Exam assessment guide for RSOS 2958/4958 – Fall 2025

About the course and the student group

This course draws on law, sociology of law, criminology, political science and migration studies. It is taken by both BA and MA students from various programmes across the University of Oslo. Course information, including exam format and marking criteria, is available at:

RSOS2958 – International Migration: Sovereigns, Borders, Control – Universitetet i Oslo

RSOS4958 – International Migration: Sovereigns, Borders, Control – Universitetet i Oslo

About the exam

This year, the course uses a four-hour, closed-book, in-person school exam for the first time. As part of the exam text, students received the lecture plan with the complete syllabus list (see Annex). MA students received six questions and were asked to answer four; BA students were given five questions and asked to answer three (BA students did not get Question 4 below; the questions and instructions were otherwise the same).

The exam is designed to assess students' understanding of key themes, concepts, debates and controversies covered by the course. Students are expected to draw on the relevant literature and demonstrate engagement with the syllabus. They have been told that the exam evaluates broad conceptual understanding rather than detailed recollection of individual studies. Given the closed-book format, graders should not expect them to remember details of all individual papers.

The exam questions are intentionally phrased using verbs such as "comment", "explain some of the mechanisms", or "give an overview". This means that what we are after is not three (BA) or four (MA) elaborate mini essays. Instead, students should demonstrate a literature-informed understanding of the relevant topics/themes/debates/concepts. Breadth of knowledge, clarity of explanation, and ability to link arguments to the syllabus should be weighted more heavily than style and language. The decision to require answers to three/four questions (instead of fewer) was made to reduce pressure, i.e. to lower the level that can be expected of each answer, including in terms of style and language, especially given the linguistic diversity among the students.

This guidance is meant to assist graders but should not be interpreted as a complete or definitive answer sheet. As indicated in the marking criteria, students' use of judgment and capacity for independent thinking (which may result in different ways of answering than outlined before) should also be recognized and rewarded.

Question 1

The field of migration is characterized by contested terminology and binary categories such as refugee vs. (economic) migrant, legal vs. illegal/irregular, forced vs. voluntary, transit, and the thin boundary between smuggling and trafficking. Migration is fluid, meaning that individuals may move across categories and shift in and out of legality over time, and political and economic

drivers can be intertwined. Commonly used categories and labels are therefore ill-suited for neatly classifying people and their movements. Terminology can have real-world effects: Word choices can, for example, shape public perception of migrants (e.g., as deserving vs. undeserving), can be strategically employed by governments to legitimize particular policy responses, and can influence how migrants themselves interpret their situation, their rights, and their possible courses of action.

All students should be able to comment on these issues by referring to some of the readings from Lecture 1. All five syllabus items listed under Lecture 1 are relevant and can be used to substantiate the answers. While Lecture 1 was devoted to this discussion, this was an overarching theme that we kept returning to throughout the course. Students are not expected to draw on readings assigned for other lectures; however, if some are able to make such connections and demonstrate that they see the links across the different lectures and themes, this is very positive and should be rewarded. *Many of the readings and issues are cross cutting and this last point applies to all questions.*

Question 2

This was the topic of Lecture 2, and students should answer by drawing primarily on the readings assigned for that lecture. A central point is that states' migration policies are shaped by both international and domestic political dynamics; answers should acknowledge both dimensions.

At the international level, students should be able to cite (i) migration diplomacy as a relevant concept and that state interests vary as a result of their position as migrant sending, transit or receiving states. Also at the international level, they may engage with (ii) the idea of refugee protection as a "public good" that all states should contribute to, and how some (small) states may contribute for private gains such as reputational benefits. At the domestic level, students should mention (iii) (some of) the six dimensions that are likely to influence domestic voters' opinions on migration: economics, socialization, psychology, attitudinal embeddedness, cueing, and context and contact. Students may also reflect on (iv) securitization as an aspect of domestic politics and how political actors, through speech acts, can frame migrants/immigration as a threat and justify restrictive policies.

Students should be able to engage with more than only one of these central concepts and more than one of the four texts. While the strongest answers will draw on all four readings, which collectively address these four angles, this is not strictly required to achieve a top grade.

Question 3

This was the topic of Lecture 3, and the question can be answered by drawing on the two readings assigned for that lecture. Franko is the longest text in the entire syllabus, and it is understandable if students focus more on that reading. Based on the material, students should be able to explain how the "crimmigrant other" is constructed discursively and symbolically, for example through processes of othering (us versus them), labelling, hierarchies of worth, border spectacle, and related mechanisms in which criminalization plays an important role.

Importantly, students should explain how the "crimmigrant other" is produced and governed as a legal subject through the criminalization of migration, including the intensive policing and criminalization of immigration offenses such as unlawful entry. This also leads immigration and criminal law enforcement agencies and institutions to become nearly indistinguishable in practice, e.g. ICE in the US).

As a bonus, students may note that this is a bi-directional process, where traditional criminal offenses increasingly carry immigration-related consequences, such as deportation. Ideally, students should reflect on how the "crimmigrant other" is governed through an "abnormal" type of justice, with implications for due process and legal protections. They may also refer to the role played by racialized and gendered inequalities in the production of the "crimmigrant other", particularly in interaction with citizenship and legal status. Students may use empirical examples to explain or illustrate their points. In class, they discussed Kilmar Ábrego García case in the US (this discussion was also shared on Canvas for students who were not present).

Question 4

This is the one question that only MA students received. Students can answer briefly by explaining that international migration law is highly fragmented and that there is no single global treaty regulating all aspects of migration (nor any single organization with comprehensive authority over all international migration). We covered Chetail's conceptualization of international migration law as the combination of all relevant international legal norms that apply to individuals in connection with their movement across international borders and their stay in another state (although students are not expected to name Chetail explicitly).

International migration law is not a self-contained field of law. Rather, it intersects with a wide range of legal regimes, including human rights law, refugee law, smuggling and trafficking, nationality and statelessness, labour law, law of the sea, and diplomatic and consular protection. These different treaty regimes typically apply to specific legal categories such as "refugee", "smuggled person", "trafficked person", or "stateless person." This comes with incoherence and fragmentation. It was emphasized in lectures that there is no shortage of legal norms, particularly within human rights law, designed to protect migrants. However, having rights on paper and being able to exercise them in practice are often two very different things.

Question 5

Two readings assigned for Lecture 5 (Haddeland 2021 and Scott 2024) use the concept of legal consciousness and are relevant here. Students are not expected to remember any accepted definition of legal consciousness but should be able to explain that it relates to a person's lived experience of the law. One commonly cited definition holds that the study of legal consciousness captures the social experience of law by examining "the ways in which people experience, understand and act in relation to law".

Both readings (and class discussions) used Ewick and Silbey's influential tripartite scheme of legal consciousness as a starting point for analysis. If students refer to these three ideal types ("before the law", "with the law" and "against the law") it should be considered a strength. Both

readings also build on Ewick and Silbey's framework by using and introducing concepts of "dissenting collectivism" (Haddeland) and "second-order legal consciousness" (Scott). Reference to these concepts should be viewed even more positively but not expected.

The concept of legal consciousness can be used to make sense of migrants' experience of the law. Legal consciousness is not fixed; it can be shaped by legal status, categorization, and interactions with the state and "helpers", and it may also shift over time and in parallel with changes in status. It is positive if students are able to integrate these concepts/frameworks into their discussion. If they also bring insights from other lectures (for example the lectures on categorization and criminalization), this should be considered a clear strength, but as with all the other questions, this should not be expected, given the limited time and the closed-book format.

Question 6

Citizenship and statelessness were the topic of Lecture 8. Shachar's chapter focuses specifically on the sale of citizenship, examining how "cash-for-passport" programmes have proliferated since the early 2000s, how they do not require the establishment of meaningful contact between the individual and the state, and how they reflect the marketization and commodification of citizenship. This represents a significant shift from traditional understandings of citizenship, which emphasized not only the protection and benefits provided by the state but also the individual's allegiance to that state. Shachar develops arguments both in favour of and against these programmes. However, note that in the second part of the question, students are asked to express their own views. Expressing informed personal views is very positive, and these can of course go against the arguments presented in the assigned readings (but, of course, "informed" is key here).

The best answers will be those that do not stop at Shachar but link their explanation of the changing nature of citizenship to key theoretical perspectives covered under Lecture 8: Arendt, who conceptualizes citizenship as the "right to have rights", i.e. a foundational right upon which all other rights depend and Kochenov, who writes that there is no bright side to citizenship, noting provocatively, "Who needs open racism if there is citizenship?"

See **Annex** (Exam question for RSOS 4958 which includes lecture plan and syllabus)

Annex: Exam question for RSOS 4958 (includes lecture plan and syllabus)

RSOS 4958

Fall 2025 Exam

Please answer **FOUR** of the following questions, drawing on the relevant literature.

The lecture plan, which lists the lecture topics and the readings assigned for each lecture, is enclosed. You are not expected to include a separate bibliography; it is sufficient to refer to readings within your text (surname and year is enough, for example: Dauvergne 2014).

All questions carry equal weight. Your overall performance on the exam determines your grade, and it is not necessary to "pass" each of the four questions in order to pass the exam overall. There is no lower or upper word limit, but please use your discretion considering that all questions weigh equally and you have four hours to complete the exam. Use the time available to you.

1. Migration is an area full of contested terms and binary categories – refugee versus (economic) migrant is just one example – and the choice of terminology can have very real consequences. Comment on this.

2. In 2015, German Chancellor Angela Merkel spoke the famous words "Wir schaffen das!" ("We can do it!") as Germany opened its borders to asylum seekers. Comment on what drives states' decisions and motivations regarding contributions to the international refugee regime. In other words, why do states act the way they do in international refugee governance? You may, if you wish, refer to the 2015 German example.

3. How is the "crimmigrant other" constructed and governed? What are some of the symbolic and legal mechanisms involved in constructing and governing this figure? You may find it helpful to illustrate your answer with recent examples from Europe and/or the United States.

4. You are at a family dinner. When your aunt hears that you are taking this course, she asks: "Is there some kind of global convention that covers all migration? How is international migration regulated?" Answer with an overview as you would in that kind of setting; you do not need to refer to readings from syllabus for this question or to technical details.

5. What is legal consciousness? How may migrants' legal consciousness be shaped by their legal status or by the categories through which they are classified?

6. In recent decades, there has been an increase in "cash-for-passport" programmes. What does this tell us about the changing nature of citizenship? What is your own view on the "sale" of citizenship – are you in favour, against, or somewhere in between, and why?

Good luck!

Lecture plan and syllabus for RSOS 2958/4958

1. **Ordering through labels, terms and categories**

Catherine Dauvergne (2014), "Irregular migration, state sovereignty and the rule of law", in Vincent Chetail & Celine Bauloz (eds.), *Research Handbook on International Law and Migration*, Cheltenham: Edward Elgar

Heaven Crawley & Dimitris Skleparis (2017), "Refugees, migrants, neither, both: categorical fetishism and the politics of bounding in Europe's 'migration crisis'", *Journal of Ethnic and Migration Studies*, 44(1)

Luisa Feline Freier (2022), "The Power of Categorization: Reflections on UNHCR's Category of 'Venezuelans Displaced Abroad'", in Christina Pao & Maksim Zubok (eds.), *Measuring Migration Conference 2022 Proceedings*

Maja Janmyr & Lama Mourad (2018), "Modes of Ordering: Labelling, Classification and Categorization in Lebanon's Refugee Response", *Journal of Refugee Studies*, 31(4)

Dohra Ahmad (2019), *The Penguin Book of Migration Literature: Departures, Arrivals, Generations, Returns*, Penguin Books – Please read Introduction by Dohra Ahmad

2. **International cooperation on migration and its challenges – sovereignty, securitization and attitudes**

Fiona Adamson & Gerasimos Tsorapas, (2019), "Migration Diplomacy in World Politics", *International Studies Perspectives*, 20: pp. 113–128 (15 pages)

Tamirace Fakhoury (2016), "Securitising Migration: The European Union in the Context of the Post-2011 Arab Upheavals", *The International Spectator*, 51(4): pp. 67-79 (13 pages)

James Dennison & Alina Vranceau (2022), "Public opinion and the politics of migration", in Peter Scholten (ed.), *Introduction to migration studies: an interactive guide to the literatures on migration and diversity*, Cham: Springer, IMISCOE Research Series, pp. 375-388 (14 pages)

Alexander Betts (2003), "Public Goods Theory and the Provision of Refugee Protection: The Role of the Joint-Product Model in Burden-Sharing Theory", *Journal of Refugee Studies*, 16(3): pp. 274–296 (22 pages)

3. **Criminalization of migration**

Katja Franko (2020), *The Crimmigrant Other – Migration and Penal Power*, Routledge – Please read Chapters 2, 3 and 4

Jennifer M. Chacón (2024), "Crimmigration": Race, and Critical Race Theory in the United States", in Mary Bosworth, Katja Franko, Maggy Lee & Rimple Mehta (eds.), *Handbook on Border Criminology*

4. Legal regulation and institutional management of international migration: critical perspectives (1)

Vincent Chetail, (2019), *International Migration Law*, OUP – Please read "Introduction" (Ch. 1)

E. Tendayi Achiume (2018), "The Fatal Flaw in International Law for Migration", *Columbia Journal of Transnational Law*, 56

Frédéric Mégret (2022), "The Contingency of International Migration Law: 'Freedom of Movement', Race, and Imperial Legacies", in Ingo Venzke & Kevin Jon Heller (eds.), *Contingency in International Law: On the Possibility of Different Legal Histories*, OUP

Derya Özkul & Rita Jarrous (2021), "How Do Refugees Navigate the UNHCR's Bureaucracy? The Role of Rumours in Accessing Humanitarian Aid and Resettlement", *Third World Quarterly,* 42(10)

5. Legal consciousness and mobilization from below

Hanna Buer Haddeland (2021), "'Victims not wrongdoers': the legal consciousness of rejected asylum seekers in Norway", *Journal of Law and Society*, 48(4)

Hanna Scott (2024), "'We can't help you – it doesn't concern us': the legal consciousness of young people seeking asylum in Sweden who report violent crime", *Journal of Law and Society*, 51

Carolina Moulin & Diana Thomaz (2016), "The tactical politics of 'humanitarian' immigration: Negotiating stasis, enacting mobility", *Citizenship Studies*, 20(5)

Semih Çelik (2018), "'We Have Become Refugees in Our Own Country': Mobilising for Refugees in Istanbul", in Donatella della Porta (ed) *Solidarity Mobilizations in the 'Refugee Crisis'*, Palgrave Studies in European Political Sociology. Palgrave Macmillan

Moctar Dan Yaye & Maurice Stierl (2023) "Freedom of movement activism in the Sahara", *Forced Migration Review*

6. Legal regulation and institutional management of international migration: critical perspectives (2)

Vincent Chetail, (2019), *International Migration Law*, OUP – Please read "Trafficked and Smuggled Migrants" (Ch. 5)

May-Len Skilbrei (2019), "Criminological Perspectives on Human Trafficking", in Valsamis Mitsilegas, Saskia Hufnagel & Anton Moiseienko (eds.), Research Handbook on Transnational Crime, Edward Elgar

Maja Janmyr (2021), "Sudanese Refugees and the "Syrian Refugee Response" in Lebanon: Racialised Hierarchies, Processes of Invisibilisation, and Resistance", *Refugee Survey Quarterly*, 41(1)

Ruben Wissing (2022), "Between Aspirations and Law: Protection Consciousness among Congolese Forced Migrants in Rabat", *Refugee Survey Quarterly*, 41(4)

7. High on the agenda: Return and readmission, instrumentalization, and sustainability

Philipp Stutz & Florian Trauner (2021), "The EU's 'return rate' with third countries: Why EU readmission agreements do not make much difference", *International Migration*, 60(3)

Theodore Mbazumutima (2023), "'Staying in Tanzania or Returning to Burundi is all the Same': Re-Imagining the Reintegration of Burundian Returnees", *Refugee Survey Quarterly*, 42(3)

Beste İşleyen & Sibel Karadağ (2023), "Engineered migration at the Greek–Turkish border: A spectacle of violence and humanitarian space", *Security Dialogue*, 54(5)

Diego Caballero-Vélez, Maggy Lee & Matthew Light (2024), "Beyond Fortress Europe: Instrumentalised migration management in Central and Eastern Europe" in Mary Bosworth , Katja Franko, Maggy Lee & Rimple Mehta (eds.), *Handbook on Border Criminology*

Gery Nijenhuis & Maggi Leung (2017), "Rethinking Migration in the 2030 Agenda: Towards a De-Territorialized Conceptualization of Development", *Forum for Development Studies*, 44(1)

8. Citizenship, statelessness, ethics and beyond

Hannah Arendt (2017), *The Origins of Totalitarianism* – Please read "The Perplexities of the Rights of Man" (Ch. 9 Part II)

Dimitry Kochenov (2020), "Ending the Passport Apartheid. The Alternative to Citizenship is No Citizenship - a Reply", *International Journal of Constitutional Law*, 18(4)

Ayelet Shachar (2017), "Citizenship For Sale?", in Ayelet Shachar, Rainer Bauböck, Irene Bloemraad & Maarten Vink (eds.), *The Oxford Handbook of Citizenship*, OUP

Joseph H. Carens (1996), "Realistic and idealistic approaches to the ethics of migration", *The International Migration Review*, 30

Joseph H. Carens (1987), "Aliens and Citizens: The Case for Open Borders", *The Review of Politics*, 49(2)

Hyab Teklehaimanot Yohannes (2024), "Autobiographic reflections on loss, longing, and recovery" in Mary Bosworth, Katja Franko, Maggy Lee & Rimple Mehta (eds.), *Handbook on Border Criminology*

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From Dohra Ahmad (2019), *The Penguin Book of Migration Literature: Departures, Arrivals, Generations, Returns*, Penguin:

- Olaudah Equiano, from *The Interesting Narrative of the Life of Olaudah Equiano*, West Africa – Barbados
- Edwidge Danticat, "Children of the Sea", Haiti –
- Djamila Ibrahim, "Heading Somewhere", Ethiopia – Canada/Syria