

ON CITIZENSHIP STRIPPING



GLOBAL SEMINAR SERIES

LECTURE 1

BANISHMENT AND
THE PREHISTORY OF
DENATIONALISATION



LECTURE & DEBATE KIT

THE ONLINE LECTURE 'BANISHMENT AND THE PREHISTORY
OF DENATIONALISATION' BY PROFESSOR MATTHEW GIBNEY
AND FURTHER READING

QUESTIONS TO GUIDE VIEWING OF THE LECTURE IN A WORKSHEET
(ANSWERS ON THE LAST PAGE OF THE KIT)

SUGGESTIONS FOR AN EXERCISE OR RESEARCH
TO LEARN MORE ABOUT THE TOPIC

QUESTIONS FOR CRITICAL REFLECTION,
DISCUSSION OR DEBATE

VIDEO RECORDING OF THE LECTURE

CLICK TO VIEW



ABOUT THE LECTURE

In this lecture, Professor Gibney focuses on banishment and the prehistory of denationalisation. He discusses the history of banishment, different forms of banishment, the societal roles that banishment fulfilled. He also considers the reasons why it was used and critiques on the usage of banishment as a punishment. He also addresses the inherent connection between denationalisation and expulsion, as well as the differences between these two processes.

MATTHEW J GIBNEY is Professor of Politics and Forced Migration at the University of Oxford, Official Fellow of Linacre College, Oxford, and Director of the Refugee Studies Centre. He is also Distinguished Fellow at the Munk School of Global Affairs and Public Policy, University of Toronto. He specialises in the political and ethical issues raised by refugees, citizenship and migration control.

FURTHER READING

- Matthew J Gibney (2020) **Banishment and the pre-history of legitimate expulsion power**
- Institute on Statelessness and Inclusion (2020) **The World's Stateless 2020: Deprivation Of Nationality**

This lecture is part of the **GLOBAL SEMINAR SERIES ON CITIZENSHIP STRIPPING.**

QUESTIONS TO GUIDE VIEWEING - WORKSHEET

1. According to Matthew Gibney, what are the three forms of banishment that can be found throughout history? Explain what each form of banishment entails.

2. Matthew Gibney argued that there are three main societal roles that banishment fulfilled. What are these three roles and why did they allow for the continued use of banishment throughout history?

3. Matthew Gibney also explained that there are four additional reasons why banishment was continuously being used. Can you name two of these reasons, and explain why they contributed to this?

4. According to Matthew Gibney, there are three influential thinkers who have criticized the usage of banishment as a punishment. Who are these three influential people, what were their main critiques and what important changes in society do they represent?

5. According to Matthew Gibney, denationalisation and expulsion, while still inherently connected, have become two separate practices with distinct goals. What is the difference between these two processes and how have these differences come to be?

QUESTIONS FOR CRITICAL REFLECTION, DISCUSSION OR DEBATE

- During the seminar, Matthew Gibney explained that banishment was often done in the past for the purpose of ‘communal forgetting’. To what extent do you think this idea is still present in denationalisation practices, as we see them today? Why would states rather deport and forget, than punish and rehabilitate?
- During the Enlightenment, Voltaire criticized the use of banishment as a punishment, because it merely ‘recycled criminals between nations’, instead of solving the problem. A similar critique was made by Bentham. To what extent does this criticism apply in contemporary cases where denationalisation is used as a tool to combat terrorism or protect national security?
- In early modern Europe, banishment for life was a form of civic death, often carried out in a highly ceremonial way. To what extent do we see this reflected in the contemporary context of denationalisation? Are modern Western governments relying on the tabloid press to perform banishment’s historic function of ‘public shaming’? Or is denationalisation most often carried out without ceremony, even in secrecy?
- After listening to Matthew Gibney’s lecture, do you think that the increasing incidence of denaturalisation signals that more or less value is attached to the notion of citizenship?

LEARN MORE...

Matthew Gibney explained how the objections of receiving states to being treated as ‘dumping grounds’ for unwanted citizens from elsewhere played a significant part in the decline of banishment (e.g. sending back rattlesnakes on convict ships). Learn more about this phenomenon by researching or writing about it!

- *Find out more about ‘anti-transportation campaigns’: who organised them, what were the techniques used, how successful were they?*
- *Reflect on the geopolitical context of modern denationalisation: which are the states performing banishment and which are the ‘dumping grounds’? What is the relationship between them and can you imagine an equivalent strategy being adopted by states that are today functioning as the ‘dumping grounds’ for banished citizens?*

QUESTIONS TO GUIDE VIEWEING - ANSWERS

1. According to Matthew Gibney, what are the three forms of banishment that can be found throughout history? Explain what each form of banishment entails.

- *Self-exile: voluntary fleeing to escape punishment.*
- *Relegatio: expulsion from a community as a form of punishment.*
- *Deportatio: being send away to a specific place (e.g., an island or outcast) as a form of punishment for serious crimes.*

2. Matthew Gibney argued that there are three main societal roles that banishment fulfilled. What are these three roles and why did they allow for the continued use of banishment throughout history?

- *Banishment removes the offender from public view: this allows for communal forgetting and decreases the likelihood of a spiral of revenge and retaliation that would upset the civil peace.*
- *Banishment incapacitates the offender: by placing them outside of the boundaries of the community, banishment protects other community members from those who would harm them.*
- *Banishment purifies the community: by purging society of failed members, banishment demonstrates the worth of membership and affirms the symbolic boundaries of community.*

3. Matthew Gibney also explained that there are four additional reasons why banishment was continuously being used. Can you name two of these reasons, and explain why they contributed to this?

- *Banishment offered flexibility for authorities: the punishment could be used for various different crimes, to various degrees (temporary/permanent).*
- *Banishment could be beneficial for the social status of the convict: because the punishment was solely reserved for citizens.*
- *Banishment enabled moderation between punishments: between corporeal and death punishments, for crimes that were difficult to determine.*
- *Banishment could facilitate state projects: rather than being put to death or being incarcerated, convicts could be put to use for state purposes (especially during the colonial time).*

4. According to Matthew Gibney, there are three influential thinkers who have criticized the usage of banishment as a punishment. Who are these three influential people, what were their main critiques and what important changes in society do they represent?

- *Voltaire: critiqued the irrationality of banishment, saying that it merely recycling criminals between nations, instead of solving the issues. His critique represents the rise of the bureaucratic state, due to which banishment between cities disappeared, but was still done overseas (to colonies).*
- *Benjamin Franklin: critiqued the 'dumping' of criminals in other countries; he called to rise up against Britain's dumping of transported convicts by sending rattlesnakes back to England. His critique represents the rise of nationalism, due to which membership became more clearly defined and more strictly surveyed, reinforcing distinctions between outsiders and insiders.*
- *Bentham: critiqued the transportation of convicts and argued that punishment should be equal and focussed on reformation; justice should not be made a lottery. His critique represents a change in views regarding the purpose of punishments.*

5. According to Matthew Gibney, denationalisation and expulsion, while still inherently connected, have become two separate practices with distinct goals. What is the difference between these two processes and how have these differences come to be?

Today, there is a distinction between communal disownment (denationalisation) and expulsion (banishment). Denationalisation strips a citizen of their nationality, making that person someone else's responsibility. Expulsion is something that is often a consequence of denationalisation but is legally a separate process. Expulsion is reserved for people with a dual-nationality and is meant to get a person out of the country. The distinction was made in order to justify expulsion (banishment) not as a punishment, but rather as a legal and administrative process. It is limited to citizens with dual-nationality, as the modern state system does not allow states to "get rid" of their own citizens.