TITLE
VISUAL REPRESENTATIONS OF ASYLUM SEEKERS IN SOUTH KOREA: HOW THE LOCAL AND GLOBAL COME TOGETHER TO IMPACT THE LAW AND POLITICS OF BELONGING

(Or LAW MADE IN THEIR IMAGE: VISUAL REPRESENTATIONS OF ASYLUM SEEKERS AND THE SHAPING OF SOUTH KOREAN IMMIGRATION LAW)

RESEARCHER/S
Danielle Tassara

ABSTRACT, INTELLECTUAL MERIT, BROAD IMPACT

Abstract:
Of the 40,400 non-Korean refugees who have applied for asylum status in South Korea since 1994, only 800 people, or less than 2%, have been granted refugee status, making it one of the most restrictive countries for asylum seekers. However, the national attitude as well as legal policies and laws have not remained static over the past twenty years, with global rhetoric and local politics simultaneously shifting approaches to asylum seekers and reinforcing systemic inequalities. Through in-depth interviews, archival research, and participant-observation, I will examine how refugees and asylum seekers are visually represented in different ways by Korean and international advocacy organizations, South Korean immigration officers, anti-refugee protestors, and refugees themselves. In this research, I will demonstrate how ideas of the "fake refugee" and concepts of deservingness shape and mold the ways in which immigration law on the ground is implemented and carried out.

Intellectual Merit:
This research project on refugee applicants in South Korea will help fill in a gap in English-written literature. Currently, the vast majority of research on refugees in South Korea focuses on North Korea refugees and their unique positioning in South Korean society. However, to have a better understanding of the North Korean refugee citizenship and settlement process, it is also critical to have a more comprehensive understanding of the asylum process as a whole and the place that North Korean refugees maintain within it. Moreover, this research helps further understandings of how the law works in action, beyond its written form, and how both the local and the global come together to shape it in new and contradictory ways.

Broad Impact:
With the rising number of refugees and migrants predicted to only grow even bigger over the next 30 to 50 years, it has never been more important to research how restrictive countries like South Korea and, for example, Japan, visually represent and limit the number of refugees and migrants allowed to legally enter the country and stay. Thus, this research project will help formulate various reforms to the asylum seeking procedure, help present a broader understanding of how visual representations of refugees can unfairly impact the law, and aid advocacy organizations that are actively seeking to help the vulnerable and those in need of protection.

OVERVIEW / RESEARCH QUESTIONS

For this research project, I will examine "regimes of (in)visibility" (Pérez 2018; Niezen and Sapignoli 2017; Sapignoli 2019) and the ways in which media culture, as well as representational strategies employed by refugee advocacy groups and anti-refugee protestors, impact refugees and their ongoing quest for legal status in South Korea. This leads to various questions, including ho w are refugees portrayed across different mediums such as the internet, newspapers, and billboards and how do these representations reinforce various types of inequality in the law?

Moreover, I will pay particular attention to the ways in which South Korean immigration officers at local branches are influenced by these visual depictions of who is "deserving" within the eyes of the law and who is not. That includes examining the influence of "fake refugee" rhetoric used by anti-refugee protestors and how it ties to discussions of visible disabilities. How are visible disabilities being tied together to the label of refugee? How do local actions shape and influence written national laws? Who gets overlooked and who is prominently placed

forward? Moreover, I will look to examine how such actions loop back as the determinations on legal status by immigration officers can possibly influence such visual representations of refugees and their motivations for coming to a country.

As a result, by studying literature from a variety of disciplines including visual studies, legal studies, and global studies and coupling it together with my ethnographic research, I will seek to uncover how visual representations of refugees and migrants shape South Korean asylum and migration laws and alter ideas of belonging. Grounding my research in an interdisciplinary perspective will allow me to hone in on the dynamic workings of the law as it influences and gets influenced by refugees, advocacy organizations, and anti-refugee protestors.

Theoretical Questions

- How does the power of the state operate in those everyday/daily migration/border crossing process? How are delineations of (il)legality constantly shifting and reflective of inequalities inherent in the legal and social systems?
- How/ through what processes does structural violence become normalized or not in the decision-making process by immigration officers and in decisions over how to represent certain asylum seekers in certain ways?
- How does the border manifest spatial/geopolitical violence?
- How is it that we can view border and sovereignty, not from the perspective of the nation-state or international standard, but from the local, where it shapes as much as it gets shaped?
- How does the government, ideas of nationalism, concerns about sovereignty and jurisdiction become embodied in those border negotiations?
- How are borders mechanisms of power?
- How are (geopolitical) borders operationalized, imagined, experienced, and resisted?
- How do borders shape illegality and legality, and how does legality becomes a problem people face everyday?
- How do mobility and disability come to the forefront in the face of border crossings and arbitrary shutdowns?

Empirical Questions

- What happens when someone with a disability arrives in South Korea?
- How do people cross over the border?
- What is the process when a South Korean immigration officer is suspected of tampering with an immigrant's entrance interview? How do certain groups (the national government, anti-refugee organizations, refugee and human rights organizations) react to these situations? How do certain people bring things to light and/or hide them away?
- What is the process by which a migrant or refugee arrives in South Korea? What is the administrative paperwork involved?
- How do refugees make a life for themselves in South Korea during the application wait period? Who is involved and why?
- What gender differences and stereotypes are expressed depending on who arrives in South Korea?
- How do certain organizations and government agencies create visual representations and/or strategies relating to asylum seekers, immigrants, refugees, marriage migrants, and so on?
- What kind of exposure do people have to certain visual representations and what kinds of reactions do they have to them?
- What are the everyday negotiations over the border, international, national, and local? And with immigration officials?
- What are the types of visual representations (media, social media, billboards, pamphlets, protest signs, etc) that show the border, representations of migrants and asylums?

Interview Questions
All (mainly Syrian and Yemen) asylum seekers

- How long have you been in South Korea? How did you arrive in South Korea?
- Why did you choose to come to South Korea (Note: specifying city whenever possible)
- What was the entrance process like? What kinds of documents did you need to enter?
- What was your impression of South Korea when you arrived? What caught your eye from your arrival until today?
- Can you tell me what an average day is like?
- Who do you contact when you need help with the immigraiton process? Who do you speak to when you need help finding work/housing/healthcare?
- Are you learning Korean? If so, why?
- What are you interactions like with your neighbors? With the people you meet while you travel or commute? When you meet with government officers?
- Has anyone ever asked to take your picture or took your picture?
- What were you expectations for living in South Korea? Going through the refugee status process?
  - What are actions you've had to take in order to apply for refugee status? Have you ever applied in another country? Have you applied in South Korea before?

Immigrant officers
- How long have you been an immigration officer? Did you have any jobs prior to being an immigration officer? Why did you
- What kind of training do you undergo? Do you help decide who receives a humanitarian visa, refugee status, permanent residency, etc?
  - How do your senior immigration officers/people who helped train you give you advice on how to do your job? What was the most helpful piece of advice? What was the least helpful piece of advice?
- Where do you get most of your news? Who do you speak with about the news?
- What do you know about most of the refugees that come requesting asylum?
- What do you think about the asylum seeking process? Any recommendations on how to improve it or a section that you think works particularly well?
- What do you think about Korea's "aging society"? What kind of problems will it cause and how can it be prevented?

Politicians (in favor of loosening or tightening the number of refugees/migrants entering the country)
- Who are the voters who follow you? Why do you take X political stance?
- What do you think about the recently arrived XX group?

Anti-refugee Protestors
- What kinds of groups and organizations are you a part of? What kind of social media do you use? Do you ever post things about immigrants or refugees?
- Do you join and/or organize protests? If so, how do you protest? Who introduced you to the protest and why did you decide to join?
- Where do you get your information about refugees and immigrants from? What kind of information do they tell you? Which parts do you agree with?
- Does your family agree with your views? Do they protest with you?
- Why do most anti-refugee protestors keep their faces covered?
- Which news source influences you the most? Why do you describe/believe refugees and migrants in certain ways? Do you travel abroad and if so, where?

Advocacy organization members
- When and how did your organization first start? How does your organization work? How many members does it consist of? How many immigrants/refugees do you work with? What kind of assistance do you give them? How are your organization's members trained? How do you stay funded?
- What kind of news do you follow? What is its content for this year and the last? How does your organization react to news in the media? Are there any strategies in place? How do you

communicate with the media, if at all?
- Could you show me the pamphlets, flyers, etc that you use? How did you come up with this design?
- What do you think about so and so picture (*shows pictures of recent or more iconic photos related to asylum seekers*)
- What was the most recent representation of an asylum seeker or refugees or migrant from the South Korean national government and what did you think about it? How did your organization talk about it?

BACKGROUND AND SIGNIFICANCE

In the first half of 2018, more than 480 Yemeni refugees arrived in Jeju Island (a large island about 62 miles off the coast of Southern coast of South Korea). Most of the Yemeni refugees who came to Jeju Island were fleeing the continuing civil war that started over 3 years ago. In 2018, the war had reached a particularly precarious stage as the port of the city of Al Hudaydah, where most of the humanitarian supplies were coming to civilians in the country, was relentlessly bombed by the Yemeni military who were backed by Saudi Arabia and the United States. At that time, Jeju Island had a no-visa policy in order to help increase the number of tourists coming to the island. Most of the Yemeni refugees came first without a visa and then applied for asylum status. As peninsula with its only border leading to North Korea, South Korea has never had a large influx of refugees like this, although thousands of asylum seekers apply every year for refuge in South Korea. By the fall of 2018, an anti-refugee movement had swelled up and grown, making it the first of its kind, most likely because of the restrictive nature of the asylum request process. Therefore, the surge in anti-refugee sentiments and rhetorics are ripe for study as structural forms of violence and inequality that are normally partially concealed and naturalized become more visible.

LITERATURE REVIEW

My research project will be situated within three main literatures: the anthropology of global studies, law and society, and visual studies.

Law and Society
I'm interested in delving more deeply into the law and society literature, especially as it relates to visual representations and migration. There are four main categories of content related to the law and society litertature and visual representations (like photographs): 1) The employment of visual representations in the courtroom; 2) Images of the law causing change in public perceptions of the law itself as well as certain crimes; 3) Changing written laws through image creation and use. Law and society research adroitly address the many forms of the law as it works through, within, and outside visual implementations and strategies; however, the research fails to connect it together with migration. Moreover, much of the research on visualizations in law and society focuses on the courtroom and other symbols of judicial power, so the addition of administrative processes within the power of the law might help enrich the literature. One particular gap that I would want the literature to address is the types of influences and feedback loops that can occur between visual representations (employed by individual accounts and various organizations), and the ways in which it impacts how migration law get implemented on the ground (by immigration officers and other legal administrators).

Texts:
· 	Peter Robson, Guy Osborn, Steve Greenfield: The Impact of Film and Television on Perceptions of Law and Justice: Towards a Realisable Methodology
· 	Ariella Azoulay: The Civil Contract of Photography
· 	Thomas Giddens: Graphic Justice: Intersections of Comics and Law
· 	Richard K Sherwin: Visualizing Law in the Age of the Digital Baroque: Arabesques and Entanglements

Visual Studies
The visual ethnography literature has an expansive body of works that engage with myriad types of visualization and ideas of exclusion/inclusion and invisible/visible, which I would like to engage with. I mainly see the literature for visual ethnography (especially as it address migration, visualizations, and, much more indirectly, the law) broken

down into the following three categories: 1) Images affecting public and/or transnational perceptions of migrants, including refugees and asylum-seekers; 2) Employing visual representations of migrants and their movements in order to reach a particular point of analysis (like citizenship, race, and ethnicity); 3) The ways in which visual representations influencing the politics of migration. However, While the visual ethnography literature deftly brings together visualizations and migration movements together, it overlooks much of the legal implications of such social phenomena. I think a theoretical question that could help bridge these two literatures and would be interesting to unpack is: How might visual representations such as photographs, billboards, pamphlet photos, websites, and blog portrayals as well as newspaper article images be influencing the implementation of migrant law on the ground?

Texts:
· Doris Bachmann-Medick and Jens Kugele: *Migration: Changing Concepts, Critical Approaches*
· Miguel Diaz-Barriga: Distracción: Notes on Cultural Citizenship, Visual Ethnography, and Mexican Migration to Pennsylvania
· Köhn, Steffer: *Mediating Mobility: Visual Anthropology in the Age of Migration*.
· C. Lenette and J. Boddy: Visual Ethnography and Refugee Women: Nuanced Understandings of Lived Experiences

Anthropology of Global Studies
I'm very much interested in examining how global studies can become a point of intersection with the law and society literature and visual ethnography literature. Although much of my research in the past has been focused on global movements like that of migrants and refugees, I never truly realized how centered most of my thinking had been on the nation-state. After reading The Global Turn, the notion of the "global imaginary" (Darian-Smith 2017: 3) as opposed to the international or transnational helped me recognize that many of the theories I employ and the approaches I take in tackling my research are concentrated on this hierarchy of global, national, and local. When thinking about the global, I'm also interested in the ways in which people tend to classify space as empty or full, and how classifying one thing as empty and available to be occupied can actually be a forceful act. Anna Tsing, in her book, Friction: An Ethnography of Global Connection, she discusses of empty space, frontiers, and wilderness prompted me to think more about how different people think in different ways about what constitutes an empty space and what doesn't. It makes me interested in thinking about how empty spaces and how they have and continue to be important social processes in movements and migrations. Finally, Rob Nixon's Slow Violence helped me moved past thinking about violence as something that has a definite beginning and end. I can imagine violence as something that is more of a continuous process, without feeling the need for it to have this strict notion of having both a beginning and an end. This is another aspect of the literature that I want to engage because it is critical to free the "migrant body" and mind of physical and temporal limitations to understanding the violence.

Texts:
· Wendy Brown: *Undoing the Demos: Neoliberalism's Stealth Revolution*
· James Clifford: *Returns: Becoming Indigenous in the Twenty-First Century*
· Eve Darian-Smith and Philip C. McCarty. *The Global Turn: Theories, Research Designs, and Methods for Global Studies*
· Rob Nixon. *Slow Violence and the Environmentalism of the Poor*
· Zoe Todd. "The Decolonial Turn 2.0: The Reckoning." Anthro{dendum}
https://anthrodendum.org/2018/06/15/the-decolonial-turn-2-0-the-reckoning/
· Anna Lowenhaupt Tsing: *Friction: An Ethnography of Global Connection*

Broadly speaking:
My research will help develop a space to continue to think about how the law (and through it sovereignty) can be thought of from a global perspective and how it is expressed, mirrored, and reproduced through visual representations and strategies. Sovereignty can be distinguished in a variety of ways, as having "localized forms" that are "nested" within "higher sovereignties" (Humphery 2004: 28) or in "layered form" (Stepputat 2006: 309). These different perceptions of sovereignty can ultimately allow for a greater understanding of how the local and the global can be "mutually constitutive, creating and recreating each other . . . in a constant dynamic" (Darian-Smith 2017: 4).

Therefore, this research project will push to bring these two disciplinary conversations together in an attempt to

think about: what does it mean in the for sovereignty to be expressed at a local level even as much of refugee law is founded on domestic, national law and international law based on the principle of deference to sovereignty? How is it that we can view sovereignty, not from the perspective of the nation-state or international standard, but from the local, where it shapes as much as it gets shaped? Moreover, this research looks closely at how the law is constructed, refashioned, and perceived on different spatial scales through media images, billboards, pamphlets, and other visual representations and (re)produces "regimes of (in)visibility" (Pérez 2018; Niezen and Sapignoli 2017; Sapignoli 2019).

METHODS AND DATA RESOURCES

I will carry out this research project mainly through ethnographic and qualitative methods. That includes in-depth interviews (with protestors for and against refugee entrance, immigration officers, refugees, politicians), participant-observation sessions (including attending dinners, visiting homes, various events, protests), and archival data collection (from libraries, archives, participant-observation sessions, personal collections). After organizing the data and coding it, I will carry out textual analysis and coding.

- 20 interviews with anti-refugee protestors
- 10 interviews with immigration officers
- 20 interviews with refugees seeking asylum in Korea
- 15 hours of participant observation a week with a special commitment to tracing out social networks like that of Middle Eastern refugees, human rights groups, and anti-refugee protestors
- Archival work in National Archives of Korea http://www.archives.go.kr/next/viewMain.do

THEORETICAL FRAMES & DATA ANALYSIS

- Wendy Brown's Undoing the Demos
    - Gendered economization (including undervalued or devalued "female" labor)
    - Speech as capital in legal and social settings
- Eve Darian-Smith's The Global Turn
    - Undoing global hierarchies centered on the nation-state/"Decentering" the Nation-State
- Justin Richland
    - Legal language of the court helps to "ground law's force" and outline the "bounds of state sovereignty"
- Angela DeVolld
    - Moral-ness and the deserving/ "ruthless game of 'refugee roulette'"
- Yarimar Bonilla
    - "Unsettling sovereignty" – thinking of sovereignty in different ways including local and smaller sources of sovereignty
- (Specific works: Menjívar et al. 2014; Susan Coutin 2000; Choi 2010; Black 2003; Bosniak 1988; Park 2011)
    - Categories of (il)legality, how is it that certain movements, actions, behaviors, ways of thinking are becoming legalized and/or made criminal
- Susan Coutin
    - "Space of non-existence" – How is it that forms and immigration paper can create spaces in which migrants are considered both absent and illegal
- Anzaldua (their work from 1987)
    - Poetry as a way to express borders and migration
- Anghie, Antony
    - Imperial spaces; the order of sovereign nation-states as it currently stands fails to take into consideration the systems of exclusion that persists on permeating the legal systems and law of those colonized states that were restricted from practicing their own sovereignty
- Antonio Zirión Pérez 2018; Ronald Niezen and Maria Sapignoli 2017; Maria Sapignoli 2019
    - Regimes of (in)visiblity and subaltern studies in a globalized world, globalized organizations and law

- Saidiya Hartman (Lose Your Mother and Wayward Lives, Beautiful Experiments)
    - Critical race theory; temporality in law (including preventative law), gendered ideas of place and duties
- Hiroshi Motomura
    - "Twilight status" for illegal immigration – connects well with Susan Coutin's research
- Agamben
    - The "state of exception" and sovereignty, conceptions of when it is possible to suspend the law or transcend beyond it
- Rob Nixon
    - "Slow violence" and invisible forms of destruction, temporal movement, relationship between body and environment
- Cornelia Vismann
    - The ways in in which files, law, media technology come together and can act as a powerful exclusionary force

PLAN OF WORK

This 12-month project will be split into the following four stages:

First (2-3 months):
- Establish contacts by meeting with a variety of organizations, attending events, and interviewing whoever is willing
- Begin to establish ways in which I can give back to the refugee communities I'm engaged with
- Start Korean language program to further hone my interview and participant observation sessions

Second (2-3 months):
- Continue language training
- Work to have 2-3 in-depth interviews per week
- Work to carry out participant-observation sessions by locating various meetings, conferences, and events
- Work on gathering images and documents from archives, libraries, participant-observation sessions, etc.

Third (2-3 months):
- Continue language training
- Work to have 2-3 in-depth interviews per week
- Work to carry out participant-observation sessions by locating various meetings, conferences, and events
- Begin working on expanding literature review.

Fourth (2-3 months):
- Complete language program
- Finalize any grants, volunteer work, English language training, etc being used to help organizations and people working with
- Begin sorting, organizing, and coding all collected data

Post-fieldwork:
In addition to working writing a series of articles with the information gathered and preparing for writing my dissertation, I will attend the Law and Society Association's Conference, the Anthropological American Association's Conference, and Seoul National University's Human Rights in Asia Conference. Finally, I will informal and unofficial ways of presenting my research findings, including setting up a mobile exhibition on migration

CHALLENGES AND ETHICAL CONSIDERATIONS

There are five main research challenges and ethical considerations that I am grappling with:

1. Consider the extractive nature of a short-term, 12-month PhD research project and my ability to give back to those who are helping me
2. Working with those in a dominant position (for example, immigration officers and politicians) who might potentially be exploiting those in a more vulnerable position like an asylum seeker
3. Being used by those in a dominant position or anti-refugee organizations as a prop to further their agendas, including having my picture taken with them, my presence announced on social media, etc
4. Taking into consideration the diversity of backgrounds and positions of those applying for refugee status and being able to comprehensively present that in the research
5. Maintaining anonymous status of my collaborators and interviewees

VALIDITY AND EVALUATION

After I finish gathering data for my research project and spend the last two months organizing it in a comprehensive manner, I will analyze that data, keeping three goals in mind. The first is writing several journal articles using the data I've gathered and publishing the findings. During this time The second is writing about my research in the form of newspaper articles to help make the findings more available to the general public. The third is creating an exhibit in collaboration with other artists and researchers talking about the asylum process and its impact on people themselves and the law. Since my research is based on visual representations, I think an exhibition will be a useful tool to evaluate the research findings. I will create a space in which attendees and the exhibitors can have collaborative conversations about what the research findings and its presentation at the exhibit.

Finally, throughout the 12-month research process, I will give a present at a forum and/or conference to get feedback on the project as well as create a blog website to post in several times a week. It will not only help me process all the data coming in but will give others the opportunity to give me feedback on the research as it progresses, rather than after it has completed. I will also be working on the online digital platform, PECE, in order to work collaboratively across geographic and disciplinary boundaries. It will allow me to keep continued contact with my advisors and chairs on my committee, and it will allow them to be part of the my research process as a whole, including when I am in the field and in the mist of conducting research.

PREPARATION AND WORK THUS FAR

I have previously worked as a researcher in South Korea (a 3-month project and a 10-month project) with Filipina and Vietnamese marriage migrants in 2013 and North Korean refugees in 2015. The training and preparation for these two projects in addition to the actual fieldwork experience will extensively help me with this new research project. For those two projects, I spent a significant amount of time reading about South Korean history, current events, politics as well as advancing my own theoretical knowledge with which to underpin these projects.

Additionally, I have, and continue to work on improving my Korean so that I can carefully and meticulously carry out my interviews and participant-observation sessions. I have also been working on gathering background information on my fieldsite as well as gathering newspaper articles, images, and blog sites to help jumpstart the project. In the summer of 2020, I will go to South Korea in order to get further on-the-ground experience and to begin to develop additional contacts as it relates to my research project. I will also carry out archival research in South Korea in addition to visiting several migrant and refugee organizations.

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DATA MANAGEMENT PLAN

All of the data collected for this research project will be stored both in a secure Google Drive folder, shared with no one but perhaps project advisors, and on a password-protected folder on the researcher's laptop, which would also be password protected. Since those categorized as asylum seekers or refugees (including North Korean refugees who have come to South Korea) are prone to virtual hacking attacks, I will severely limit those who have access to the entirety of the data. Additionally, I will anonymize most information prior to uploaded it on Google Drive to help ensure the security of the identities of my interlocutors.

After careful evaluation of the data I have collected, and after determining which sections of the data would be least likely to harm those I have collaborated with, I will make most of the data available on a secure digital platform or archive, possibly through UCI or through one of UCI's website-creating tools. When uploading most of the data to the digital platform, I will "rank" each grouping of data and assign access based on the ranking. For example, if

there is little to no chance of the data exposing someone or a group, which is vulnerable, then I will keep that data open to the public and easily accessible. If a different grouping of data might result in harming a collaborator, then I might set limitations on who can see the data and for how long. Through this process, I will be able to ensure that there is rigorous evaluation of the data gathered during the research project and that I can provide protective measures for my collaborators.

GoogleDoc Link to Project Design