh@nus.edu.sg