

# Refuge



CANADA'S JOURNAL  
ON REFUGEES

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REVUE CANADIENNE  
SUR LES RÉFUGIÉS

**SPECIAL ISSUE**

*Intersectional Feminist  
Interventions in the  
“Refugee Crisis”*

# Refuge

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# Introduction

Anna Carastathis, Natalie Kouri-Towe, Gada Mahrouse, and Leila Whitley

## Abstract

While the declared global “refugee crisis” has received considerable scholarly attention, little of it has focused on the intersecting dynamics of oppression, discrimination, violence, and subjugation. Introducing the special issue, this article defines feminist “intersectionality” as a research framework and a no-borders activist orientation in transnational and anti-national solidarity with people displaced by war, capitalism, and reproductive heteronormativity, encountering militarized nation-state borders. Our introduction surveys work in migration studies that engages with intersectionality as an analytic and offers a synopsis of the articles in the special issue. As a whole, the special issue seeks to make an intersectional feminist intervention in research produced about (forced) migration.

## Résumé

Alors que les universitaires se sont beaucoup intéressés à la « crise des réfugiés » mondiale qui a été déclarée, ils n'ont que peu envisagé les dynamiques croisées de l'oppression, la discrimination, la violence et la subjugation. Le texte introductif de ce numéro spécial définit « l'intersectionnalité » féministe transnationale comme cadre de recherche et comme un activisme orienté sans frontières solidaire des personnes déplacées par la guerre, le capitalisme et l'hétéronormativité de la reproduction, qui se heurtent à des frontières nationales et étatiques militarisées. Cette introduction examine les études sur la migration qui retiennent l'intersectionnalité comme perspective d'analyse et offre un sommaire des

articles de ce numéro spécial qui, envisagé dans son ensemble, vise à dégager une intervention féministe intersectionnelle dans les travaux de recherche qui concernent la migration (forcée).

This special issue emerges out of a larger, developing project to build a network of feminist scholars and organizers under the name Feminist Researchers against Borders (FRAB)! Our project aims to build durable collaborations across disciplinary boundaries and national borders among scholars and organizers whose work emerges from a feminist perspective that centres gender and sexuality as key analytic lenses through which the repercussions of war, violence, forced displacement, asylum, and resettlement can be understood. What unites us is that we are feminists who have been troubled by the absence of intersectional analyses in studies on the “refugee crisis,” even as border and (forced) migration studies have proliferated. In this regard, we take the inextricability of racial, gendered, sexual, and class power relations as the entry point to interrogate how the current “refugee crisis” is constructed and contested. As researchers committed to ethical reflexivity, we enter into this work with concerns over the circulation of research on “refugees” in an economy that turns human suffering into the currency of scholarship, divorced from the responsibility to transform the conditions that shape violence. Further, we are concerned with the way our own work risks entering into the broader state objectives of migration management that allow nation-states to criminalize and capitalize upon cross-border movement,<sup>2</sup> while refusing entry to millions of people and detaining and deporting countless others.

Our intervention comes at a moment when the United Nations Refugee Agency (UNHCR) has announced that there are now more refugees and internally displaced people worldwide than ever before.<sup>3</sup> What has been termed the “refugee crisis” has been most widely represented by the largest group of refugees, Syrians fleeing the war that began in 2011, who comprise 5.4 million people displaced primarily to Turkey, Lebanon, Jordan, Iraq, Europe, and overseas; 6.1 million people have been internally displaced, while 2.98 million are in besieged areas, according to UNHCR statistics.<sup>4</sup> However, as Denise Horn and Serena Parekh remind us, the human experience of “displacement” is far broader than just this “refugee crisis.”<sup>5</sup> Forced migration and displacement have been a central feature of human experience since the foundation of the modern nation-state, the quintessence of which is the control of human movement at the limits of its territory and within its social body.<sup>6</sup> The present “refugee crisis” is a product of the accelerated conditions of war and state violence, which are inextricable from globalized capitalism, histories of colonialism, and contemporary imperialism. It also foreshadows the increasing global human displacement that results from climate change.

To understand the current “refugee crisis,” it is important to note that seeking asylum is a legal right under the international 1951 Refugee Convention. On the basis of this convention, signatory countries are obliged to examine the claims for protection from persecution of every individual who arrives at their borders. However, the convention does not oblige signatory countries to provide legal entry or safe passage. Consequently, European and North American countries have created visa restrictions to deny entry to people from countries ravaged by war and imperialism, including debt colonialism. The result is what has been referred to as a “hellish dead-end” for refugees.<sup>7</sup> Put differently, since many need a visa to enter a country, and a visa requires money and must meet strict criteria, one cannot claim asylum from abroad without substantial access to social, political, and economic mobility.<sup>8</sup> As Adrienne Millbank has argued, the current crisis starkly shows that the 1951 convention is outdated, while the problems of holding states accountable to their obligations have been known for decades.<sup>9</sup>

In response to this conjuncture, the articles gathered in this special issue interrogate assumptions about “deserving” subjects within refugee law and humanitarian reason;<sup>10</sup> contributors critically assess the ways in which anxieties, fears, and desires surrounding the figure of the refugee are produced by socio-legal constructs and political economic relations, including those that articulate racial capitalism and hetero-patriarchy. One way the distribution of deserving subjects has manifested is through the terminology used in relation to the “migration/refugee crisis.” As Ron

Kaye explains, the use of certain terms casts doubt upon the “genuineness” of some claimants’ refugee status, as stipulated by the UNHCR and interpreted by signatory state authorities.<sup>11</sup> A report from the UNHCR has similarly illustrated that confusing terminology is directly related to “the negative myths associated with asylum seekers and refugees.”<sup>12</sup> It found that, although the majority of those now in Europe would qualify as “refugees” because they are “fleeing from war, conflict or persecution at home, as well as deteriorating conditions in many refugee-hosting countries,” they are most often referred to as “migrants.”<sup>13</sup> While we use the term *refugee* in our title, some contributors to this special issue have opted to use other labels, especially *migrant*, to describe the “figure” at the heart of this “crisis.”<sup>14</sup> Rather than insisting on the use of one label throughout, and given that all of the aforementioned labels are state and supranational categories, we wanted individual authors to use the term(s) that seemed most appropriate to them for the specific arguments they make and the contexts on which they focus.

Although the conditions shaping migration and the “refugee crisis” provide intertwined concerns for our special issue, the varied use of the terms is not meant to imply that they are interchangeable. Rather, they signal the complex political ways that language and terminology feature in general understandings of the “crisis.”<sup>15</sup> In debates surrounding linguistic correctness, some have advocated dropping the distinction between *refugees* and *migrants* (some of whom are designated as “irregular”) for the universal designator *refugee* (with the argument that economic “push factors” are as vital to people’s survival as is war or political persecution), while others argue for the universal designator *migrant* (with the argument that *refugee* is a stigmatizing and exclusionary juridical category that social movements ought not to adopt). Such debates highlight the way language is used variously to undermine and defend the protected rights of those entitled to make refugee claims. This also points to the problem of the distinction made between refugees and migrants within the legal frameworks themselves. In this sense, the terminology that marks people crossing borders can be understood as a state tactic for naturalizing distinctions between those who “deserve state protection” and those to whom it can be denied. As Nicholas De Genova points out, the vacillating use, ambivalence, and equivocation of these terms and labels in mass media news coverage in Europe “are telling signals of the ambiguities and contradictions that bedevil such terminological categories as governmental contrivances.”<sup>16</sup> Indeed, such debates highlight the way language is used variously to undermine and defend the protected rights of those entitled to make refugee claims.

Focusing on the legal status of migrants in Calais, France, Marie-Benedicte Dembour and Marie Martin argue that

because these migrants are not “authorized aliens,” they are excluded from the regime of rights that is in place only for those who have the status of national citizens or regularized migrants.<sup>17</sup> The process of determining whether an asylum seeker is a refugee is not only, typically, in the hands of national authorities, but also municipalities; thus, refusal of the legal designation of “refugee status” can be a powerful means to regulate access to rights in the city and the nation-state. Movement is ever more intensely controlled and instigated while the border becomes ever more mobile, and people ever more stuck (including being stuck in movement).<sup>18</sup> As Encarnación Gutiérrez Rodríguez examines in her contribution to this issue, the binary between “forced” and “voluntary” migration underpinning these debates can be a means to deny the global entanglements of racial capitalism and what she terms “settler-colonialism migration,” which structure human movement. We argue that an intersectional feminist approach to forced migration questions the reliance of asylum decisions (as well as the whole asylum infrastructure) on the construction of deserving and undeserving victims of violence—a juridical distinction that naturalizes certain forms of violence that are inherent in racial capitalism and hetero-patriarchy and leave unchallenged the power of nation-states to arbitrarily deny movement across national borders.

The binary distinction between “deserving” and “undeserving” migrants illustrates the internal contradictions embedded in national policies on refugees. In the case of Canada, the turn to viewing the nation-state as a protector of human rights demonstrates the instrumentalization of refugees fleeing sexuality- and gender-based violence. In his contribution to this special issue, Edward Ou Jin Lee argues that the role of the nation-state in adjudicating refugee claims is embedded in a convergence between national bordering and colonial formations. Lee argues that Canadian refugee policies that block queer and trans refugee claims from the Global South reveal the legacies of colonial violence that produce uneven geopolitical conditions that shape homophobic violence in the Global South, thus denying the complications of colonial violence in Canada and elsewhere. This echoes the work in progress of other members of our network, such as Melissa Autumn White, whose research on the Rainbow Refugees Assistance Program in Canada situates the nation-state’s project of opening up sponsorship of sexual orientation and gender identity and expression (SOGIE) refugees in neo-liberal policies that reinforce Canada’s branded humanitarianism. This illustrates how seemingly contradictory practices in national responses to forced migration can serve to reinforce the nation-state: while parading tokenized refugees as emblems of Canada’s self-congratulatory humanitarianism, the nation-state

forecloses and denies asylum to thousands of possible claimants through ineligibility policies.

In what follows, we first problematize the construction of the “refugee crisis,” joining a growing body of critical scholars who examine how the discourse of “crisis” functions to secure national and supranational projects of “migration management.”<sup>19</sup> We then survey the existing and emerging scholarship, which lays the ground for our own intersectional feminist intervention. We close the introduction by briefly describing the articles that comprise the special issue.

### *Querying the “Refugee Crisis”*

Describing the current situation of global mobility as a “crisis” questions for whom there is a crisis. As De Genova has written, understanding mobility in terms of crisis is a way to reconfigure it into “a device for the authorization of exceptional or ‘emergency’ governmental measures aimed at enhancing and expanding border enforcement and immigration policing.”<sup>20</sup> The language of crisis thus shifts the focus from the *experience of displacement as a crisis for refugees*, to the *perception of their entry as a crisis for nation-states*. The shift from crisis as the *cause* of forced migration to the construction of crisis as an *effect* of human mobility has a number of important political effects, not least of which is that it enables accelerated border militarization (as evinced by the deployment of Frontex and NATO in the Aegean and Mediterranean seas) and the closure of paths to safety (e.g., the fencing of the Evros land border between Turkey and Greece in 2012, or of the Hungarian border with Serbia and Croatia in 2015), ostensibly as the means to “manage the crisis.” As Sara Ahmed has argued, the declaration of “crisis” enables the institution and justification of “new forms of security, border policing, and surveillance ... It is not simply that these crises exist, and that fears and anxieties come into being as a necessary effect of that existence. Rather, it is the very production of the crisis that is crucial.”<sup>21</sup>

The declaration of “crisis,” then, has a crucial relationship to the introduction or augmentation of techniques of governmentality. As Aila Spathopoulou, Myrto Tsilimpounidi, and Anna Carastathis argue in their contribution in this issue, it is not incidental that the declaration of “crisis” has led to (or was pre-visited by) the institution of what the EU terms “hotspots”<sup>22</sup> in Greece and Italy; that is, detention centres in which people on the move are sorted into legitimate refugees “deserving” international protection and “illegal” economic migrants slated for deportation. The construction of “crisis” is always ideological; therefore, its invocation and location in a particular space and time is always political, both as a discursive construction and in its material effects. Myrto Tsilimpounidi suggests that the representation of crisis as a rupture of a prior state of normalcy to which we could,

eventually, return, functions to rehabilitate the system in crisis, foreclosing the states of emergence intrinsic to a state of emergency.<sup>23</sup> In this sense, crisis is potentially a moment to reflect upon fixed categories of experience and analysis, the violent rupture of which can impel us to devise new methods to register the invisible or unseen. Bringing these analyses to the question of how the current “refugee crisis” is constructed in racialized and gendered ways points toward the need to think through not only how states reconsolidate borders in response to an articulation of human mobility—projected onto the figure of the refugee / economic migrant / illegal immigrant—as a social threat, but also how societies transform their politics of belonging and estrangement precisely by framing the mobility and presence of some people as a danger, or alternately as an opportunity for forming new social relationships and new ways of dwelling in place together. The “crisis” becomes one of “integration” of refugees in “host” societies, or its supposed impossibility.

Whether “for” or “against” “integration,” the terms of this debate engage in an insidious reconstruction of the past, implying that once we were all the same, we never moved, and we all understood each other, as Gutiérrez Rodríguez argues in her contribution to this issue. The relatively recent history of the nation-state is imagined as ahistorical and universal, naturalizing “ethnicized bonds” and the violent operations of demographic racism.<sup>24</sup> Arguably, much work that is produced in forced migration studies reproduces “methodological nationalism” by reifying the violence of border and citizenship regimes in the figure of the refugee.<sup>25</sup> Thus migration is understood as an “antinomy” to the nation-state and its naturalized isomorphisms between citizenry, nation, sovereign, and state.<sup>26</sup> Since migration is viewed from the hegemonic perspective of stasis (staying put in one’s supposedly natural place), migrants are constructed as “failed citizens.”<sup>27</sup> Yet this conceals the fact that the systems of capitalism globalized through colonialism are in constant crisis, producing contradictory temporalities and social relations of perpetual conflict and perpetual movement.

If crisis is fundamental to the post-colonial project of nation-states and of EU integration, it reverberates in the liminal spaces both within and outside “Europe” of uneven development and incomplete democratization, through ongoing accumulation by dispossession.<sup>28</sup> As Gutiérrez Rodríguez and Lee each argue, the “refugee crisis” exists in continuity with, and is not a rupture of, the colonial project; its technocratic, militarized management has led to unspeakable human suffering and devastation for the people caught in its machinery. To the extent that people are defined by migration regimes as belonging to particular naturalized categories—through which some people are always imagined as being of a place, and others as perpetually out of

place—migration is always imagined as a crisis for the nation. In that sense, in a time of multiple, successively declared, and overlapping—indeed, intersecting—crises, it is useful to be reminded, as Bridget Anderson, Nandita Sharma, and Cynthia Wright have argued, that “people’s mobility is seen as only ever caused by crisis and as crisis producing.”<sup>29</sup>

### ***Mind the Gap: Intersections in (Forced) Migration Studies***

Intersectional research has consistently shown that experiences of migration and displacement differ significantly, depending on how people are positioned in hierarchies of gender, race, class, age, religion, and sexuality.<sup>30</sup> Nevertheless, the majority of (forced) migration scholarship continues to approach the subject without attending to the simultaneity of experiences and co-implication of positionalities shaped by gendered, racialized, class, and sexuality-based power relations.<sup>31</sup> While the “question of gender” in migration was first raised in the 1970s and 1980s,<sup>32</sup> it nevertheless remains a marginal focus within the scholarly field of studies on migration.<sup>33</sup> For example, Pierette Hondagneu-Sotelo has analyzed a leading social science journal in the field, *International Migration Review*, finding only seven articles that contained either the word *woman* or *gender* in the title between 2007 and 2009.<sup>34</sup>

Although research on gender and migration has been growing in the decade between her research and the publication of this special issue,<sup>35</sup> the questions shaping such research remain a point of feminist concern. As Ingrid Palmary, Erica Burman, Khatidja Chantler, and Peace Kiguwa argue, “The question should be less about why gender has not been (as yet) ‘mainstreamed’ into migration, than about how and why it figures in conceptualizations of mobility, and with what effects.”<sup>36</sup> Thus, although leading journals have increasingly featured research that makes mention of gender in migration—just under 20 per cent of the articles published in 2016 to 2017 address gender<sup>37</sup>—looking at *how* gender is positioned in these articles illustrates the methodological absence of an intersectional approach. For example, two articles recently featured in *International Migration Review* deploy a “gender-based analysis” in an empirical assessment of whether migrant communities hold views of gender that are, in the words of the authors, “more egalitarian” or “more traditional.”<sup>38</sup> We see this type of research as emblematic of the essentialized and single-axis approach to gender-based research, the premises of which we hope to problematize using an intersectional feminist approach.<sup>39</sup> Palmary and her collaborators suggest that such research has a pathologizing effect on the category of “the migrant,” by decontextualizing, essentializing, and naturalizing migrants as an organic category of research analysis.<sup>40</sup> While attempts to make gender



differences in migration visible may reveal useful information about population demographics, they simultaneously reduce these differences to gender in isolation from the wider conditions shaping experiences of displacement and resettlement. Moreover, this deployment of “gender” as an essentially demographic category mirrors nation-state logic, naturalizing its production of a binary gender system, and eliding how gender is produced and reproduced in nationalized and transnational heteropatriarchal power relations.<sup>41</sup>

Introducing an intersectional feminist analysis can help us examine the resulting gap in current research and new possibilities for attending to the concomitant ways that gender and sexuality, for instance, shape the lives of refugees and migrants, extending beyond the typical foci on reproduction and population management. We define an intersectional feminist approach in the next section; prefiguring that discussion, we offer a few examples in relation to which an intersectional lens has the potential to yield new framings. When “women” are centred in work on migration, they are often constructed as mothers, wives, daughters, and not as political agents, workers, community leaders, or public figures; this reduces the interests of women to their roles within heteronormative formulations of the family. “Women” are assumed to be cisgender, heterosexual, and defined primarily through their compulsory positioning in the heteropatriarchal family, the existence of which is naturalized as an effect of “their” cultures. Thus, in advancing an intersectional approach to research on gender in (forced) migration, for example, we can introduce a different set of questions that examine gender, kinship, and reproduction beyond the dominant focus on women, maternity, and fertility.

What interpersonal, institutional, infrastructural, and experiential constraints and inducements shape the choices migrant women make about reproduction? What happens to kinship relations when familial estrangement and death shape the migratory experience? How are non-biological and non-heteronormative forms of kinship affected by the construction and state recognition of “family” in procreative, nuclear, and hetero-patriarchal terms? Further, what different challenges arise when researchers consider the way single parenting, trans parenting, and queer parenting are introduced into projects that examine family development, reproduction, and fertility? Combined with an analysis of the racial projects of nation-states, an intersectional feminist approach to reproduction might ask instead how migrant women’s reproductive roles posit them as either threats to the racialized citizen or as burdens on health-care systems, as (im)possible users of maternity and fertility medical services. Therefore, while fertility is an important aspect of the lives of some women, specifically as a result of their positioning as agents of reproduction of the racialized nation-state

according to a hetero-patriarchal logic, it remains a limited frame through which to consider the gendered dimensions of migration. To take another example, research on labour migration and state policy frequently fails to consider the intersecting dynamics shaping political economy. As a result, labour migration continues to be treated as though it is a “genderless” experience within the majority of scholarship in the field.<sup>42</sup> Moreover, since the “generic migrant” is not genderless but implicitly a heterosexual and cisgender adult man, the lack of an explicit focus on gender in migration amounts to the erasure of those who identify as women, as trans people, as non-binary genders, and/or as non-heterosexual.

Our intervention joins other intersectional interventions in border and migration scholarship that urge attention to how gender, sexuality, racialization, age, (dis)ability, and class are implicated in these processes.<sup>43</sup> Such interventions are still relatively rare, since they continue to be marginalized within border and migration studies. It is, for instance, significant that despite being able to trace calls for migration scholarship attentive to the intersections of race, gender, and class to at least ten years ago,<sup>44</sup> the urgency of these calls does not seem to have been diminished a decade later. We see this special issue as contributing to the critique and analysis set out in prior special issues that point to these oversights. A recent example is the November 2016 special issue of the *Österreichische Zeitschrift für Soziologie* (Austrian Journal for Sociology), which described its intervention as contributing to overcoming “a number of major omissions and curtailed interests in the field of migration studies” which include “deemphasizing [*sic*] gender and sexuality, ignoring the ‘intersectional’ interplay of gender with other dimensions of inequality in migration societies, Eurocentric preoccupation, [the] non-consideration of the agency of migrants and [being] caught up in methodological nationalism.”<sup>45</sup>

This special issue continues the work of other collaborations that address intersectional analyses of borders and migration, such as the 2015 special issue of *Identities: Global Studies in Culture and Power*, “Investigating Intersectionalities, Gendering Mobilities, Racializing Trans/Nationalism.”<sup>46</sup> In the introduction, the issue’s editors argue for the need to situate an analysis of migration specifically in relation to racializing processes and colonial configurations of power, while also gesturing toward the importance of gender and class. Ultimately, they argue, “intersectionality is analytically important in accounting for the diverse racial, class and gendered experiences in international migration.”<sup>47</sup> Locating our current intervention within *Refuge*’s own trajectory, it is significant that in the 2009 special issue, “No Borders as a Practical Political Project,” editors Bridget Anderson, Nandita Sharma, and Cynthia Wright argue for the need to understand borders as ideological instruments producing

inequality through mechanisms “that are deeply racialized, gendered, sexualized, and productive of class relations.”<sup>48</sup> The repetition of the insistence on the need to attend to the converging systems of capitalism, white supremacy, and heteropatriarchy, gendering, and the production of racialized genders, sexualities, disabilities, and class relations in (forced) migration, and their inextricable relationship to processes of bordering, found across this work is one that we are, once again, repeating.

The contributors to this special issue offer an answer to that call, drawing on queer migration frameworks, post-colonial and de-colonial theory, a no-border politics, and an intersectional analytic sensibility,<sup>49</sup> thus helping form the emerging field of scholarship on intersectional feminist research on borders and (forced) migration. This research demonstrates how migration policies, citizenship, and migrant advocacy converge; for instance, in the reproduction of heteronormative nationalisms through family reunification policies that place the burden of proof on queer migrants to legitimate their claims for status and/or asylum through heteronormalized evidence of kinship,<sup>50</sup> which mark the boundaries of intelligibility of intimate relationships.<sup>51</sup> Queer and trans migrant research and activism reveal the heteronormative function of birth and citizenship. The natural citizen through birth, and the naturalized citizen through migration are co-constituted by the reproductive history or futurity of the migrant’s role in relation to the nation-state. Thus a deserving migrant does not challenge the reproductive order of citizenship through non-normative forms of family kinship. Much as migration is used to naturalize citizenship and border regimes, it is also used to naturalize the deeply gendered and racialized structures of societies governed by the nation-state form by binding the recognition of certain rights and entitlements to the mirroring of the heterosexual couple. Moreover, since in Europe, North America, and Australia migration policies are intrinsically bound up in projects of whiteness, and the reproduction of the nation around whiteness, these reproductions of citizenship have a fundamentally racist character—not only in centres of white supremacy but in all nation-states that regulate the inheritability or transitivity of belonging through reproductive logics. Given that these processes are essential to how migration and citizenship are bordered by nation-states, they need to be centred in research and activism, and not added as afterthoughts to a predominantly heteronormative, racial-colonial frame.

Currents of critical scholarship located within the fields of migration and border studies have engaged in critiques of the alignment of state policies and scholarship, particularly pushing back against the ways more traditional work in these fields has positioned migrants as passive objects,<sup>52</sup> and

against simplistic notions of bordering, seeking to give more dynamic accounts of how borders are brought into being through acts of bordering.<sup>53</sup> These critical accounts, while emphasizing autonomy and mobility, and displacing the false dichotomies put in place by migration regimes—such as the migrant/refugee distinction, discussed above—have nevertheless also continued to marginalize questions of gender, sexuality, and racialization.<sup>54</sup> This marginalization functions not only through a failure to attend to the intersections of gender, racialization, and sexuality, but sometimes through a more structural move, in which experiences of power that rely upon and are effects of gendering and racialization are abstracted from migration dynamics in order to put forward theoretical claims about the functioning of borders, and the production of migration statuses, in general.<sup>55</sup> Recognition of these oversights has led scholars working within these subfields to explicitly call for more attention to processes of gendering and racialization.<sup>56</sup> Yet while Victoria Basham and Nick Vaughan-Williams observe that “particular regimes of mobility and immobility are only imaginable, implementable and sustainable because they tap into and reify prior assumptions about gender, race, class and their interconnectivity in contemporary political life,”<sup>57</sup> a comprehensive intersectional feminist approach has yet to materialize.

### ***Defining an Intersectional Feminist Approach***

In calling for an explicitly feminist intersectional approach to the question of migration and displacement, we hope this special issue can do two things. First, we hope it will offer a way of reading the phenomena that have gained visibility and that have been rendered invisible by the discursive construction of the “refugee crisis” against the grain of current research on refugees and migration, in order to trouble the logics that frame this field of scholarship. Second, we aim to encourage researchers to consider the implications of an intersectional approach to (forced) migration. Perhaps the most important implication, for us, is intersectionality as an analytic and political *commitment* to challenging the systems, infrastructures, and logics that inflict violence on those deemed “out of place” by fortress nation-states. Here we are invoking intersectionality as a provisional concept, confronting us with “a profound challenge, as opposed to a determinate resolution of cognitive essentialism, binary categorization, and conceptual exclusion.”<sup>58</sup> Thus, the aforementioned “intersectional call” to (forced) migration studies is understood not in quantitative terms—calling for the study of ever “more intersections”<sup>59</sup>—but in terms of reframing, deconstructing, and contesting how categories of oppression and struggle are reproduced in research and activism around what is termed the “refugee crisis.” As Jennifer Nash has argued, the call for more intersections, and the “logic of

more” to “complicate, nuance, and deepen” feminist scholarship positions intersectionality as a guarantor of better scholarship and more inclusive politics, an ameliorative politics to improve institutions by “institutionalizing the margins.”<sup>60</sup> By contrast, the intersectional approach we advocate with respect to border and (forced) migration studies takes an abolitionist approach to institutions that reproduce systems of power. This is consistent with the aims of Feminist Researchers against Borders, who are unified around a commitment to “dismantle the structures that produce, constrain, criminalize, control, and shape immobilities and mobilities, whether forced, coercive, elective, or otherwise—including the borders of the modern nation state and its management of human life and ecology through gender, class, sexuality, racialization, ableism, citizenship, and colonialism.”<sup>61</sup> The contributors to this special issue reflect upon, problematize, and/or reject the use of state categories—which are inheritances of the coloniality of power—in research about, and solidarity movements with, refugees. Not only for the reason that state categories are representational acts that materialize violently to push those whom they exclude overboard; but that even those whom they include they dehumanize.<sup>62</sup>

This conception of intersectionality—as a critique of state power in shaping the foundational categories of perception and representation that also drive resistance to oppression—is drawn from the critical race legal scholar Kimberlé Williams Crenshaw<sup>63</sup> and is prefigured by a tradition of Black feminist thought that can be traced to the nineteenth century, when Black women were not citizens, and they contested the violence of citizenship in a colonial, racial state (and did not simply seek inclusion within it). In part as the result of a whitewashing of its radical history,<sup>64</sup> we believe intersectionality is a term now often misunderstood and misused by academics and activists. As Sirma Bilge argues, the annexing of “intersectionality to disciplinary feminism and decentering the constitutive role of race in intersectional thought and praxis”<sup>65</sup> is part of how intersectionality has become a “buzzword,”<sup>66</sup> not only in women’s, gender, and sexuality studies courses, but also in mainstream disciplines and social movements.<sup>67</sup> A casual application of the term that merely pays lip service to race, sexuality, or class in gender-based analyses troubles us. We see this non-rigorous overuse of the term as a type of co-optation, or, as Nikol Alexander-Floyd has put it, even as a form of neo-colonial appropriation that detaches intersectionality from the concerns of Black feminists who introduced the analytic.<sup>68</sup> As Alexander-Floyd and numerous scholars have observed, although intersectionality emerged as a vital lens, the “mainstreaming” of the concept has resulted in its depoliticization.<sup>69</sup> Thus, in addition to “intersectionality” being deployed in various ways by authors in this special issue as a theoretical approach, an analytic

sensibility, and/or a methodological framework, we want to underline the significance of the politics of intersectionality. Specifically, following the call of Black and transnational feminists, we are calling for a feminist praxis premised on a politics of location<sup>70</sup> or translocation.<sup>71</sup> In this context, an intersectional approach is inextricable from a no-borders politics, that seeks to dismantle the nation-state system and its various practices of bordering and the multiple manifestations of power and domination that it embodies. As Jasbir Puar argues, “Intersectional critique has both intervened in the legal and capitalist structures that demand the fixity of the rights-bearing subject and has also simultaneously reproduced the disciplinary demands of that subject formation.”<sup>72</sup> Building on critiques of dominant interpretations of intersectionality and their accommodationist relation to state power, we view intersectionality as a commitment to undoing the effects of the nation-state (and the systems that crystallize within it): its hold on our imaginations, affects, perceptions, concepts, solidarities, and mobilizations.

Intersectionality, as we are invoking it in this context, is therefore an intervention into categorical exclusions that secure the fixity of naturalized, apparently self-evident categories of oppression and of struggle. Rather than viewing systems of oppression as homogeneous in the effects they may have in people’s lives, intersectionality as an analytic can denaturalize categories into which people are placed by state demographic projects, and are adopted in social movements, advocacy efforts, and other contexts of critical praxis. An intersectional sensibility can help us identify who falls (or is pushed) through the cracks of representational dilemmas that result when categories of oppression and struggle (for instance, refugee/economic migrant; migrant/native; host/guest, etc.) are constructed as mutually exclusive. Moreover, it can reveal dimensions and dynamics of power that are rendered invisible or hidden from view by hegemonic framings. For instance, the heteronormative construction of refugees as “men, women, and children” reproduces the institution of the family while obscuring the homophobic and transphobic oppressions and persecution that LGBTQI+<sup>73</sup> people face, both in their countries of origin and in/through necro-political migration regimes.<sup>74</sup> In this sense, as the contribution of Edward Ou Jin Lee in this issue demonstrates,<sup>75</sup> an intersectional feminist perspective is crucial in that it offers analytic and organizing tools to confront a global reality in which people’s reasons for needing to leave and being refused the legal ability to stay are proliferating, which further demonstrates how the Geneva Convention’s definitions of who is to be granted protection or who deserves pathways to relative safety fail to align with the realities of (forced) migration.<sup>76</sup>

Intersectionality is invoked not as a guarantor of a “critical” feminist epistemology, but as a methodological

commitment to uncover layered histories and geographies of power of which we may not be conscious. This will require collaborative praxis across, beyond, and, most importantly, *against* borders of multiple kinds. Indeed, an intersectional approach to migration problematizes the fixed categories of identity through which people's subjective and embodied experiences are clinically, juridically, or analytically sorted and (mis)understood: the universality of gender and sexuality; the self-evidence of racial, ethnic, and religious divisions; and the fixity of class, caste, and status in trans-local contexts. In this sense, we seek to underscore the point that it is not only identity that affects migration experiences, but migration that affects and effects identities. This is a challenge to intersectionality studies as a field that seems committed to nativist U.S. constructions of identity rooted parochially not only in the social movements that emerged there, but in the demographic projects of that nation-state that inform how "communities of struggle" have formed and understand their normative subjects in (anti-)segregationist terms.<sup>77</sup> As Floya Anthias has suggested, neither can "migration" (or even its ostensibly exhaustive subcategories, e.g., "voluntary"/"forced") in intersectional terms be understood as a singular, homogeneous process that is undergone by self-evident groups; nor can intersectional theories of identity, power, and belonging ignore the effects of "translocational" processes in subject-formation in a structurally violent, pervasively mobile world.<sup>78</sup>

In advancing an intersectional feminist approach to what has been constructed as the "refugee crisis," we therefore argue that research "on" refugees and migrants must take into account how those pushed into categories of "refugee," "migrant," and "citizen" are constituted by intersecting systems of capitalism, white supremacy, and hetero-patriarchy, and their dynamics of discrimination, violence, and subjugation. This means that power relations are multidirectional and contradictory and do not only constitute the exterior of mutually exclusive categories (such as migrant/citizen) but their interiority and interconnection as well. It also means that categories of oppression inform, and are informed by, categories of struggle. Tracing this multidirectional relationship between hegemonic power and oppositional movements, we follow two key insights of intersectionality as an analytic: the observation of the "irony" of the fact that social movements often "adopt a top-down approach to discrimination" and oppression;<sup>79</sup> and that in processes of retrenchment, "symbolic change" is used by the state to "legitimize and thus reinforce ongoing material subordination" while co-opting and defusing radical and reformist politics.<sup>80</sup> Mindful of the gaps and the continuities between the various forms of power that constitute the field of knowledge "about" oppressed groups, we propose the project of intersectional

feminist research about borders and (forced) migration as taking us along a trajectory through and beyond the naturalized categories—themselves constituted through acts of bordering—and to solidarities and coalitions against borders.

### **Description of Articles**

The first two articles in this special issue locate the construction of migration as a "crisis" within diachronic national colonial projects, contributing to the production of socio-legal categories, which in turn legitimize states' attempts to control movement. Taking a de-colonial approach, Encarnación Gutiérrez Rodríguez brings questions of race (particularly whiteness) and colonialism to the foreground of discussions on migration, which have been repressed in anxieties of long historical duration, but also as the "refugee crisis" has been unfolding in Europe, and especially in Germany, since 2015. As Gutiérrez Rodríguez insists, no part of Germany has been "untouched" by the entangled histories of coloniality. As she puts it, "The coloniality of migration operates within the matrix of social classification based on racial hierarchies," themselves reminiscent of colonial differentiation.<sup>81</sup> Placing migration patterns and claims for asylum within this history, the racial, ethnicized, and gendered logics of both inclusionary and exclusionary practices become evident.

In their article, Aila Spathopoulou, Myrto Tsilimpounidi, and Anna Carastathis offer an insightful exploration of what they refer to as the "vocabularies of crisis," tracing the political origins, etymologies, and the contemporary meanings of "crisis" and "hotspots," and of state categories such as "citizen," "migrant," or "refugee." In denaturalizing these terms, they ask what is produced, and in turn what is eclipsed by certain articulations, and remind us that these categories are invented by states (and supranational institutions) in order to control movement. Using Greece as a case study for the intersecting crises that have unfolded there, they illustrate the ways in which discourses of crisis have been transformed hegemonically, producing normative subjects of suffering.

Moving across the Aegean Sea, the two articles that follow turn to the located histories and experiences of refugee resettlement in Turkey. Nergis Canefe's article seeks to move past the Eurocentrism of the discourse of the "refugee crisis," considering the interwoven histories that have shaped movements of migration, displacement, trade, and travel across the Mediterranean. Canefe contextualizes the current "crisis" in terms of socio-legal histories and specifically shows how labour and gendered precarity is produced and sustained through socio-legal status for Syrian women in Turkey by examining the relations between forms of precarity that frame what she terms "refugee reception regimes in the Middle East."

Seçil Dağtaş's piece considers the positionality and experience of women who have recently arrived in Turkey

from Syria, in this case by taking up the complex politics and positionalities of hospitality. Drawing on her long-term fieldwork in Hatay, the Turkish province bordering Syria to the northwest, Dağtaş challenges victimizing depictions of sexual and gender-based violence by turning to the day-to-day experiences of women who live in the region. She argues for an approach to these practices that views them as “contingent assemblages of gendered practices and religious discourses,”<sup>82</sup> while drawing attention to the tension within relations of hospitality for Syrian women in the province. She argues that hospitality is an act that is at some level denied to these women, since they are seen as “guests” themselves, denied the status of “hosts,” and faced with the refusal of their hospitality by other neighbourhood dwellers. For many of Dağtaş’s research participants, acting as “host” makes it possible for them to feel at home; thus, they experience a refusal of entry into the community as anything more than a guest, while the extension of hospitality is a form of intervention in this exclusion. She shows how these acts of hospitality can therefore be understood as providing a counter to state-level notions of “cosmo-political” hospitality.

Finally, in the last article, Edward Ou Jin Lee invites us to consider the complex role that the nation-state plays in limiting and enabling the movement of people through the socio-legal processes emergent in “refugee and migrant resettlement.” This work reveals the way state processes shape migrants’ and refugees’ experiences of (in)hospitality and (non-)belonging by interrogating the colonial legacies and hetero-patriarchal and cisnormative ideologies that shape Canadian policies. Specifically, Edward Ou Jin Lee examines the relationship between the legacies of colonial history as “forgotten histories” of violence that embed Canada’s national borders in the project of racial exclusion that connect histories of slavery, genocide, and indentureship to contemporary exclusionary practices in refugee adjudication. In particular, Lee historicizes the conditions shaping homophobic persecution in the Global South to the imposition of European colonial anti-sodomy laws that criminalized homosexuality and gender inversion in the colonies, and the later incorporation of these legal prohibitions in criminal law in the establishment of the modern, post-colonial nation-states. Drawing on interviews with queer and trans refugee claimants from the Global South, Lee argues that Canadian refugee policies deploy “hetero-cisnormative” logics that exclude queer and trans refugees from asylum through eligibility criteria, such as denying travel visas to queer and trans people from the Global South in order to inhibit future asylum claims.

Following the tenet of feminist praxis, we offer this special issue as an entry point for working intersectionally and collaboratively against borders, as feminist researchers and activists. To this end, what might it mean to think with and

alongside one another, and how can we actively struggle with the ethical and political challenges facing us collectively? The articles that follow move us between and across several geopolitical, formal, and informal spaces of knowledge production. Our hope is that this issue speaks “to” and “with” grassroots and transnational organizers, researchers, activists, and academics. In this sense, our approach follows in the tradition of transnational feminist scholarship,<sup>83</sup> which, as Amanda Lock Swarr and Richa Nagar define it, means “rethinking the meanings and possibilities of feminist praxis” beyond the three related binaries of “individually/collaboratively produced knowledges, academia/activism, and theory/method.”<sup>84</sup> We hope the work gathered in this special issue, but also the work of researchers and activists who made it possible, will contribute to a practical-political overcoming of the false divide not only between empirically and theoretically driven work, but also between research and practices of coalition, resistance, contestation, and transformation.

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# The Coloniality of Migration and the “Refugee Crisis”: On the Asylum-Migration Nexus, the Transatlantic White European Settler Colonialism-Migration and Racial Capitalism

Encarnación Gutiérrez Rodríguez<sup>1</sup>

## Abstract

*This article departs from the discussion by Stephen Castles on the migration-asylum nexus by focusing on the political and cultural effects of the summer of immigration in 2015. It argues for a conceptualization of the asylum-migration nexus within the framework of Anibal Quijano’s “coloniality of power” by developing the analytical framework of the “coloniality of migration.” Through the analytical framework of the “coloniality of migration” the connection between racial capitalism and the asylum-migration nexus is explored. It does so by first focusing on the economic and political links between asylum and migration, and how both constitute each other. On these grounds, it discusses how asylum and migration policies produce hierarchical categories of migrants and refugees, producing a nomenclature drawing on an imaginary reminiscent of the orientalist and racialized practices of European colonialism and imperialism. In a second step, it focuses on migration and asylum policies as inherent to a logic of racialization of the*

*workforce. It does so by first exploring the racial coding of immigration policies within the context of settler colonialism and transatlantic White European migration to the Americas and Oceania in the nineteenth and twentieth centuries, and second, by discussing migration policies in post-1945 Western Europe.*

## Résumé

*Cet article se démarque de la discussion de Stephen Castles sur le lien entre l’asile et la migration en ciblant les effets politiques et culturels de l’été migratoire vécu en 2015. Il plaide pour une conceptualisation du lien entre l’asile et la migration dans le cadre de la « colonialité du pouvoir » d’Anibal Quijano, et ce en élaborant le cadre d’analyse de la « colonialité de la migration ». C’est dans ce dernier qu’il explore la connexion entre le capitalisme racial et le lien asile-migration. Pour cela, l’article cible d’abord les liens politiques et économiques entre asile et migration, et la manière dont l’un et l’autre se constituent l’un par l’autre.*

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*Sur ces bases, en établissant une nomenclature qui s'appuie sur une réminiscence fictive des pratiques orientalistes et racialisées du colonialisme et de l'impérialisme européens, il discute la manière dont les politiques d'asile et de migration produisent des catégories hiérarchiques de migrants et de réfugiés. Dans la deuxième partie, l'article cible les politiques d'asile et de migration en tant que politiques indissociables d'une logique de racialisation de la main d'œuvre. Pour cela, il explore tout d'abord le codage des données raciales des politiques d'immigration dans le contexte du colonialisme de peuplement et de la migration transatlantique des blancs d'origine européenne vers les Amériques et l'Océanie aux XIX<sup>e</sup> et XX<sup>e</sup> siècles ; il discute ensuite des politiques de migration dans l'Europe de l'Ouest de l'après-1945.*

**D**uring August and September 2015 the media constantly replayed images of refugees traversing the Balkan route to Austria, Germany, Denmark, Sweden, Finland, and Norway. This migration was initially met with hospitality through *Willkommenskultur* (welcome culture). However, this had changed by autumn 2015 when right-wing populists and nationalists blamed Merkel's government for allowing European societies to be "over-run" by Muslim refugees from "archaic" societies. This is exemplified in reports of New Year's Eve in Cologne 2015/16, when North African and Muslim men were accused of sexual assaults and attacks, portrayed in the media as mainly targeting white German women in the main train station.<sup>2</sup> This reactivated the dichotomy of civilization and barbarity, constructing black and brown racialized masculinities as "premodern," lacking control over their sexuality and having a patriarchal, misogynist mindset. In political talk shows, experts reiterated that the problem was the poor adjustment of these men to the ruling "normative gender order." Their presence was interpreted by right-wing populists as a threat to Occidental civility. Politicians reacted quickly to these accusations. On July 7, 2016, the law governing sexual offences was amended to state that a sexual offence takes place when a woman's non-consent ("no means no") is not respected and when sexual attacks and harassment are committed by a group of men. This law could be understood as a slight achievement in the struggle against sexual violence. But the underlying racism, in particular anti-Muslim racism, which accelerated its passing, deserves some attention.

The New Year's Eve Event 2015/16 initiated a turning point in "the conjuncture of racism"<sup>3</sup> in Europe. The 2015 summer of migration transformed into a "refugee crisis." The arrival of people seeking shelter in Europe started to be publicly debated in media and politics as a "crisis," a destabilization of the social norms, and a rupture in the social order. The

wealthy European countries—Sweden, Finland, Germany, and Austria—that took the biggest share of the 1.5 million people fleeing the war zones in the Middle East and Africa are not experiencing economic crisis. However, the arrival of those fleeing wars and political conflicts in the Middle East and Africa produced a "crisis" in the normative white national population. As Suvi Keskinen<sup>4</sup> discusses, in Finland this is rather a "crisis" of "white hegemony" played out by the reshuffling of "white neonationalist femininities" and the underlying hegemonic reconstitution of their masculine counterparts.<sup>5</sup> Thus, the rhetoric of crisis is constructed on an ideological level.

Hall et al.<sup>6</sup> discuss the significant role played by the media in establishing the hegemony of Thatcher's authoritarian populism in late-1970s Britain. Hall et al. identified the media construction of Black Caribbean men as "muggers" as a strategy to establish a national consensus for the Conservative government through the incessant fabrication of news on black men attacking white people on the street. This consensus was achieved by mobilizing racism. This media spectacle reiterated the British Empire's colonial vocabulary of racialization within the metropole and diverted attention from Thatcher's dismantling of the welfare state, as well as the transformation causing mass unemployment and decreasing household incomes among the working and middle classes. Instead, the media spectacle contributed to the fabrication of an outsider to the nation to whom social and economic deprivation as well as feelings of individual insecurity were attributed. Thus, the media were key actors in the formation of a hegemonic bloc supporting Thatcher's authoritarian populism. On the basis of his analysis of the political status quo, Hall<sup>7</sup> developed his analysis of the specific conjuncture and contingency of racism. The spectacle of the black man as mugger produced an affective connection between the population and the government by creating "moral panic." At the same time, the moral panic fuelled the government responses to this "crisis" with the introduction of police "stop and search" and racial profiling. This connection between media representation, affective connections, and ideological negotiations represented a contingent moment of the specific conjuncture of racism, orchestrated by a variety of actors representing a range of convergent and divergent financial, economic, and political interests.

In the case of the production of the "refugee crisis" through media images, we have a similar convergence of media, affect, and politics. As I will develop here, the rhetoric involved in the production of the "refugee crisis" resurfaces within a specific conjuncture of racism in Europe. As I will argue, within this conjuncture colonial legacies of the construction of the racialized Other are reactivated and wrapped in a racist vocabulary, drawing on a racist imaginary combined

with new forms of governing the racialized Other through migration control. The analysis of the media and political spectacle of the “refugee crisis” requires that we consider it as an articulation of a contingency of a specific conjuncture of racism in Europe, particularly in Germany.

I argue here that contemporary racism in Europe, particularly in Germany, is articulated by the trope of the “refugee” and the media’s conjuring up of the “refugee crisis” in public and political debates. The “refugee crisis” is symptomatic of what Stephen Castles<sup>8</sup> has coined the “asylum-migration nexus” and operates within the logic of what I will call the coloniality of migration following Anibal Quijano’s<sup>9</sup> “coloniality of power.” In the discussion that follows, I situate the asylum-migration nexus at the juncture of the coloniality of power and racial capitalism.<sup>10</sup> I then extend the analytical framework of the coloniality of migration by exploring settler colonialism, transatlantic white European migration, and the racial coding of immigration policies in former colonies in the Americas and Oceania in the nineteenth and twentieth centuries, as well as migration policies in post-1945 Western Europe. The article concludes by looking at the value of the coloniality of migration as an analytical framework for the analysis of the present conjuncture of racism.

### ***Contingency: The “Refugee Crisis” and the Migration-Asylum Nexus***

By autumn 2015 there were incessant complaints about the “waves of refugees invading” Europe, and in particular Germany, in populist and social media. The “refugee crisis” was constructed as the result of lack of management by a government with no regard for the burden caused by uncontrolled migration on state welfare and social housing provision, whilst “refugees” were constructed as a threat to social cohesion. Structural inequalities were presented as resulting from the arrival of refugees and conflated with racist fantasies of *Überfremdung* (foreignization), a fantasy of loss of national identity and culture based on one people, race, ethnicity, religion, and language. Thus in German elections in September 2017 these sentiments resulted in an increase in votes for the right-wing populist party and the strengthening of right-wing populist positions in the conservative party, in parts of the Social Democrats and *die Linke*.

The right-wing populist position exposed amnesia about inter-European histories of incessant migrations and (anti-) hegemonic struggles and Europe’s history of colonialism, slavery, imperialism, settler colonialism, and transatlantic migration. Within the narrative of a monocultural/ethnic/racial/lingual nation, contemporary refugees—for example, Afghans, Somalis, Sudanese, and Syrians—seem to have no historical connection with Europe. However, these countries were colonized by European nations or have been subjected

to European imperial powers. Currently, European countries take part in international negotiations on global trade and development in the countries that are home to Europe’s refugees. European countries also participate in international political and military conflicts as well as in peace negotiations. However, the perception of refugees as a “crisis” in European media and political debates accentuates the refugee presence as a rupture in everyday life.

This perception is accompanied by images of refugees arriving in Europe. Hyperbolic figures became “facts” mobilized in media and political debates on the capacity of an overburdened Europe to receive refugees. This legitimized their deportation and border closures. A close look at the statistics of organizations such as the UNHCR paints a different picture of Europe being “overburdened,” because the countries that receive the largest numbers of refugees are not in Europe, but in Africa and Asia. These countries are Ethiopia, Uganda, Iran, Lebanon, Pakistan, and Turkey.<sup>11</sup> UNHCR statistics from 2016<sup>12</sup> show that the countries receiving the largest numbers of “persons of concern”<sup>13</sup> in Europe were Germany (1.27 million) and Sweden (349,303).<sup>14</sup> In relation to the total population of these countries—Germany 82.67 million and Sweden 10 million<sup>15</sup>—“refugee” numbers are a tiny percentage. These figures demonstrate that the contemporary debates on the need to control the entry and settlement of “refugees” are not substantiated by facts. Rather they are sustained by “moral panic”<sup>16</sup> fabricated on the basis of racist fantasies about a constructed inferior, animalistic, racialized Other. As already mentioned in the introduction, Hall et al. discuss the construction of the racialized Other by analyzing the media spectacle of black bodies as routinized images in daily news and media outlets. This media representation is presented as “factual news.” Yet, as Hall et al. show, the media’s visual and textual vocabulary is not neutral, but is embedded in historical genealogies of representation, fuelled by political and financial interests. In late 1970s Britain, as Hall et al. demonstrate, the nation underwent a political transformation, resulting in the shrinking of the welfare state and the introduction of cuts to state ownership and public services. This period of transition from the welfare state to the liberal state is the hallmark of Margaret Thatcher’s government. As Hall et al. state, as already mentioned, conservative tabloids such as the *Sun* or the *Mirror* did not draw attention to this political change which harmed the working- and middle-class population. Instead, these tabloids constructed a new fear of black Caribbean men, which they portrayed as “muggers.” Hall et al.’s analysis shows that the media representation of “the black Caribbean man” functioned as a “floating signifier” for all kinds of racial fantasies, articulated through the sexual and existential fears and anxieties of the white population. The state’s response to this spectacle of racist angst was the introduction of measures to increase social control through

policing and racial profiling. The media representation of “mugging” contributed to the social reproduction of a matrix of racist differentiation by forging an analogy between crime and racialized black and brown masculinities. Through the racist conservative media Thatcher garnered support to popularize her law-and-order society model by channelling people’s anxieties and fears towards a racist matrix of thinking the exteriority to the nation. The cooperation between politics and media resulted in the building of a hegemonic bloc that re-actualized racism in contemporary British society. In contemporary Europe, the “refugee” has become the “floating signifier.”

Thus within the media rhetoric of the “refugee crisis,” the signifier of the “refugee” works as a “floating signifier” representing the anxieties and fears of what the media conceived as the majority of the population, regularly imagined as white, German, abled, cis-gendered, national bodies. These anxieties and fears of the presumed population are projected onto an imagined racialized Other. Further, the link of the “refugee” with “crisis” points to the idea of rupture and singularity. As Myrto Tsilimpounidi<sup>17</sup> notes, “crisis” can be perceived as a “perpetual frame-breaking moment that dismantles the certainties and normative narratives of nation, sovereignty, social bonds and belonging for people on the ground.” “Crisis” involves financial, economic, or political life in dominant media and political discourses, but also defines a “state of being” in society that results out of a “deep political and social sense of uncertainty, precarity, and dispossession.”<sup>18</sup> Linked to refugees, the media and political rhetoric on “crisis” illustrates the continuation of the coloniality of power.

The vilification of the refugee as sexual perpetrator, potential terrorist, and destroyer of Western democratic values and beliefs signals a political shift. This shift is reflected in the vocabulary used to describe in cultural, social, legal, and political terms the living situation of people fleeing their countries due to political persecution,<sup>19</sup> war, and other political conflicts. In the 1970s, Chileans, Argentinians, and Uruguayans were recognized as exiles in the United Kingdom, Germany, France, and Spain.<sup>20</sup> Today, the term *exile* has almost disappeared from public discourse and has been replaced by asylum policies and discourses on “bogus asylum seekers.” These policies and discourses are characterized by a perspective on asylum that undermines the entitlement to sanctuary for persons fleeing from violence and persecution. Further, seeking asylum is conceived as being related to unique national or regional circumstances, unrelated to an entangled history of global exploitation, imperial oppression, and capitalist expansion.

As Stephen Castles<sup>21</sup> argues, the distinction between asylum as coercion and migration as choice disregards the fact that migratory movements are driven by global conflicts, wars, political interests, and economic dynamics. The financial crisis in 2007/8, and the wars in Afghanistan, Iraq, and Syria are

forcing people to leave the destruction of their homes, neighbourhoods, villages, towns, and cities. Thus, the assumption that migration is economic, voluntary, and, as such, not the result of conditions that force people to migrate, overlooks the global entanglements in which migration occurs. When people migrate because of poverty, unemployment, and deprivation, these societal conditions are connected to political constellations, very often tied to the exercise of power by authoritarian regimes. Thus political or religious persecution might interact with economic deprivation and vice versa. The analysis by Castles of the “asylum-migration nexus” addresses the correlation between asylum and migration. This correlation has been forged further through the increasing restrictions imposed on the right to asylum since the 1990s within the EU. Asylum has become synonymous with “economic migration” because there is an assumption that asylum applications are being made by potential low-waged migrant workers looking for employment in Europe.

Since the Tampere European Council meeting in October 1999 and its confirmation through The Hague Program in 2004, the European Commission has been creating common principles and measures for migration and asylum regulations. In October 2008 the European Parliament adopted the European Immigration and Asylum Pact establish common asylum and migration policies within the EU on four levels:

1. through cooperation with the countries of origin and transit in the form of development aid;
2. a common European asylum system, in terms of the Geneva Convention and obligations of member states under international treaties;
3. integration policies; and
4. a systematic approach to the management of transnational migration movements.

These goals are achieved through a joint visa policy; cooperation and exchange of information within a common data bank; and the creation in 2005 of FRONTEX a common European border patrol. The EU’s aim is to create “common asylum procedures and a uniform status for those who are granted asylum or subsidiary protection, as well as strengthening practical cooperation between national asylum administrations and the external dimension of asylum.”<sup>22</sup> The “external dimension of asylum” is linked to the relationship between migration policies and development aid. In “Asylum: An Integrated Approach to Protection across the EU” the EU provides financial support to “third countries,” which are transit countries for refugees and migrants heading to Europe. This affects “transit countries,” such as Morocco, which receives funding for the control of its borders to Europe, detention camps, and information training for immigrants. Thus “transit countries” are themselves becoming countries of immigration as the increasing

hurdles in crossing the EU border force people to remain in these countries. Migration has been inextricably connected to asylum through these developments and the recent approach to refugees in Europe. The link between migration and asylum has been politicized by the erosion of the humanitarian aspect of asylum; the tightening of migration restrictions; and the economic demand for labour migration. Migration is politically regulated through asylum, much as the latter is increasingly being regulated by labour migration demands. This is the asylum-migration nexus, which has been reinforced through increasing securitization since 9/11.

Antonio Negri's<sup>23</sup> analysis of war as an integrative principle in the formation of the social order (*guerra ordinativa*<sup>24</sup>) is more relevant than ever. War has become integrated into the everyday social order through the development of the rhetoric of war outside of physical war zones.<sup>25</sup> As such, the rhetoric of war is not just "the continuation of politics by other means; it becomes the fundamental aspect of politics and legitimation."<sup>26</sup> The asylum-migration nexus serves this politics of legitimation in three ways. First, it manages the collateral damage and victims of global war and conflicts. Second, it secures borders when asylum seekers are increasingly treated as invaders. Third, its differentiation of causes, patterns, and trajectories of persecution and escape undermine the ethical legitimation of asylum as a humanitarian resource. Within this context, the definition of countries as "safe countries" or "countries of persecution" depends increasingly on global political conjunctures and national or European political and economic interests.

The categorization of refugees into different statuses attached to the process of application and recognition of asylum produces a hierarchical order, a nomenclature reminiscent of the orientalist and racialized practices of European colonialism and imperialism. Asylum is ruled by the governance of migration based on a range of economic interests and cultural dynamics rooted in the history of the production of the racialized Other.<sup>27</sup> As Quijano<sup>28</sup> asserts, European nation-states were established on the basis of a racial classification system. Since the nineteenth century, this system has been further developed through migration regulation and control. From their introduction, migration policies were coded through a racist nomenclature in former European colonies in North, Central, and South America and the Caribbean in the late nineteenth century and in Oceania and South Africa in the twentieth century. As such, migration policies as devices operating within the logic of coloniality have racializing effects.

### ***Conjuncture: Coloniality of Migration***

As W. E. B. Du Bois<sup>29</sup> noted, modern societies are constituted through racialization.<sup>30</sup> Racism was exported from

the fifteenth and sixteenth centuries to Europe's colonized and occupied territories and developed further by European philosophical and scientific discourses in the eighteenth and nineteenth centuries.<sup>31</sup> As such, racism is the basis of the constitution of the world order and the division of the world's population.<sup>32</sup> Within this system of racial classification that Anibal Quijano<sup>33</sup> defines as the "coloniality of power," social categories in ethnicity, indigeneity, race, and religion emerged, classifying the population by administrative, legal, scientific, and aesthetic categories. A system of power was developed through which relationships of governance, labour, economy, and culture were forged. This system of colonial racial differentiation set out Eurocentrism's "fundamental axes" of a modern hierarchical system through which "historical identities" were created that discerned a "new global structure of the control of labor" associated with specific "social roles" and "geohistorical places."<sup>34</sup> While this "racial axis has a colonial origin and character, ... it has proven to be more durable and stable than the colonialism in whose matrix it was established."<sup>35</sup> Relations of global trade, the organization of waged and unwaged labour, the division of work, in short, the modes of production and social reproduction of global capitalism continue to be organized by the racial matrix sustaining the coloniality of power. The coloniality of power represents the cultural predicament of racial capitalism. Further, as Maria Lugones<sup>36</sup> asserts, the racial differentiation system intersected with a patriarchal system, which became hegemonic in early modern times (thirteenth and fourteenth centuries) in Europe<sup>37</sup> and was exported to the colonies from the fifteenth century onwards. This constituted the "coloniality of gender." The coloniality of gender defines the universalization of a European cis-gender dichotomy, which produced positions of masculine superiority and feminine inferiority. In the intersection with colonialism and racism, these categories are complicated, as when masculinity is racialized as black and brown, it is considered "animalistic" and, as such, violent and inferior. At the same time, femininity coupled with black or brown masculinity can be considered inferior and an object of sexualized exploitation and violence. Therefore, as Lugones argues, gender constitutes the matrix of the coloniality of power.<sup>38</sup> Negotiations around femininity and masculinity, as well as normative heterosexuality configure modern societies. Gender plays a significant role in the interplay of racialization and global capitalism, fundamentally shaping the coloniality of power within asylum and migration policies.

Though not spelt out through the term *coloniality*, this understanding of the colonial condition and its social, political, and cultural persistence has been outlined by anti-colonial thinkers such as W. E. B. du Bois,<sup>39</sup> Eric Williams,<sup>40</sup> C. L. R. James,<sup>41</sup> Claudia Jones,<sup>42</sup> and Kwame Nkrumah<sup>43</sup>

in their analyses of European colonialism, pointing at racisms as the shapers of modernity. As they demonstrate, the differentiation between citizen and non-citizen (alien and others)—which regulates access to the labour market, education, political participation, the health system, media, and cultural representation—was established in colony and metropole alike. Thus racism was not just exported to the colonies but existed within the fabric of European societies prior to colonization.<sup>44</sup> Racism is not an exception to European modernity but is at its very foundation.<sup>45</sup> For Eric Williams, the transatlantic slave trade—the Maafa—foregrounds the entanglement between European modernity and the colonial plantation economy. It is in this entanglement that migration emerges in the nineteenth century as a modern nation-state colonial tool of governing the population in racial, ethnic, national, religious, and cultural terms.

### ***Nineteenth-Century Settler Colonialism and European Transatlantic Migration***

Considering Europe's entangled global history, it is surprising that contemporary migratory movements are perceived in political and media discourses as external to Europe's history and as singular phenomena. This has not always been the case. For example, in territories marked by a history of European colonialism, settler colonialism, and transatlantic migration, such as nation-states in the Americas, Australia,<sup>46</sup> Canada, New Zealand, and South Africa, transatlantic European migration has been foundational to the creation of these nation-states as countries of immigration. Defining themselves in the eighteenth and nineteenth centuries as "countries of settlers and immigrants," public discourses of these nation-states on national, cultural, and linguistic representation oscillated in the nineteenth century between negation or partial acknowledgement of the transcultural fabric of their societies, until today these national narratives silence the exploitation and dehumanization of the indigenous populations in these territories, ending in genocide in some cases. In Latin America the *African presence*<sup>47</sup> due to the transatlantic slave trade during the sixteenth and nineteenth centuries has also been omitted from modern nation-state building historiography.<sup>48</sup> From the sixteenth to the nineteenth centuries approximately 13 million people from West and East Africa were enslaved and shipped to Europe and the Americas.<sup>49</sup>

In the twenty-first century, official historiographies and governments in these countries do not acknowledge the history, governments, political struggle, intellectual and artistic presence of the people who inhabited these territories before European colonization.<sup>50</sup> Nonetheless, the presence of indigenous intellectuals, artists and activists challenging the white supremacist discourse of the Eurocentric narratives of

"discovery" and "country of immigration" is more publicly present than ever.<sup>51</sup> This same narrative disclosed the continuity between European colonialism and European transatlantic migration. As Douglas Massey<sup>52</sup> states, from 1500 to 1800 world immigration patterns were defined by European colonialism. While Europe was establishing colonial rule in Africa and Asia, approximately 48 million emigrants left Europe for the Americas, Australia, and New Zealand between 1800 and 1925.<sup>53</sup> The settlers arriving in the Americas from Britain, Ireland, Italy, Norway, Portugal, Spain, and Sweden represented part of modern colonization. This transatlantic migration forms part of the modern European overseas colonial settlement project, coupled with ongoing settler colonialism in Oceania. Driven by the annexation of land, appropriation of raw materials, and subjugation of the indigenous population to pure exploitable labour, this project was also propelled by the economic boost produced through the transatlantic slave trade, enabling industrialization in England, other parts of Europe, and the Americas. After the official abolition of slavery in the Americas, indentured laborers were recruited from China<sup>54</sup> and India to work in the rapidly expanding plantation industry from the late nineteenth to the early twentieth centuries, as well as impoverished, religiously and politically persecuted Europeans.<sup>55</sup>

Though migration due to religious persecution, poverty, and epidemic menaces represents a consistent feature of European history, it was not until the late nineteenth century that migration was centre stage in the regulation and control of the nation and its others. As a biopolitical tool of governance, migration policies were engineered and implemented first in countries in transition from colonial rule to sovereign national power. The first modern migration policies were developed in the late nineteenth century in North, Central, and South America, and in parts of the Caribbean.<sup>56</sup> Guaranteeing the political, economic, and cultural influence of former colonial powers, migration policies established a set of instruments prioritizing the recruitment of white European migrants.<sup>57</sup> This process took place in Canada, the United States, the Spanish-speaking Caribbean, and Latin America, or in territories kept in political dependency on the English Crown until the second half of the twentieth century, such as Australia<sup>58</sup> and New Zealand.<sup>59</sup>

As a result of the expansion of transportation and the need for workers in rapidly expanding industries, nineteenth-century white European transatlantic migration signalled the advent of racially structured capitalist progress, technological advancement and urbanization. The focus on racial capitalism<sup>60</sup> constituted the nation-states' rationale for the process of racialization in the recruitment of migrant labour and the selection of the migrant workforce via parameters of profit and efficacy in the former European colonies. The

recruitment of white European migrants was also determined by a cultural and educational project of nation building in the former European colonies. Here, the colonial discourse of Europe as the cradle of civilization, modernity, culture and progress underpinned the nation-state project.

The newly constituted sovereign nation-states in the Americas reacted to increasing immigration by establishing policies banning certain social, national, religious, and racial groups from entry. For example, when Britain introduced its first immigration service in 1827 to promote the emigration of Irish and poor people to Canada,<sup>61</sup> the Nova Scotia Assembly reacted by establishing a bond system for the immigrants entering the country in 1828. The bond system set a £10 tax on the master of any migrant vessel aiming to land on Canadian shores.<sup>62</sup> If migrants did not become a burden for the Canadian state due to sickness, old age, poverty, or immaturity, they would be refunded the bond within a year. The introduction of the bond system was preceded by discussions on race. In 1815 a group of black Bermudians entering Canada as British colonial subjects caused an uproar in the Nova Scotia Assembly, which complained to the English Crown about sending black people to Canada. The Assembly asked that they be repatriated and their further migration be prevented.<sup>63</sup> The question of race also became prominent in the further development of the head tax system. First introduced to control migration in general in 1828, it was also used as a tool to prevent the immigration of racialized bodies. In 1885, for example, the introduction of the Chinese head tax on Chinese immigrants deployed specific requirements in order to reduce their immigration. Chinese immigration was stopped altogether through the introduction of the Chinese Immigration Act of 1923.<sup>64</sup> From 1908 to 1947 the Continuous Journey legislation restricted Indian immigration by foreclosing their right as British colonial subjects to migrate to Canada. This had its more tragic moment in the *Komagata Maru* episode of 1914. A Japanese ship *Komagata Maru*, carrying 376 Punjabi passengers, coming from Hong Kong was not permitted to land in Vancouver and sent to Budge Budge near Kolkata, where they were fired at, detained, and kept under surveillance for years, as they were suspected of being political dissidents.<sup>65</sup> The *Komagata Maru* incident reflects the racial coding of Canada's immigration policies at this time. The "Continuous Journey" regulation was introduced in 1908, two years after immigration legislation targeting non-white people and was further elaborated in 1910 by the corresponding Immigration Acts.<sup>66</sup> Under these acts, the list of prohibited immigrants was expanded, and the Governor-in-Council (i.e., federal Cabinet) obtained greater authority in deciding on entry, settlement, and deportation measures. Further restrictions on entry permission were defined on the basis of race. For

example, Asian immigrants were required to have \$200 and Chinese immigrants \$500 in their possession before being permitted entry, while white migrants were required to have a minimum of \$25 upon their arrival.<sup>67</sup> Thus the Continuous Passage regulation was introduced in order to hinder the entry of non-European immigrants by permitting entry only to immigrants who came "from the country of their birth, or citizenship, by a continuous journey" and using tickets "purchased before leaving the country of their birth or citizenship." In the case of the *Komagata Maru*, its passengers coming from India could not make a straight journey to Vancouver because they needed to stop somewhere in order to be able to do the immense crossing. This stop was China. Further, Indian nationals that succeeded in making a continuous journey needed to pay the already mentioned entry tax of \$200. The *Komagata Maru* event is emblematic for the racial coding of immigration laws in Canada, as it demonstrates the deeply entrenched racism shaping immigration policies at this time.

In the 1870s the United States followed the Canadian entry tax system by passing legislation prohibiting certain groups of migrants from entering the country. In 1875, for example, Congress prohibited the entry of prostitutes, convicts, and persons with mental health issues or physical incapacities.<sup>68</sup> In 1891 the ban was expanded to persons suffering from contagious diseases and allowed the deportation of migrants not complying with entry requirements. Some years later, such bio-political screening included the categories of race and nationality as selection criteria. Gerald L. Neuman<sup>69</sup> asserts that the assumption that the United States of America was a country of free borders until the introduction of migration laws in 1875 is a myth. Also David Scott FitzGerald and David A. Cook-Martin<sup>70</sup> concede that the United States had been one of the first nations to initiate racially coded naturalization and migration policies in the eighteenth and nineteenth centuries. The introduction of the Naturalization Law in 1790 reserved eligibility to naturalize to "free whites," excluding the indigenous and enslaved population from citizenship. Further, at this time the first federal migrations laws were passed. The movement between the states in this region was already regulated by the English Crown and after independence by the United States itself in the form of incipient migration regulations. These migration regulations targeted poor and sick migrants, such as laws passed in Massachusetts in 1794 penalizing "any person who knowingly brought a pauper or indigent person into any town in the Commonwealth"<sup>71</sup> or the masters of vessels bringing "unauthorized" colonial settlers. It was not until the beginning of the nineteenth century that a difference was established between "aliens" and "colonial settlers." In 1831, laws passed in Massachusetts penalized the entry of "aliens" into US territory. Further, as



Neuman observes, the link between slavery and racism in the regulation of the movement of black people, fleeing from slavery and seeking political asylum in states that had abolished slavery, is significant for how migration policies in the late nineteenth century would be racially coded. Already in the aftermath of the anti-colonial and anti-slavery rebellion in Saint Domingue in the early nineteenth century, black people coming to the United States were not only considered suspicious, as they were perceived as “free blacks,” but their revolutionary engagement was feared because of its potential to incite revolt against racism. In 1803 the Southern States of the United States obtained an “enactment of a federal statute prohibiting the importation of foreign blacks into states whose laws forbade their entry.”<sup>72</sup> In the second half of the nineteenth century, migration regulations were explicitly guided by racial differentiation. For example, the U.S. government reacted to Chinese migration by passing the Chinese Exclusion Act in 1882.<sup>73</sup> This Act established a system of registration whereby all Chinese workers were obliged to register or face deportation. Though in the following years this Act was challenged by lawyers, restrictions on Chinese immigration were tightened throughout the next decades. Canada also passed a Chinese Immigration Act in 1885 introducing a head tax of fifty dollars on Chinese migrants. Eleven years later, Australia passed an Immigration Restriction Bill to prevent access by Southeast Asian immigrants, followed by a “White Australian Policy” in 1904, which banned immigration from South Asia, particularly from India, as well as from Africa.<sup>74</sup> This policy continued into the second half of the twentieth century.

Tanya Ketari Hernández<sup>75</sup> notes, “Debates over immigration policies in Spanish America were often couched in racial language.” At the beginning of the nineteenth century the Congress of Gran Colombia (constituting what is now Colombia, Ecuador, Panama, and Venezuela) promoted settler colonialism by granting land to European migrants. Brazil and Argentina followed suit and prioritized European migration in their constitutions, arguing that this would be beneficial for technological and economic progress. Argentina actively promoted and sought European immigration after the emancipation of the enslaved population in 1853. Between 1869 and 1895 the European population in Argentina increased from 1.8 million to 4 million, and in 1914 it was 7.9 million, 30 per cent of the population.<sup>76</sup> This increase was not a coincidence but resulted from a concerted effort by the Argentine government to recruit European workers and gift land, as well as partially cover the cost of transportation of white European migrants in the early years. Similar developments took place in Brazil, Cuba, and Uruguay, where together with Argentina, 90 per cent of the 10–11 million European migrants who arrived between 1880 and 1930

settled. In Venezuela, after the emancipation of the enslaved population in 1854, the government’s interest in white European migration was confirmed within public intellectual debates around the *blanqueamiento* (whitening) of the nation.<sup>77</sup> Through the biological metaphor of “transfusion of blood” the Venezuelan government recruited migrants from Ireland, Gran Canaria, Germany, and Italy to keep the nation white. In 1891 legislation was passed preventing non-white migrants from entering the country. This policy was integrated in the 1906 constitution, which explicitly prohibited any African-descendent immigration. In a similar vein, in 1890 Brazil instituted Decree No. 528, which excluded all migrants from Africa and Asia from entering the country. This decree instituted the primacy of whiteness and dispossessed the inhabitants of *Abya Yala*<sup>78</sup> from their entitlement to land they had inhabited for centuries, as the migrants arriving mainly from Portugal, Italy, Spain, and Germany were thought to legally own and settle in individual allotments of this territory. Brazil states in its 1853 constitution, “The federal government shall foster European immigration, and may not restrict, limit or burden with any tax whatsoever, the entry.”<sup>79</sup> In 1921 Brazil’s Federal Law prohibited the entry of “undesirables.”<sup>80</sup> This legal regulation was factually executed, when Brazil rejected the settlement of a group of African-Americans who were planning to create a settler colony in Mato Grosso.<sup>81</sup> Legislation preventing particularly Chinese and non-European immigration was also passed in other parts of Latin America and the Caribbean. In Haiti, legislation forbidding the entry of Syrian immigrants was introduced in 1903.<sup>82</sup> Similar laws banning Armenians and Syrians were also passed in Costa Rica (1914), Panama (1909–17), and Venezuela (1919).<sup>83</sup> Europe expanded its economic, political, legal, and cultural control over colonized territories overseas through settler colonialism-migration until the middle of the twentieth century. However, in the public discourse in Europe this white European transatlantic settler colonial-migration seems to have been forgotten. Instead, migration is considered a new issue appearing in post-1945 societies or brought by post-1970s globalization to Europe. Within this context, migration is constructed as not having any roots in Europe, and Europe itself as the epicentre of global immigration.

### ***EU Asylum-Migration Regime and Racial Differentiation***

In the late 1940s and 1950s citizens of English colonies in the Caribbean and the Indian subcontinent arrived in the United Kingdom. These British citizens were seen as exterior to the nation and constructed as immigrants. In France in the 1950s a similar situation occurred when citizens from the French North African colonies arrived in the *hexagone*

(France). The presence of these (former) colonial subjects in the seat of empire challenged the public myth that European nation-states were cut off from the circuits of colonialism and imperialism. In the 1960s and 1970s labour migration shaped the Fordist state in Germany, France, Britain, the Netherlands, and the Benelux countries, through the recruitment of workers from the disenfranchised territories of Southern Europe, Turkey, Morocco, and (post-)colonial territories. Despite these migratory movements, Europe's memory about its own history of transatlantic settler colonialism-migration and exile was not brought to the fore. Nonetheless, the 1980s reaffirmed that the movements of people due to political persecution, poverty, war, austerity, social constraints, cultural restrictions, lack of employment, study, leisure, or just because of their wish for change, constituted the fabric of current societies. It is within this (post-)colonial context that migration and border control measures, technologies, devices, and tropes have been engineered in the last three decades.

Migration regulation ensures that the Other of the nation/Europe/the Occident is reconfigured in racial terms. The logic generated in this context constructs and produces objects to be governed through restrictions, management devices, and administrative categories such as "refugee," "asylum seeker," or a variety of migrant statuses. The coloniality of migration operates within this matrix of social classification on the basis of colonial racial hierarchies. Colonial difference departs from the idea that the colonized population is fundamentally different and inherently inferior to the colonizer.<sup>84</sup> It conceives the Other as radically inassimilable, oscillating between the positions of strangeness and similarity.<sup>85</sup> Migration policies reiterate such racialized objectification reminiscent of colonial times.

While current EU migration and asylum policies do not operate *explicitly* within a framework of racial or ethnic difference, by coupling nationality and the right to asylum, they construct hierarchies in the recognition or rejection of asylum in terms of nationalities. This places people in zones of recognition or rejection of the human right to liveability.<sup>86</sup> This coupling follows from the foundation of racialized notions of the Other. While the entry of Syrian refugees to Germany was being accepted in the autumn of 2015, for instance, people from Kosovo, Albania, and Montenegro were being deported. On October 24, 2015, these latter countries were declared "safe countries of origin." However, those affected by these deportations were primarily Roma families who had fled from racist violence in their countries of origin. The perception and categorization of this group was determined in Germany not only by their national origin. As the result of Western European racism against Roma and Sinti,

deeply rooted since the Middle Ages and articulated anew, they have become the objects of securitization measures.<sup>87</sup>

Further, as previously argued, the discourses on the "refugee crisis" operate within the duality of self and Other. The debate on the "refugee crisis" is determined either by the humanitarian perspective or by a regulatory approach. The humanitarian perspective emphasizes the need for wealthy nations to provide support for people fleeing from wars and conflict zones. It appeals to Christian and humanitarian traditions of charity and empathy. Instead, the regulatory approach argues for the prioritization of securing the wealth of the local population. This debate is taking place across all political party ideologies in countries with a strong welfare regime, such as in Western Europe, the Scandinavian countries, the Netherlands, France, and Germany. If we take Germany, for example, we see how the argument about the limits of the welfare state in providing support for refugees is debated by very different political actors. While there are, of course, ideological and policy-related differences between the political camps, it is surprising to see how they converge in the use of the figure of the refugee as the Other of the nation, or Europe's "exteriority."<sup>88</sup> However, the migration-asylum nexus does not only follow the logic of the production of a racialized exteriority to the nationally imagined and proclaimed norm of European whiteness. This nexus also operates within the dynamics of exploitation that have functioned for the last five centuries within the colonial-modern world system, and particularly within the context of nation-state migration policies since the nineteenth century.

### **Conclusion: Racial Capitalism**

After the summer of migration in 2015, Europe turned to an autumn of racism. Events like the 2015 New Year's Eve media controversy about claims that North African men had "raped" women at the train station in Cologne, as I have already mentioned, represented this turning point. After being disciplined by Media Watch in the last decade, the German media felt it could openly voice its racism, reporting in racist terms on "North African men," mobilizing the stereotype of the black/brown man as rapist and the white national woman as victim. Supposedly in fear of the racist white supremacist mob taking over, politicians quickly instituted new deportation laws and migration restrictions for citizens with Moroccan, Tunisian, or Algerian passports. The public outcry combined with other racist articulations and attacks against refugees in Germany, Hungary, Poland, and Sweden and the EU refusal to offer asylum drove politicians in Germany to pass a second asylum law packet, restricting family reunification for two years for subsidiary refugees. On the eve of discussions regarding the building of

a coalition government in Germany in the winter of 2017/18, the restriction of family reunification for refugees and the deportation of Afghan refugees was again tabled.

The “refugee crisis” reveals the paradoxes in which migration evolves. Migration within the emergence of the modern nation-state in the nineteenth century in former European colonies illustrates the divide created between the insider and outsider of the nation. This divide evokes the logic of coloniality, as it creates a racial difference between the insiders, considered members of the nation, and the outsiders, considered “migrants.” Thus the dichotomy between citizens and migrants is embedded in a racializing logic produced within social relations shaped by the enduring effects of colonial epistemic power. It is in this regard that I have proposed the framework of the coloniality of migration in order to analyze migration policies.

As we have seen here, the coupling of productivity, migration, and racism marked the rise of migration policies in the Americas and Oceania. The recruitment of migrant workers took place within European racial notions of sameness and strangeness. Up until the mid-twentieth century, countries like the United States, Argentina, Brazil, Australia, New Zealand, and Canada explicitly recruited white Europeans. These policies represented a continuation of settler colonialism through the implementation of European immigration policies. These immigration policies were coupled to the project of nation-state building with migrants thought and imagined as white Europeans. As such, countries such as Canada, the United States, Argentina, Australia, Brazil, Chile, and New Zealand, to name a few, were attempting to create extensions of a white Christian Europe. For example, in Argentina and Brazil the recruitment of white European migrants was officially legitimized as a means for national industrial achievement, technical progress and urban industrialisation.<sup>89</sup> Yet, despite the restrictions applied to migration movements from non-European territories, people from the Middle East, North Africa, China, and the Caribbean still immigrated to these areas, although attempts were regularly undertaken to stop them.<sup>90</sup>

As I have argued here, the link between racial capitalism and coloniality is significant for migration policies in Western Europe. Though Europe imagines itself as “raceless,” it is the cradle of the invention of racial capitalism. Migration policies operate within this racializing logic, not only on the level of the organization of labour recruitment, but also through border and migration control technologies.<sup>91</sup> For example, migration policies in the United Kingdom for Commonwealth citizens have operated within a range of restrictions, limiting or preventing the entry of these citizens to Britain by treating former colonial subjects of the British Empire as exterior to the British nation.<sup>92</sup> Here coloniality

is played out by racializing this population and creating individuals with partial rights to no rights to entry and settlement in the United Kingdom. Also the “guest-worker” programs in Germany in the 1950s and 1960s, intended to temporarily recruit workers from Southern Europe, Turkey, Tunisia, and Morocco, converted people to interchangeable items within labour market demands.

In the current asylum-migration nexus, the “refugee” has been reduced to a potential worker. Asylum policies seem to be turning into a new way of regulating and controlling racialized labour migration. One of the measures that were agreed in the German parliament across all party lines was the introduction of “1-euro jobs for refugees” in June 2016.<sup>93</sup> This measure was intended to initially create jobs for the 100,000 people who had arrived in Germany as refugees. The German newspaper *Süddeutsche Zeitung* reported that these people received only eighty cents per hour, because the costs for travel and work clothes were deducted. Here, too, recommendations from the International Labour Organisation for working standards were ignored for those given asylum. These forms of utilization recall Enrique Dussel’s<sup>94</sup> “objectification” of the indigenous and Afro-descendent populations during the Portuguese and Spanish colonization of the Americas. Dussel describes this process as a form of “thing-ification” of the labour force. Migration policies tend to neglect the fact that “Es wurden Arbeiter gerufen und es kamen Menschen an” (They called for workers, but human beings came), as the Turkish singer Cem Karaca<sup>95</sup> sang in the 1980s. The coloniality of migration draws attention to this fact by addressing the links between labour, capitalism, and racism. Thus, the asylum-migration nexus needs to be interrogated as an object of governance through racial/ethnic and gender differentiation, as a cultural script for understanding society and as another grammar of thinking through capital.

## Notes

- 1 I would like to thank the guest editors, editors, and anonymous reviewers for their comments and suggestions. A very special thanks goes also to Shirley Anne Tate.
- 2 No evidence has been given on what happened on that night. The media spectacle produced its own figures and facts, circulating them widely in social media. For further discussion, see Beverly Weber, “‘We must talk about Cologne’: Race, Gender, and Reconfigurations of ‘Europe,’” *German Politics and Society* 34, no. 4 (Winter 2016): 68–86; and Zuher Jazmati and Nina Studer, “Racializing ‘Oriental’ Manliness: From Colonial Contexts to Cologne,” *Islamophobia Studies Journal* 4, no. 1 (Fall 2017): 87–100.
- 3 Stuart Hall introduces the analysis of the “conjuncture of racism” in his discussion of Antonio Gramsci in his article “Gramsci’s Relevance for the Study of Race and Ethnicity,” *Journal of Communication Inquiry* 10, no. 5 (1986): 5–27.

- 4 See Suivi Keskinen, "The 'Crisis' of White Hegemony, Neonationalist Femininities and Antiracist Feminism," *Women's Studies International Forum* (2018), <https://www.sciencedirect.com/science/article/abs/pii/S0277539517301784>.
- 5 For further discussion on the "crisis of white hegemony," see "Feminisms in Times of Anti-Genderism, Racism and Austerity," ed. Encarnación Gutiérrez Rodríguez, Pinar Tuzcu, and Heidemarie Winkel, special issue, *Women's Studies International Forum* (2018).
- 6 Stuart Hall, Chas Critcher, Tony Jefferson, John Clarke, and Brian Roberts introduce this term in their analysis of the rhetoric of crisis at the early stages of Thatcherism; see *Policing the Crisis* (London: MacMillan, 1978).
- 7 See Hall, "Gramsci's Relevance."
- 8 Stephen Castles discusses the "asylum-migration nexus" in his "Global Perspectives on Forced Migration," *Asian and Pacific Migration Journal* 15 (2006): 17–28.
- 9 See Anibal Quijano's discussion in "Colonialidad del Poder, Eurocentrismo y América Latina," *International Sociology* 15, no. 2 (2000): 201–46; and Quijano, "Coloniality of Power, Eurocentrism, and Social Classification," *Coloniality at Large: Latin America and the Postcolonial Debate*, ed. M. Moraña, E. D. Dussel, and C. A. Jáuregui, 181–224 (Durham, NC: Duke University Press, 2008).
- 10 This term has been introduced by Cedric Robinson in *Black Marxism: The Making of the Black Radical Tradition* (1983), I referred with this term also to W. E. B. Du Bois's, Claudia Jones, Angela Davis, Enrique Dussel, and Anibal Quijano's analysis of the relationship between capitalism and racism.
- 11 See "Statistiken," UNHCR Deutschland, <http://www.unhcr.org/dach/de/services/statistiken>.
- 12 The UNHCR statistics on persons of concern, which includes refugees, asylum seekers, internally displaced people, and others, shows a figure of 1.27 million persons of concern in Germany by the end of 2016. This figure is composed of 669,482 people registered as refugees, 587,346 registered as asylum seekers, and 12,017 registered as stateless persons. See [http://popstats.unhcr.org/en/overview#\\_ga=2.160857659.727621022.1514460020-952709227.1514460020](http://popstats.unhcr.org/en/overview#_ga=2.160857659.727621022.1514460020-952709227.1514460020).
- 13 This is a category introduced by UNHCR including refugees, asylum seekers, and internally displaced people.
- 14 See [http://popstats.unhcr.org/en/overview#\\_ga=2.160857659.727621022.1514460020-952709227.1514460020](http://popstats.unhcr.org/en/overview#_ga=2.160857659.727621022.1514460020-952709227.1514460020).
- 15 See "UNHCR Statistics," [http://popstats.unhcr.org/en/overview#\\_ga=2.160857659.727621022.1514460020-952709227.1514460020](http://popstats.unhcr.org/en/overview#_ga=2.160857659.727621022.1514460020-952709227.1514460020), accessed December 12, 2017.
- 16 Hall et al. introduce this term in their analysis of the rhetoric of crisis at the early stages of Thatcherism; see *Policing the Crisis*.
- 17 See Myrto Tsilimpounidi, *Sociology of Crisis: Visualising Urban Austerity* (London: Routledge, 2017), 11.
- 18 Tsilimpounidi, *Sociology of Crisis*, 12.
- 19 "Political persecution" refers to persecutions related to sexualized, religious, and other forms of violence that threatens and damages the integrity of a person's life.
- 20 I discuss this aspect in *Migration, Domestic Work and Affect* (New York: Routledge, 2010).
- 21 See Castles, "Global Perspectives."
- 22 See "Comunicación de la Comisión al Parlamento Europeo, al Consejo, al Comité Económico y Social Europeo y al Comité de las Regiones," EURLex, <http://eur-lex.europa.eu/legal-content/ES/TXT/?uri=celex:52008D0360>.
- 23 See Antonio Negri, *Cinque lezioni di metodo su Multitudine e Impero* (Soveria Mannelli: Rubbettino Editore, 2003).
- 24 This principle, rhetorically connecting to the idea of "bellum iustum [the 'just war']", combines two elements: the legitimacy of the military apparatus as ethically grounded—think of the human rights discourse against rogue states—and the legitimacy (qua its effectiveness) of the military action to establish the desired Other and the so-called peace" (Negri, *Cinque lezioni*, 25).
- 25 For further discussion, see Negri, *Cinque lezioni*.
- 26 Thomas Atzert and Jost Müller, eds., Antonio Negri: *Kritik der Weltordnung: Globalisierung, Imperialismus, Empire* (Berlin: IDVerlag, 2003), B6.
- 27 I develop this discussion in *Migration, Domestic Work and Affect*.
- 28 See Anibal Quijano and Michael Ennis, "Coloniality of Power, Eurocentrism, and Latin America," *Nepantla: Views from South* 1, no. 3 (2000): 570.
- 29 See here W. E. B. Du Bois, *Black Reconstruction in America* (1935; repr., New York: Oxford University Press, 2007).
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- 54 See discussion by Lisa Lowe, *The Intimacies of Four Continents* (Durham, NC: Duke University Press, 2015).
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- 69 See Gerald Neuman, "The Lost Century of American Immigration Law (1776–1875)," *Columbia Law Review Association* 93, no. 8 (1993): 1833–1901.

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- 73 Plender, *International Migration Law*, 69.
- 74 Plender, *International Migration Law*, 69.
- 75 Katerí Hernández, Racial Subordination in Latin America, 23.
- 76 Katerí Hernández, *Racial Subordination in Latin America*, 23.
- 77 Katerí Hernández, *Racial Subordination in Latin America*, 27.
- 78 Abya Yala is the term that the World Council of the Indigenous Nations has opted to use for this continent. *Yala* in the Kuna language means "land, territory," *Abya* means "whole of blood," "maternal maturity," "virgin maturity," and "land in its full maturity."
- 79 Katerí Hernández, *Racial Subordination in Latin America*, 24.
- 80 See discussion in Lesser, *Negotiating National Identity*.
- 81 See discussion in FitzGerald and Cook-Martín, *Culling the Masses*.
- 82 Plender, *International Migration Law*, 69.
- 83 Plender, *International Migration Law*, 70.
- 84 See discussion in Partha Chatterjee, *The Nation and Its Fragments* (Princeton: Princeton University Press, 1993); and George Steinmetz, "'The Devil's Handwriting': Precolonial Discourse, Ethnographic Acuity, and Cross-Identification in German Colonialism," *Comparative Studies in Society and History* 45, no. 1 (2003): 41–95.
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# Crisis, What Crisis? Immigrants, Refugees, and Invisible Struggles

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## Abstract

Different evocations of “crisis” create distinct categories that in turn evoke certain social reactions. After 2008 Greece became the epicentre of the “financial crisis”; since 2015 with the advent of the “refugee crisis,” it became the “hotspot of Europe.” What are the different vocabularies of crisis? Moreover, how have both representations of crisis facilitated humanitarian crises to become phenomena for European and transnational institutional management? What are the hegemonically constructed subjects of the different crises? The everyday reality in the crisis-ridden hotspot of Europe is invisible in these representations. It is precisely the daily, soft, lived, and unspoken realities of intersecting crises that hegemonic discourses of successive, overlapping, or “nesting crises” render invisible. By shifting the focus from who belongs to which state-devised category to an open-ended, polyvocal account of capitalist oppressions, we aim to question the state’s and supranational efforts to divide the “migrant mob” into discrete juridical categories of citizens (emigrants), refugees, and illegal immigrants, thereby undermining coalitional struggles between precaritized groups.

## Résumé

Différentes évocations liées au terme « crise » créent des catégories distinctes qui, à leur tour, sont évocatrices de réactions sociales particulières. Depuis 2008, la Grèce est

devenue l'épicentre de la « crise financière »; depuis 2015, avec l'apparition de la « crise des réfugiés », ce pays est aussi devenu le « hotspot de l'Europe ». Quels sont les différents vocabulaires de crise? Plus encore, comment ces deux représentations de crise ont-elles favorisé la perception des crises humanitaires en tant que phénomène de la gestion institutionnelle transnationale? Quels sont les sujets des différentes crises qui ont été construits de manière hégémonique? La réalité quotidienne en temps de crise au « hotspot de l'Europe » est invisible dans ces représentations. Ce sont précisément les réalités quotidiennes, intangibles, vécues et non dites des crises intersectionnelles que les discours hégémoniques des crises successives, des crises superposées ou des « crises emboîtées » rendent invisibles. En déplaçant le centre d'intérêt des catégories définies par l'état, et des personnes qu'elles regroupent, à une description plurivoque ouverte des oppressions capitalistes, nous avons pour objectif de questionner les efforts des états et les efforts supranationaux pour répartir la « foule des migrants » en catégories juridiques distinctes de citoyens (émigrés), réfugiés, et immigrants illégaux, et déstabiliser ainsi les luttes de coalition entre les groupes précarisés.

The way we treated migrants and refugees won back our dignity; we showed that we too have dignity. I do not distinguish between refugees and migrants. The one is not innocent while the other is guilty. We must become familiar with the notion of the migrant, not

only that of the refugee. We have refugees *and* migrants. We mustn't be afraid to use the term migrant, nor should we hide behind the notion of the refugee.

—Yiannis Mouzalas, former Greek minister of migration policy<sup>1</sup>

At the end of June 2017, Yiannis Mouzalas, the minister of migration policy of Greece, unveiled a public awareness campaign created by the International Organisation of Migration (IOM) in collaboration with the ministry: “Stop Mind Borders” targets stereotypes and prejudices against foreigners.<sup>2</sup> Drawing on the experiences of racism faced by diasporic Greeks, the campaign asserts that the most important borders are those in our minds. The precise meaning of the minister's remarks in the context of the campaign is unclear. On the one hand, by evoking Greek migrants' experiences of racism in France, Germany, Australia, the United States, and Canada, he seems to call for the abolition of the internalized borders between “natives” and “foreigners” and to mobilize empathy and solidarity with targets of racism, by emphasizing the interchangeability of positions between “hosts” and “guests,” “perpetrators” and “victims.” On the other hand, he is justifying institutionalized divisions between “refugees” and “migrants” (and, implicitly, “citizens,” whom the television spots address as their audience). He urges “us” not to “hide behind the figure of the refugee” in order to recognize that “we have refugees *and* migrants” in Greece. If, morally, he refuses to draw a distinction between them—“the one is not innocent while the other is guilty,” he nevertheless reasserts the existence of the two discrete categories. Why is this division between migrants and refugees so important to underscore in the context of an anti-racist campaign? What is the relationship between these forms of attitudinal racism and the categories of migrant and refugee that the minister invokes?

This divisions between refugees, migrants, and citizens is at the heart of the hotspot logic, and the main thread running throughout this article is the way in which different evocations of crisis create distinct categories that in turn evoke certain social reactions. After 2008 Greece became the epicentre of the “financial crisis”; simultaneously, since 2015 with the advent of the “refugee crisis,” it became the “hotspot of Europe.” Arguably, to become the latter, it first had to become the former. It is not incidental that in 2015 Greece was threatened with removal from the Schengen zone if it did not comply with the deadline of February 15, 2016, to implement the hotspot mechanism. This paralleled simultaneous threats of Grexit from the European Monetary Union if the Greek Parliament did not ratify the third memorandum agreement with its institutional lenders. On the other hand, the Greek state in its public discourse linked the two crises, arguing that without the assistance of the European

institutions it could not adequately deal with the emergency of nearly a million refugees arriving on its shores, because it was beleaguered by economic crisis. The hotspot became the means through which Greece was reinstated as a sovereign state in dominant representations, while the unruly flows were used as a “bargaining chip” in its negotiations with the Troika (International Monetary Fund, European Central Bank, European Commission).

We want to unpack the ways in which the first crisis was not resolved but was transformed discursively and institutionally into the second crisis. What are, then, the different vocabularies of crisis? Moreover, how have both representations of crisis facilitated humanitarian crises to become phenomena for European and transnational institutional management? What are the hegemonically constructed subjects of the different crises? According to this hegemonic logic, the financial crisis produced (economic) emigrants—Greek citizens moving to Global North countries—while the refugee crisis (obviously) produces refugees. In the first instance, what is discursively marginalized is the inward and outward migration of non-Greeks, many of whom, already precarious, living through the crisis, lost their jobs and therefore their right to remain (or were undocumented to begin with). In the second instance, a hierarchy of suffering is constructed, whereby Europe is facing a severe refugee crisis, and the already financially imperilled nation-state that functions as its “gateway” is “burdened” by the task of separating legitimate refugees from illicit migrants and identifying “terrorists,” who are hiding in the midst of “uncontrollable flows.”

The politically urgent question to be asked is why the state would benefit from this separation between citizens, migrants, and refugees. We aim to explain that these realities are separate only in the technocratic EU documents drafted behind closed doors in Brussels; also, these categories are invented by states in order to control movement. The everyday reality in the crisis-ridden hotspot of Europe is invisible in these representations. It is precisely the daily, soft, lived, and unspoken realities of intersecting crises that hegemonic discourses of successive, overlapping, or “nesting crises”<sup>3</sup> render invisible. By “nesting crises” we are referring to the dominant state discourse of a crisis within a crisis giving temporal and spatial priority to the “sovereign debt crisis” while the refugee crisis is constructed as a sudden problem first emerging in the summer of 2015. This renders invisible its prehistory, namely the criminalized migration of people into the Greek territory and the relegation of long-standing migrant and refugee communities in Greece to the socio-legal margins of the society. By intersecting the discursive constructs of the financial crisis and the refugee crisis, what becomes visible is their constitution through mutual exclusion and prototypicality: the prototypical subject of



the “financial crisis” is the Greek citizen, while that of the “refugee crisis” is the displaced Syrian family who deserve international protection. Here, we use the concept of intersectionality drawn from black feminist thought<sup>4</sup> to show how dominant constructions of crisis create their normative victims, marginalizing experiences of social groups who are denied representational power. By shifting the focus from who belongs to which state-devised category to an open-ended, polyvocal account of capitalist oppressions, we aim to question the state’s and supranational efforts to divide the “migrant mob”<sup>5</sup> into discrete juridical categories of citizens (emigrants), refugees, and illegal immigrants, thereby undermining coalitional struggles between precaritized groups.

In this light, the article begins by unravelling the vocabularies of crisis in order to make visible the connections between financial precarity, ongoing marginalization of different strands of the population, and implementation of the logic of the hotspot. It then moves to an analysis of the trajectories that have led to the intervention and the financial “rescue” of the country by the Troika and then the sealing of its borders by Frontex (European Border Agency). Following this pathway, it becomes evident that the logic of the hotspots was introduced in the years before the “refugee crisis” was declared. Here we make a threefold distinction between the hotspot mechanism, the logic of the hotspot, and the representation of the hotspot. By *hotspot mechanism* we refer to the approach to migration management outlined in 2015 by the European Commission (described in detail in section two of this paper). This approach embodies a logic, which nevertheless precedes it, of a state of emergency that can be managed only through the institution of a state of exception. *Hotspot logic* refers to the arrogated right of the state to define and divide people into certain categories, such as the refugee, the grantee of subsidiary protection, the asylum seeker, the vulnerable refugee, the unaccompanied minor, the economic migrant, etc. Finally, we use the word *hotspot* to refer to a representation generated by the hotspot mechanism, which spatially exceeds the actual migration management infrastructure and ends up being ascribed to entire islands, cities, and countries. For example, this spatial slippage is naturalized by the media spectacle of the scene of arrival in Lesbos, and the whole island is referred to as the hotspot of Europe. Moreover, after the EU-Turkey deal of 2016, Greece as a country is characterized as the hotspot of Europe—like the hotspot infrastructure, first becoming a space of transit and then a space of detention.

In the second section, we trace how the imposition of the hotspot regime has been legitimized by the discursive construct of the “refugee crisis.” After shedding light on some of these concerns, the third part of the article is preoccupied with the ways the two crises create different

categories of precarity, marginalization, and displacement. And, furthermore, how these categories then define who deserves “protection,” asylum, and the potential for a future within the borders of the European Union. Worse still, these state definitions trickle down to shape our conceptions of solidarity—even if their contestation on the ground offers promising directions for reconceptualizing vocabularies of solidarity in times of intersecting crises.

### ***Vocabularies of Crisis***

Crisis is seen as a perpetual frame-breaking moment that, for people on the ground, dismantles the certainties and normative narratives of nation, sovereignty, social bonds, and belonging. The first superficial meaning of the word refers to a sudden change, a temporal interruption of a condition of normality. As such, the first etymological unpacking of the term *crisis* presupposes a former state of normality interrupted by a temporal rupture, after which we imagine that ultimately normality and normativity will return.<sup>6</sup> Following this logic, crisis is nothing more than a temporary, unstable period that will inevitably lead back to normativity. To quell suspicions that we are stuck waiting for nothing to happen, we are told by the UNHCR that refugees are resettled within fifteen years and by the Troika that debt payments will be completed in 2057, implying a resolution of “crisis.” In this light, narratives of crisis are animated by spectres of a pre-existing state of normative trajectories (a non-indebted welfare state or a peaceful existence free of violence) that perpetuate the notion that crisis is a schism in normality that will eventually be mended. In other words, crisis refers to a moment of exception, but a curable one (if one swallows the prescribed “bitter pill”). Instead, the economic crisis and its ramifications become a (seemingly) permanent state of being. The result is a deep political and social sense of uncertainty, precarity, and dispossession. Taking into consideration the geopolitical shifts in the Mediterranean and Central Asia in the last decades (Arab Spring, wars in Afghanistan, Iraq, and Syria), it seems empirically impossible to foresee a return to normality, not least of all since it never existed.

What needs further unpacking, then, is the interdependency between the dominant understanding of crisis and the implied return to normativity. In most debates about the current crisis, questions about the future are limited to asking when things will return to “normal.” In other words, the massive social and political shock of the crisis and the destruction of the material conditions it imposes create nostalgia for what existed “before,” an uncritical acceptance of the conditions before the crisis. Moreover, a nostalgic society caught in the etymological trap of the temporal character of the crisis is a society held in suspension, spatially and temporally captive. Thus crisis evokes a certain embodiment of

time, since the past presents a haunting nostalgia, the present is in crisis, and the future becomes increasingly impossible to imagine or picture. The only meaningful future is constructed through a romanticized and nostalgic remembrance of the past. In short, crisis breaks the linear contract of time: looking back seems like the only way forward.<sup>7</sup>

What then is important to this discussion of the vocabularies of crisis is the notion that the future is now entirely uncertain or not a future at all, since it is the reproduction of a past that never was. On all sides, the sense of self, security, and capacity to resolve the crisis is being questioned. One of the most vividly invoked threats to the national self relies on medical metaphors, one of the favourite rhetorical schemas in the construction of crisis narratives. Crisis is a disease that needs to be quarantined and contained, whether the risk is “contagion” to the Eurozone, or “hygienic” threats to the populace.<sup>8</sup> Crisis suggests not only the necessary climax of a natural process, but also proposes the “cure”: for example, the sweeps and arrests of HIV-positive users of intravenous drugs who are constructed as threats to “Greek family men” and are charged with intention to cause grievous bodily harm for selling sex (though none are actually found to have been).<sup>9</sup> It is not incidental that Health Minister Andreas Loverdos characterized the arrested women as a foreigners constituting a hygienic bomb and a threat to the health of the Greek family (despite that fact that all the arrested women except one were Greek nationals). To take another example, structural adjustments prescribed by IMF Director Dominique Strauss-Kahn were characterized as unpleasant medicine you for your own good,<sup>10</sup> and in the first memorandum, as the “bitter pill” needed to prevent the disease from spreading.<sup>11</sup> This kind of medical metaphor treats crisis as process, something inevitable that was meant to happen.

The process of naturalizing the financial crisis leaves no room for questioning the structures, decisions, and value systems that brought us to this state of greed, consumption, and corruption. Accordingly, the naturalization of the refugee crisis locates the problem in the arrival of refugees on Greek shores and leaves unquestioned the imperialist war, dictatorship, and displacement that are its root causes. To put it differently, the crisis is constructed as the effect rather than the cause. Moreover, nation-states and continents are figured as though suffering the crisis rather than people facing poverty, displacement, and violence. Thus, this discussion is focused on finding the right cure, and the ones who are attributed with the knowledge to do so are financial experts, political elites, and humanitarian experts. The cure—whether it is the imposition of structural adjustments or the “triggering” of the hotspot mechanism—is delivered in highly technocratic language that leaves no room for any other kind of negotiation; at the same time, non-experts (almost every

strand of the population) are put in the position of the mere observer. In the narrative of medical metaphors, nations are sick, not their banks or financial sectors; whole countries or their nationals need to be quarantined and contained rather than the global investments of bonds and capital. It is standard practice for agents of Frontex, coastguards, and military police to be issued gloves and masks for use when arresting refugees. Not only is crisis being naturalized, but also the reasons for its appearance are to be sought in the social body, and this further opens the space for characterizations of whole populations, such as the lazy and tax-evading Greeks are responsible for the financial collapse of “their” economy; the cowardly and opportunistic Syrians are seeking asylum in Europe rather than staying behind to defend “their” country.

This is a religious discourse according to which crisis has fallen upon us like a natural disaster, as punishment for our sins: corruption, profligacy, tax evasion.<sup>12</sup> And it is precisely this guilt that minimizes the potential for resistance against crisis and austerity, because crisis is the unavoidable (and even desirable) punishment for our sins, a situation that we must passively endure if we want to reach a moment of purification. In a sense, the “refugee crisis” has provided this possibility of redemption, and a renewed sense of dignity for “Greeks,” as indicated in Mouzalas’s remarks in the epigraph. The civil society mobilization in response to the “refugee crisis” was invoked in state discourses as currency in a moral economy that sought to transform the prevalent perception of Greeks in the EU and beyond—from corrupt and tax-evading freeloaders to paradigms of hospitality and exemplars of “European” values of solidarity. A social body trapped in the spiral of sin and redemption appears to be waiting for its ultimate saviour: the prime minister who will stand up to the country’s lenders, setting course for the promised land of financial security; or Germany—the destination imagined by many refugees arriving in Greece whose only demand is represented as to be allowed to “go on to Europe.” The sinner and the saviour then become established categories with their own racial, cultural, religious, and aesthetic characteristics. The most obvious example on a pan-European level is the migrant sinners who are “taking our jobs” and “take advantage of the welfare system.” In the transient state of crisis, the social body busies itself identifying new sinners and experiencing collective guilt, or collective exaltation, which prevent it from organizing an effective resistance. Thus crisis functions as an opportune moment for the implementation of policies that would otherwise be controversial, since these reforms address not only political or economic exigencies, but seem to satisfy deep “spiritual” needs forged through religious discourses.

If we are to move away from mainstream, populist vocabularies of “crisis” that are hegemonic, can we arrive at a more

dynamic, open-ended understanding of the phenomena they occlude, in addition to those they name. Indeed, the etymology of the word *crisis* (from the Greek word *κρίση*) suggests that in addition to the first sense of temporal interruption of a condition of normality, “crisis” also refers to the critical act of judgment and thinking, which indicates a space of meaningful self-reflection. Following this logic, crisis can be seen as an opportunity<sup>13</sup> to redefine what had seemed unquestionable and fixed in years narrated as ones of development and prosperity. When the future is uncertain and suspended, the expected personal and social pathways seem more distant. Yet after the mourning of the loss of the grand narratives, a space opens up. It is in this space that the future awaits, together with the possibilities of different forms of organization and social action. As Craig Calhoun says, “Using the word crisis is commonly a way to try to get people to take action, to indicate that we have no choice *but* to do *something*. It is performative, not merely descriptive. It is a call to action.”<sup>14</sup> The direction of these actions is not certain; there is no such thing as an emancipatory promised space per se, but the shifting societies and politics offer valuable and challenging terrains for contestation. The question becomes how we can move from the state of emergency (crisis, precarity, displacement) to a state of transition (critique, resistance, occupation), and then to one of emergence (solidarity networks, different social formations, alternative economies). In the ten years of crisis, the perpetual state of emergency—aspects of which are named and others elided through the concept of “crisis”—has been transforming/transitioning into a state of emergence, precisely by people struggling to survive wars and “wars by other means.” Yet there is a border that runs through “crisis”; its concomitant discourses spatially and temporally create hierarchies of suffering, of human lives and deaths, in which those of the “European population” (however that is defined) is deemed of the highest order of importance. In the following section, we discuss how this border between crises is manifested through the hotspot logic.

### **Vocabularies of Hotspots**

Welcome to Greece, a country on the European periphery after a decade of crisis. During the last ten years, the collapsing health-care system led to a public health crisis;<sup>15</sup> youth unemployment increased to 65 per cent, which caused a serious “brain drain;”<sup>16</sup> pensions and salaries were cut, leaving one-third of the population living below the poverty threshold.<sup>17</sup> The country was variously named the “guinea pig” of Europe on which structural adjustments were tested, or the “pariah” of Europe responsible for the European crisis.<sup>18</sup> In a way, one could claim that Greece—threatened with expulsion from the monetary union or the Schengen area—is the

immigrant of Europe. In the same way that the immigrants are usually scapegoated as the reason for disorder within the limits of the nation state, Greece is scapegoated on a European level and accused of the destruction of Europe.<sup>19</sup> Greece is not only held responsible for the financial collapse of the European Monetary Union but also for its inability to control and seal its borders, creating the worst refugee crisis in recent European history. Welcome to Greece, the “entrance gate” to Europe for most refugees and undocumented migrants. Welcome to Greece, where your presence as an immigrant and/or refugee is going to be used as the ultimate financial solution to the economic crisis. As the Greek state (and certain commentators)<sup>20</sup> announced, this is a wonderful opportunity for Greece to navigate its way out of crisis—from “Grexit” to “Grecovey.”<sup>21</sup> And indeed the detention infrastructure grew widely after 2015, becoming one of the only sectors of the economy that was functioning. By “detention infrastructure” we are referring not only to prison-style detention centres in which undocumented people are incarcerated prior to deportation, but also to the hotspot mechanism through which people are confined to the islands. We also consider the camp a form of detention, since people are forced to live there after their receipt of international protection, instead of being integrated into the social fabric.

Since the summer of 2015, following the threat of a “Grexit” (a Greek exit from the European monetary union as a result of the “debt crisis” and the prospect of Greece defaulting on its loans), a new threat has been imposed on Greece: its possible expulsion from the Schengen zone, precisely because Greece has been increasingly deemed incapable of fulfilling its role as a premier watchdog at the EU’s border with Turkey. Five “registration and identification centres” started operating in Greece, on the islands of Lesbos, Chios, Samos, Leros, and Kos. The hotspot approach was presented by the European Commission in May 2015 as part of a larger policy push termed the “European Agenda on Migration.”<sup>22</sup> The agenda mandates the European Asylum Support Office, Frontex, and Europol to collaborate “with frontline Member States to swiftly identify, register and fingerprint incoming migrants,”<sup>23</sup> dividing those eligible to apply for asylum from those ineligible, who are slated for deportation. Further, Europol and Eurojust are to assist the “host” member state in the dismantling of “smuggling and trafficking networks.”<sup>24</sup>

“Crisis,” understood through medical metaphors, discursively justified the implementation of a system of “quarantine,” whereby the EU implemented the island detention model, known as the “Pacific Solution,” imported from Australia. The land border with Turkey had already been sealed in 2012 with a 10.5km fence, pushing refugees to make the more dangerous sea crossing and effectively ensuring their arrival on

the Aegean islands that would come to be defined juridically as “hotspots.” In the first year since the fence went up, the death toll of the sea crossing increased markedly.<sup>25</sup> This leads to our question, what came first? The crisis or the hotspot?

According to the European Commission’s “Explanatory Note on the ‘Hotspot’ Approach,” what triggers the hotspot is a state’s own request for assistance to deal with “unmanageable” “mixed flows”: that is, people who will be categorized as asylum claimants, and those who will be denied the right to claim asylum and be deported directly from the hotspots. Rather than assume the self-evidence of these categories, it is important to note that this categorization is based mainly on nationality, but also on the date of arrival (prior to or after the EU-Turkey deal). Indeed, the hotspot system on the islands produces legal categories based on nationality; thus, the hotspot leads to an accelerated illegalization of most people who are channelled through its mechanism.<sup>26</sup> Ironically, then, while the hotspot approach and the EU-Turkey deal claims to combat the “smuggling of migrants,” it arguably proliferates clandestine routes, displacing them from the exterior to the interior of the national border—or, rather, displacing or multiplying the border itself.

The hotspots, as they are described by the EU Commission, constitute an EU approach to “managing” what the EU calls the “refugee/migration crisis”: that is, the “mixed migratory flows” placing “disproportionate migratory pressure at [the] external borders” of “frontline Member states.”<sup>27</sup> At the same time, we argue that the implementation of the hotspot approach cannot be analyzed separately from the “Greek crisis.” The hotspots constitute an approach to managing migrants’ “unruly” mobility and to managing what the EU constructs as a “rebellious” Greece, after ten consecutive years of economic “crisis,” teetering on the verge of being declared a “failed state.” Already relegated to an economic and symbolic periphery to legitimize the imposition of austerity measures by the Troika, the Greek state was threatened with removal from the Schengen zone if it did not complete construction of the five hotspots prior to the deadline of February 15, 2016, paralleling threats of “Grexit” from the European Monetary Union if it refused to implement mandated structural adjustments. Arguably, then, the hotspots on the Greek border islands have a double function: first, to identify, classify, and segregate people arriving on the islands, channelling and regulating their mobility thereafter; and second, to secure Greece’s faltering “Europeanness.” In other words, as ordering mechanisms, they “border” both the migrants and the islands: hotspots produce or enforce a border, classifying people into legitimate refugees and illegal economic migrants; and hotspots produce Greece as a border of Europe, or, indeed, as the “hotspot of Europe.”<sup>28</sup> We refer to this as the double function of the hotspot, the “border within

a border” erected to manage what has been termed in state discourses “a crisis within the crisis.”<sup>29</sup>

The question, therefore, is the extent to which notions of “Europeanness” become a tactically malleable and highly relative exchange value in relation to the convulsions of the expansive EU border enforcement regime. From the standpoint of some of Europe’s beleaguered borderlands, therefore, the deepening integration of military tactics and humanitarian techniques reappears not as a “solution” to the “crisis” of the border but rather as one more series of measures that will further escalate the (double) “crisis.” When referring to the “refugee crisis,” the Greek government emphasizes how Greece has shown a “human face” to the refugees arriving by boat on the Greek islands and has thereby purportedly exhibited its “European values.” Emphatically contrasting this hospitality on the Greek islands with the implied or explicit allegation of “inhumanity” of the Turkish state, Greece effectively re-inscribes itself within “Europe” by depicting Turkey as the site, just beyond the borders of “Europe,” where “the problem” of a “migration” or “refugee crisis” begins. As more and more EU member states were sealing their borders, effectively closing the Balkan route, which refugees had been using in their attempt to move deeper into “Europe” since the summer of 2015, the media began constructing Greece as a “hotspot” within Europe—or rather at the edge of Europe. Greece was reconceived as a transit space, but one in which thousands of migrants were now stuck or stranded.

Still, hotspots have other functions beyond detention, such as the redistribution of those classified as asylum claimants or refugees on the Greek territory—and beyond; the “relocation” of those granted refugee status to “Europe”; as well as the criminalization and deportation of “economic migrants” (or of refugees back to the “safe third country” of Turkey). These functions beyond detention are experienced unevenly by people pushed into these categories, given the construction and management of “mixed flows”: that is, the juridical entitlement of the EU to criminalize migration by denying international protection to those who cannot prove their persecution is “political.” Using the naturalizing logics of time and space, the state attempts to divide the “migrant mob”<sup>30</sup> into discrete, self-evident nationalities and to divide refugees and migrants from each other, but also from the local society, including established migrant communities. The cynical use of the islands’ topography to divide the social body is a transnational, trans-historical technology of fascism: “unruly” political exiles were sent to remote islands during the junta in Greece, while the Australian offshore prisons of Nauru, Manus, and Christmas Island were exported as the “Pacific Solution” to stemming “unmanageable flows.”

If seeking asylum has become synonymous in many jurisdictions with immediate (and sometimes indefinite)

detention, the hotspot model is about pushing the border to the mainland, refusing passage to the city, and facilitating the EU's segregation and deportation projects. Resistance in and to this bordered reality means denaturalizing the logics through which land, sea, and sky become prisons. How we want to live, that we want to live, where we want to live, with whom, and for what—these are the simple decisions people negotiate through our struggles to a transnational regime that tries to run a border through our very existence.

### *Intersecting Crises beyond State Categories*

Intersecting the vocabulary of “financial” crisis with the vocabulary of “refugee crisis” reveals the indebtedness and contingency of both discursive constructs to the nation-state and the foundational categories that it invents to manage human mobility through time and space. In the previous sections, we contrasted the currency and mobility of these vocabularies of crisis to their immobilizing effects on human lives. Elsewhere we introduced the concept of the “mobile hotspot” to examine how the hotspot, as a condensation of the border, follows people who have passed through it into the interior of the national state and beyond.<sup>31</sup> Intensifying the border, we argue, the hotspot is not just a spatial entity on the islands where people are made to register, are sorted out, fingerprinted, and classified as deserving or undeserving of international protection; it is a space of administrative violence that, in an accelerated manner, inscribes the ideological-judicial distinction between legitimate supplicants and undeserving “economic migrants” in detainable, deportable, and disposable human bodies. Keeping people in a state of perpetual immobility at and within the territorial border of the nation-state, Greece as the hotspot of Europe seeks to redeem itself in the geopolitical project of Continental integration.

The question “What crisis?” urges a destabilization of the border that runs through crisis. With the declaration of the “refugee crisis,” the state sought to re-establish its faltering sovereignty by reasserting its borders. Locating the state itself as the victim of “unmanageable flows,” the implementation of the hotspot system on the Greek border islands helped transform EU migration policy, but also to defuse anxieties about Greece's diminished national sovereignty. After all, borders are the naturalized limits of the sovereign nation-state. Yet efficiency and rationality have replaced the institutionalized “Greek” racism exemplified in the era of “Xenios Zeus” (“hospitable Zeus”), where the Greek state conducted police sweeps of the city-centre of Athens to identify undocumented persons by racial profiling.<sup>32</sup> Such “primitive” methods are now replaced with a bureaucratic infrastructure that “sorts” people at all stages of their journey and tracks them in perpetuity. Thus our everydayness in the hotspot

of Europe is being spatially and temporally fragmented through a proliferation of crisis logics. In other words, living in a hotspot refers to the spatialities and temporalities generated by the ways in which our very existence—in a bordered reality—has come to be constructed and perceived through the vocabulary of “crisis.” Yet the same violence as “before the crisis” is still taking place now, but now it is rationalized by the vocabularies of neoliberal crisis management.

Crisis—in its soft, lived, invisible dimensions—constitutes the daily violence of the operation of oppressive systems. Capitalism loves a crisis, the nation-state needs harsher borders, and our inability to view crisis outside or beyond the categories invented by state projects means that the hierarchies of suffering that useful crises (as opposed to accidental or unforeseeable ones) produce go uncontested. Why are “refugees welcome” while immigrants remain “illegal”? Why did a housing occupation movement emerge (and gain international visibility) only with the arrival of refugees, while a massive increase in homelessness within a year of the imposition of austerity measures barely registered as a political (and not merely a “social”) problem? Why is the Greek state collaborating with the IOM to combat racist prejudices now, when institutionalized racism has targeted immigrants for decades? And why are the experiences of emigrants (Greek nationals) constructed as morally or affectively legible in these campaigns?

Taking an intersectional approach to crisis discourses can reveal who is pushed to the margins through their mutual exclusion. Constructing the “financial crisis” as a “Greek problem” renders invisible the struggles of people residing and working in the Greek territory (often for decades, sometimes having been born here) who are denied citizenship or even permanent status and are perceived as increasingly unwelcome “guests” under conditions of austerity. Relegated permanently to the socio-legal position of outsiders, even fascist attacks on non-nationals are justified by the hostile climate of austerity, while their experiences of unemployment, loss of legal status, homelessness, and return migration do not figure as effects of the “sovereign debt crisis.”<sup>33</sup> On the other hand, constructing the “refugee crisis” as a sudden event with a determinate historical beginning—like a natural disaster—enables the histories and trajectories of forced migration over the past three decades to be forgotten, and the precarity to which “illegal immigrants” (as they were castigated in dominant discourses) were subjected in Greece. It is worth recalling that prior to the institution of the hotspot mechanism, asylum applications in Greece were approved at a rate of less than 1 per cent; a mere year after the declaration of the “refugee crisis,” and six months after the implementation of the EU-Turkey deal, approval rates have descended to nearly the same level (1.23 per cent between July 21, 2016, and

March 31, 2017).<sup>34</sup> Moreover, intersecting the “financial crisis” with the “refugee crisis” means rejecting the false division between the economic and the political, between class and citizenship, between elective and forced migration. These (and other undeclared crises) are intersecting crises in the sense that they converge in people’s lives (e.g., those migrating to escape endemic poverty due to structural adjustment policies, or debt colonialism).

Returning to Mouzalas’s words with which we began, citizens are those who are empowered to understand that “the one [refugee] is not innocent, while the other [immigrant] is guilty.” Mouzalas’s explicit aim is to refute racial animus; but the implicit meaning of what he is saying becomes clear if we examine the infrastructure behind the anti-racist campaign. The former produces racial categories, while the latter denounces their use by citizens. Citizens should not be suspicious of foreign others in an age of migration management, which enables the state to ensure their safety by dividing the “dangerous” from the “deserving” who make it across the border. In this sense, while reaffirming that migrants are always already guilty—criminalized by definition—Mouzalas implies the refugee is not (always) innocent, or cannot be assumed to be. It is not incidental that, in order to be relocated, refugees have to undergo a “security” interview, where they are asked their opinion about such matters as the terrorist attacks in France or Germany. The administrative mechanism probes their guilt, in order to determine who are properly “innocent” and politically innocuous, and who pose a threat.

Those who have lived in Greece with precarious, undecided, or temporary status for decades are irrelevant in the sense that the “refugee crisis” has completely marginalized them: their asylum claims or stay applications have been on hold for years, constantly being postponed, while (at least some) people who arrived months ago have already been relocated. Somehow the arrival of the former in Greece never constituted a “crisis” for anyone but themselves. Moreover, they are now being invited to staff the hotspot infrastructure, the NGO infrastructure, and even the military, to enable the state to exploit their linguistic and cultural “capital.” For many people who have been on the edge of the margin precisely as a result of their migration status, finding work in the “emerging economy”<sup>35</sup> of migration management comes as a relief after having suffered (possibly more than) ten years of unemployment, of inaccessible education, of loved ones departing, of being unable to visit loved ones—of waiting, for nothing to happen.

But now something is happening that at first seemed to change everything. A demoralized, demobilized people were awakened to solidarity (or so the representation goes) with people arriving who had suffered worse than they or had just

suffered things they themselves had once suffered. Grandmothers who were internally displaced during the German occupation were welcoming “refugees” into their homes in middle-of-nowhere villages.<sup>36</sup> Even nationalists and philhellenes were lobbying to have the country nominated for a Nobel Peace Prize.<sup>37</sup> As Mouzalas says, “We won back our dignity.” But it is only in representations that “we” ever lost it.

### ***In Lieu of Conclusion***

*Research Extract: The Mother of All Crises*<sup>38</sup>

*To live in an era of crisis means to cultivate the ability to cope with sudden, unpredictable changes. Yet in order to be successful in these navigations you have to establish a stable point of reference, a checkpoint that would always be there. From that static point you can measure the effects of sudden shifts on your own personal, professional, and affective landscape.*

*Since crisis is endemic to capitalism and to the smooth functioning of our economic systems, if you position yourself against the procedures of capitalist accumulation by dispossession you reach a point from where resistance towards this process is directed against state institutions that reproduce hierarchies, stereotypes, and power relations. So instead of blaming the migrants, the pariahs, and in general the people who cannot fit the cognitive, aesthetic, and dominant territories, you start to question the processes that dictate who belongs where.*

*All these make sense on a spectacular level, but spectacle is, after all, the monopoly of the state. Like the mother of all bombs—the bomb that makes the least noise but has the biggest geographical spread and creates the highest death toll—the mother of all crises is silent, invisible, and mundane. It doesn’t make it to the headlines, but it affects the ways we live, survive, and imagine. It violently escapes our categorizations and, like a heroine in an ancient theatre, wears many masks. It is present when we say goodbye to friends who emigrate for a “better future,” when our parents do not have access to health care, or when we feel guilty for entering our house in a city where so many people sleep rough.*

*Checkpoint, reference point, safe ground. What are the mind borders we inhabit while we are surviving crises?*

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# Invisible Lives: Gender, Dispossession, and Precarity amongst Syrian Refugee Women in the Middle East

Nergis Canefe

## Abstract

*This article attends to the connections between neo-liberal and neo-developmental labour regimes, asylum and immigration management, and the exploitation of undocumented, refugee, and migrant women, based on the experiences of Syrian refugee women in Turkey. The concept of precarity is explored as a selectively applied strategy by states to people who lack “status” or who are unable to benefit from “membership rights.” Forced migrants, illegal migrants, and asylum seekers are directly implicated in highly precarious work experiences at the bottom end of labour markets across the Global South, becoming trapped in forced labour and human trafficking arrangements. The article establishes a link between extreme forms of migrant labour exploitation in precarious life worlds and gender-based profiling of life chances.*

## Résumé

*Cet article concerne les connexions entre les régimes de travail néo-libéraux et néo-développementistes, la gestion de l'asile et de l'immigration, et l'exploitation de femmes migrantes, réfugiées, sans papiers, à partir du vécu de réfugiées syriennes en Turquie. Le concept de précarité est exploré en tant que stratégie appliquée de manière sélective*

*par les états aux personnes qui n'ont « pas de statut » ou ne peuvent pas bénéficier de « droits d'appartenance ». Les migrants forcés, les migrants illégaux et les demandeurs d'asile sont directement concernés par des expériences de travail fortement précaire au plus bas des marchés du travail sur l'ensemble des pays du Sud, et deviennent alors prisonnier du travail forcé et du trafic d'êtres humains. L'article établit un lien entre des formes extrêmes d'exploitation des migrants au travail dans des contextes de vie précaires et un profilage des opportunités de vie en fonction du genre.*

## Introduction

In 2003 the concept of precarity emerged as the central organizing platform for a series of social struggles that would spread across Europe.<sup>1</sup> However, to understand precarity as a political concept rather than simply as a form of labour exploitation, it is necessary to go beyond economic approaches that see social-political conditions of populations subjected to this form of structural violence.<sup>2</sup> Such a move in effect requires us to see precarity as the norm and regularized labour as the exception. This conceptual move enables us to frame the precarity of labour, in particular migrant labour, in a broader historical and geographical perspective, shedding light on its relation to the phenomena of precarious lives. In this regard, novel forms of subjectivization observed during

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and after processes of dispossession effected by forced migration are themselves inherently precarious, often trans-border undertakings targeting migrants, stateless people, and *sans-papiers*.<sup>3</sup> As argued by Rygiel,<sup>4</sup> our current understanding of precarity is insufficient to describe the specific challenges of non-citizen and undocumented lives. We need a shift of lens, and far from being focused on the way precarity manifests itself in the workplace, we must concentrate on the challenges posed by residence and legal status, or lack thereof, for migrants and refugees. The nebulous class quality of the concept would then come to benefit such a reframing. With the exponential growth of civil war in Syria since 2011, the refugee crisis in the Middle East has escalated sharply, and its impact is widening from neighbouring countries towards Europe. This article describes the emergence of a special kind of labour market in sectors that are often designated as informal, marginal, and worse, as non-labour for Syrian women migrants and refugees scattered across the Middle East since 2011.<sup>5</sup>

Indeed, there has been precious little attention paid to the quality of work life with which such precarious livelihoods are associated. This article considers several features of Syrian migrants' and refugees' work lives that are disproportionately oppressive. In particular, I propose that we use "gender" as a constitutive category to understand experiences of Syrian forced migrants in the Middle East. In addition to definitive elements of precarious or non-standard employment, Syrian women experience life-changing events that are largely invisible: early forced marriages, human trafficking to prostitution, and becoming second/ clandestine wives to local men in the host society.<sup>6</sup> While different tracks of survival that affect both Syrian men and women have existential conditions in common, there isn't enough commonality to forge a genderless depiction of Syrian refugees and migrants' absorption to precarity.<sup>7</sup>

In the following pages I first chart the engagement of Middle Eastern states with the ongoing Syrian refugee crisis and contextualize the response of the Turkish state to the exodus as the main recipient of the displaced Syrians accordingly.<sup>8</sup> The purpose of this exercise is to understand why the outbreak of the region's largest refugee crisis since the Second World War, exceeding even the Palestinian one, did not prompt the neighbouring states to accede to standard, restrictive renditions of international refugee law or border closures.<sup>9</sup> Reception of Syrian refugees in contemporary Turkey is the latest example of the collapse of border protection fantasies so strongly embraced in the Global North.<sup>10</sup> The Syrian exodus indicates the amalgamation of forced migration flows with emergent forms of developmentalism in the region, with marked gender-based subjectification of non-status people.<sup>11</sup> In this regard, the article will first

discuss the generic meaning of precarious labour and then apply it to the forced migration context. It will then highlight key areas of gender-specific forms of subjugation affecting Syrian refugee and migrant women in order to identify the gaps in the literature on precarity in the Middle East.

This article contributes a detailed exploration of the specific pathways through which socio-legal status (i.e., "asylum seeker," "refused asylum seeker," "temporary residence," "guest-worker," etc.) and gender identity are combined to shape experiences of forced labour and the conditions leading to exploitative work. It also reconsiders different meanings and interpretations of forced labour vis-à-vis forced migration.<sup>12</sup> Here the concept of precarity denoting lived experiences characterized by uncertainty and instability is used to help understand the key factors and processes that render Syrian refugees and migrants *more* vulnerable to both forced labour and lives marked by indignities.

### ***Gender, Asylum, and Precarity in the Middle East***

The topic of forced labour is receiving growing political and policy attention across the globe. Regardless of the specific national and regional context, compromised socio-legal status of immigrants and refugees resulting from restrictive immigration policy, neo-liberal labour market regulations and migrants' own trajectories normalize precarious work. In this context, using precarity as a lens to examine forced labour encourages the recognition of extreme forms of exploitation as part of a wider picture of systematic exploitation of migrants in the global labour market. The concept of hyper-precarity is then used to explain how multidimensional insecurities contribute to forced labour experiences.

Before discussing hyper-precarity in detail, however, it is important to revisit the concept of precarity itself. In addition to the rich literature on labour precarity, Judith Butler's work on precarious life is worthy of particular mention in this context.<sup>13</sup> Underlining the inherent vulnerability of the individual in late-capitalist societies, Butler takes the bold step of considering all human life precarious. Precariousness in this sense implies our dependency upon others and the full exposure of bonds between individuals. All human existence is interdependent and thus precarity invites us to rethink our responsibility concerning the lives of others. In the context of political cultures in post-9/11 America, Butler then submits that enhancing the precariousness of some at the expense of others has become the defining feature of new frames of war in the age of presumed global terrorism. The resultant experience of enhanced precariousness created by the select operations of power, such as those generated by prevailing discourse in post-9/11 America, is what Butler calls "precarity." In this way, she purports that encounters with precariousness and precarity hold new potential to

engender alternative ethical responses to crises of our times. In the specific context of this article, Butler's concept of precarity allows us to think about the relationship between different forms of precarity that frame refugee reception regimes in the Middle East and in the daily lives of Syrian refugee women amidst contemporary Turkish society.

In this larger context, hyper-precarity in labour results from forms of recruitment that cover both forced and deceptive employment, leading to specifically gender-based instances of precarious livelihoods.<sup>14</sup> For instance, in daily practices, either several constraints are applied to force people to work for a particular employer against their will, or a person is recruited using false promises about the nature of the work, location, wages, etc. Legally speaking, work and life under duress leads to adverse working and living situations imposed on a person by the use of force, threat, penalty, or menace of penalty, and often a combination of several of these means of extortion. These types of labour arrangement may also entail an excessive volume of work, tasks that are beyond what can reasonably be expected to be completed, degrading living and working conditions, limitations on freedom of movement, denial of basic amenities and needs, bonded labour arrangements, and other forms of excessive dependency on the employer. The difficulty faced when leaving one's employer is characteristic of forced labour when leaving entails a penalty or high risk to the worker. Penalty or its threat may be applied directly to the worker or to family members. This can be experienced as coercive and even carried out via threats and violence that could be physical, sexual, or psychological. This includes restriction of workers' freedom of movement due to isolation, confinement, or surveillance, debt bondage or debt manipulation and any accompanying threats against a worker or family members. Withholding of wages or other promised benefits to retain a worker longer than agreed are also commonly used strategies to sustain the submission of workers to forced labour. Retention of passports, identity papers, work permits, or travel documents also refers to situations where workers are forced into bonded labour. If an employer confiscates documents upon the worker's arrival and refuses to return them, this effectively prevents the worker from leaving. Denunciation threats are used, especially in the case of irregular migrant workers, asylum seekers, and *sans-papiers*. The experiences of Syrian female migrants, refugees, and asylum seekers in the Middle East fall within this category.<sup>15</sup> Although this group has not generally been recognized as at risk of being coerced into forced work, in the following pages I will make a case to the contrary.

In many cases, asylum seekers in the Middle East are denied permission to work, and they therefore have to survive under highly constrained access to both work and social

security.<sup>16</sup> Henceforth, individuals often feel compelled to seek alternative means of income, often found in informal and unregulated sectors of the economy that shield unscrupulous employers. A growing body of research, albeit conducted under very difficult and curtailed circumstances due to the political climate in host societies, demonstrates that thousands of refugees, forced migrants, and asylum seekers remain in the Middle East with limited access to work, access to education, or recourse to public funds. Pushed into the informal economy to meet their basic needs, these vulnerable populations, and in particular women, become particularly susceptible to exploitation, including forced labour practices and human trafficking.

With reference to Syrian forced migrant women who receive leave to remain in Middle Eastern countries (including legal status, humanitarian protection and discretionary leave, or other interim solutions), these populations are theoretically able to find employment and access benefits and social services. When they are employed, the kind of work Syrian refugee women and girls undertake is typically insecure, temporary, and poorly paid with long and irregular working hours, and unfair dismissals are all too common.<sup>17</sup> While aggregate data are not yet available, preliminary research conducted by NGO and public media interviews reveal that Syrian refugee women have begun to cluster in particular sectors—such as cleaning, care, agriculture, food processing, piecemeal cottage industries, hospitality, and sex work—all of which are open to exploitation and insecure. This signals an area of research in need of development.

There are at least three dimensions of precarity that separate this type of work from other forms of labour: non-standard forms of work, wider insecurity, and undocumented and supra-legal practices of labour exploitation.<sup>18</sup> Ultimately, deregulation and erosion of workers' rights coupled with restrictive welfare and immigration regimes create an environment that allows workplace abuses to flourish.<sup>19</sup> In this larger context, the potent combination of socio-legal status and gender of an individual determines her rights and entitlements to work, welfare, and residency, conditioning her entry to the labour market entry, shaping her wider social life chances. In turn, this situation foregrounds a differentiated array of rights and protections for different groups of migrants with a marked gender dimension. For instance, Alpak et al. demonstrate the differential distribution of life chances and survival.<sup>20</sup> In their cross-sectional study in a tent city in Turkey, they concluded that the probability of having post-traumatic stress disorder among Syrian refugees in our sample was 71 per cent, if they had the following features: female; diagnosed with psychiatric disorder; family history of psychiatric disorder; and experience of two or more traumas.

***A Refugee, a Migrant, a Guest, an Illegal Resident, or a New Citizen? The Naming Rituals of Displacement in the Middle East***

Although precarity has become a global phenomenon shaping labour markets in both the Global North and South, a nuanced analysis of the specific national and regional context within which it unfolds is still needed.<sup>21</sup> Here our context is determined by contemporary Middle Eastern states. Examples of the new Middle Eastern state failing to provide its citizens with basic public services in the context of neo-liberal economic restructuring are as common as the counter examples of the general populace being endowed with massive road construction and urban renewal projects, dams and mines, nuclear power stations and state-of-the-art locally produced weaponry.<sup>22</sup> Approval for and appreciation of the power of the Middle Eastern state by the masses is as widely chanted as narratives of discontent concerned about privatized infrastructural development projects, marginalized populations, dispossession, and chronic poverty.<sup>23</sup> In this sense, categorical reliance on neo-liberalism to understand contemporary Middle Eastern states obscures more than it reveals. Instead, attention needs to be paid to specific techniques of governance and relations of power that shape both the discourse and practice of citizenship/rights and membership in contemporary Middle Eastern polities. This, I believe, is best achieved by an engagement with debates on developmentalist/neo-developmental state theory applied to the region.

Lineages of the developmentalist state in the Middle East reach back to the days of independence from colonial and/or imperial rule during the 1950s.<sup>24</sup> Its conservative version emphasized growth, provision of social welfare, and building up allegiance to the state through corporatist policies. Confronting the liberal emphasis on state-market alliances, the region also witnessed the emergence of a divergent, socialist form of developmentalism with a strong purchase amongst the Arab nationalist cadres during the 1970s.<sup>25</sup> Both on the conservative and progressive sides of the spectrum, the formula of a “strong, self-sufficient state” and centralization of governance were the key characteristic of developmentalism. Consequently, the post-independence states in the Middle East, though they brought hopes for inclusive policies and increased rapport between state and society, delivered a heavy and centralized administrative apparatus.<sup>26</sup> There is little doubt about the strength of contemporary Middle Eastern states in their capacity to coerce, either.

The “old” developmentalist model, also known as national developmentalism, was first established in the Middle East back in the 1960s and had a distinct militaristic flavour.<sup>27</sup> Defenders of national developmentalism considered the state as the main agent of social transformation. The new developmentalism continues along these lines, except what

is currently considered to be the desired social transformation adheres to a different set of rules and criteria with a distinct emphasis on the absorption of the dispossessed. The model embraced by the Middle Eastern developmentalist state in its latest stage encourages creation of new classes and categories of belonging to ensure a reliable, loyal, obedient public. In particular, instrumentalization of citizenship and membership rights as a means for political leveraging, along with widespread clientelism among the economic elite, led to a unique relationship between different political and economic actors and the state.<sup>28</sup>

Similarities and continuities in citizenship regimes of several Middle Eastern developmentalist states briefly discussed here reveal that there is indeed a persistent inner logic to the reception of dispossessed groups from neighbouring states. This distinct approach is one of complementarity, with reinforced regulatory capacities of the state to decide not only who to let in, but also how and where to situate them once they arrive in accordance with the matrix of labour market needs and contingencies of the political landscape. What is most noteworthy in the example of the reception of the Syrian war victims and refugees is the explicit refusal of immediate interventionist or protectionist moves by the neighbouring states concerning the flow of masses through their borders. Only well past the zenith of the Syrian crisis did Lebanon, Jordan, and Turkey begin to exercise traditional border controls. In this sense, the latest version of the developmentalist state in the Middle East is proven to be pragmatic and highly adaptive to changing regional circumstances. It desires both a strong market and a strong state and doesn't see any contradiction between the two. On the contrary, to absorb the dichotomies created by this anathema of progress and justice delivered by the state and yet through the market, the Middle Eastern states' redistributive goals now include opening up of citizenship and the “right to work” to the dispossessed of the region. Contrary to orientalist takes on migration management in the Middle East, opening borders at times of regional crisis and managing their porousness in an ad hoc fashion is an affirmation of a protagonist “strong state” rather than a weak one.

After intermittent periods of limited democratic rule, the strong states of the Middle East often became quasi-authoritarian regimes.<sup>29</sup> Installation of industrial capitalism and the organization of society along corporate lines, coupled with the select delivery of social rights and yet the denial of working classes as legitimate political interlocutors coincided with the beginnings of populism in the region.<sup>30</sup> Almost eighty years since the emergence of the state system in the Middle East, the current discourse of developmentalism seems to be working on the same set of fundamental assumptions concerning state-society relations, yet under a new cloak: the strong state is now presented as the nation itself, as the par

excellence instrument of the collective desires and dreams for Middle Eastern societies to take their place among the powerful nations on the world stage. Absorption of the regionally dispossessed thus also displays grandeur and might as well as harbouring the possibility of renegotiated borders or new infrastructural investment opportunities.

Across the region, the reduction of membership and citizenship rights to the ballot box is linked with the presentation of the state as an almighty, self-sufficient entity, single-handedly dictating the political imagination of a future.<sup>31</sup> Given their distributive commitments and capitalizing on their social policies and basic public service provisions, the gradual closure of decision-making to the public in these aggrandized states was further fortified via their reliance on old paternalistic alliances with the middle classes. Strong charismatic leaders have strengthened their legitimacy in this increasingly self-contained state.<sup>32</sup> Attempts to formulate national identities from above include instances where the state—and not society—defines the “nation” and the public included the citation of the migrant, the precarious worker, the urban refugee, and the “guests” amongst the grand tally of signs and wonders of national and regional eminence. The new Middle Eastern states’ tendency to replace their original emancipatory or redistributive political projects with “power projects” has become all the more visible in the present management of forced migrations and strategic absorption of dispossessed populations.<sup>33</sup> Holding state power means that newly built alliances and concessions regarding extending rights to new groups may well become the order of the day for serving governments and leading parties. This unique amalgamation of neo-liberal obsession with endless accumulation and statist conception of politics ushered in unprecedented changes in the management of migration and citizenship in the Middle East. Expelling those who are deemed unwanted while accepting the unwanted of others is slowly and silently becoming a tool for sustaining the wave of neo-developmentalism across the region.

### *The Curious Case of Turkey*

The most commonly cited country in the list of recipient states of Syrian migrants and refugees in the Middle East is Turkey. Turkey is a signatory to the Refugee Convention but with a serious exception clause and entertains a unique status determination regime. From the 1920s into the mid-1990s, the Turkish Republic received more than one and a half million Muslim refugees, ranging from Albanians to Tatars, and their integration was undertaken on an ad hoc basis. During the 1990s an influx of more than 300,000 Pomaks and ethnic Turks fleeing the persecution of the then-Communist regime in Bulgaria were also quickly absorbed within the immigration and citizenship policy framework.<sup>34</sup> The government, in

line with a law from 1934, considered the latter group to be of “Turkish descent and culture” and granted them the possibility of acquiring Turkish citizenship. In 1991, however, Turkey became the receiving country of the mass influx of refugees who could not be included in that particular law. Close to half a million people fled Saddam Hussein’s violence against Kurds and other minorities in northern harsh mountainous terrain and winter conditions, and at a time when the Turkish state still denied cultural and language rights of Kurds within its borders. In what was initially seen as a national security crisis, Turkey tried to deny entry to the displaced. Eventually the government mounted a diplomatic effort, which led the United Nations Security Council to create a safe zone in northern Iraq that would ensure the return of refugees to their homes. Together with the crisis of 1988 that emerged with the arrival of more than 60,000 Kurds fleeing the Halabja massacres, temporarily housed in southeastern Turkey, the “Kurdish refugee problem” was thus the defining moment in modern Turkey’s handling of mass influx of the displaced in the region. In November 1994 Turkey proceeded to adopt its first national legislation on asylum. The resultant regulation defined the urgency to respond to mass influxes of refugees before the displaced populations could cross the border into Turkey unless the government was to make a decision to the contrary, as was the case with the Syrians some twenty years later.<sup>35</sup> With the arrival of Syrians, Turkey has become the sixth-largest recipient of refugees in the world. However, its immigration system is under severe strain, and the status determination process conducted by the UNHCR could take years. To alleviate the problem in the context of the Syrian exodus, UNHCR began to employ the services of a Turkish non-governmental organization, Association of Solidarity with Asylum Seekers and Migrants since July 2013 to speed up the process.<sup>36</sup> The Turkish General Directorate of Migration Management then implemented the Foreigners and International Protection Law that came into force in April 2014. This new law redefines the rights that asylum seekers and recognized refugees would enjoy in access to public services and employment.<sup>37</sup> When these policy measures were in place, management of Syrian refugees entered a new phase.<sup>38</sup>

Despite its historical reticence to formally integrate the displaced arriving from the region, by the end of 2011 the Turkish government had thrown its weight completely behind the Syrian opposition and recognized the then-Syrian National Council as the representative of the Syrian people. Turkey’s expectation, which was in line with a good part of the international community at the time, was that the Assad regime would not last long. Against this background, Turkey declared in October 2011 an open door policy towards refugees fleeing Syria and developed a legal framework that came

to be known as “temporary protection.” However, things did not go entirely according to plan, and by May 2014 there were 220,000 Syrian refugees housed in twenty-two camps along the Syrian border with another 515,000 registered as urban refugees.<sup>39</sup> As of early 2018, 3.9 million Syrians were estimated to have sought refuge in Turkey.<sup>40</sup> The persistence of the conflict well into 2018 and the ever-growing number of urban refugees has created serious challenges for Turkey. Across the region, it is becoming increasingly clear that Syrian war victims and refugees are not about to return home. This brought up major policy issues for the Turkish government,<sup>41</sup> including whether the government should offer Syrian refugees and migrants residency and citizenship rights and questions addressing urgent education, employment, health, shelter, and integration needs.<sup>42</sup> The presence of growing numbers of Syrians in Turkey is having a direct impact on host communities economically, socially, and politically. Where Syrians work, how they work, where they live, and for whom they would vote are questions with increasing import, as they now constitute a sizable 5 per cent minority in Turkey.

As much as Turkey’s open door policy has been commendable, it has had a weak legal basis and thus a prominently ad hoc quality,<sup>43</sup> despite the establishment of a new directorate for management of migration, including forced migration flows.<sup>44</sup> The legal framework encompassing these new policy initiatives was heavily influenced by the EU directives in place. However, it was adapted to the short- and long-term goals of the Turkish state. In particular, the regulation adopted in March 2012 that allowed Syrians to stay indefinitely could not be regarded as constituting the basis of a comprehensive policy extending universal protection for more than three million people.<sup>45</sup> It is a carefully calculated move for partial and selective absorption of the Syrians in Turkey.<sup>46</sup> More than 800,000 Syrians registered in Turkey have now been protected under a temporary protection regime, being addressed as “guests” or “temporary protection beneficiaries” by the Turkish authorities. Implementation of the temporary protection policy for Syrians means that Syrians are neither refugees nor asylum seekers under Turkish domestic law. In 2013 Turkey adopted its first law that regulates asylum, namely the Law on Foreigners and International Protection, which entered into force in April 2014. Although it promises better protection standards and more safeguards for asylum seekers and refugees, the current legal protection regime of Syrians in Turkey is blind to precarity because it needs to be addressed not by citizenship and immigration regulations but the overall labour regime and under the aegis of administrative law.<sup>47</sup>

It is important to remember, however, that Turkey is not the only country affected by the sheer mass of the Syrian

exodus and responding to the regional circumstances in an official capacity. Overall, policy restrictions on residency renewals affect the enjoyment of basic rights and freedom for refugees of all nationalities in the region. Access to territory, UNHCR registration, and maintaining livelihoods including formal right to work remain the main challenges faced by Syrian refugees and the waves of dispossessed that were displaced before them.

### ***The Invisible “Guests”: Syrian Women’s Precarious Lives on the Move***

Turkey is home to the highest refugee population in the Middle East, with the exception of Israel, having adopted an open door policy for people who come from Syria from 2011 onwards. By December 2016 the number of registered Syrians in Turkey reached 2,783,617 according to the Ministry of Interior Directorate General of Migration Management. Of these, 1,301,026 were Syrian women. The numbers as we neared the winter of 2017 were expected to be well in excess of three million Syrians being settled in Turkey, the majority of whom were women and girls.

The number of displaced Syrians crossing the border into Turkey has dramatically risen with the escalating use of violence employed by the Syrian regime to suppress the revolt. With the influx of huge numbers of Syrians into Turkey, however, anti-immigrant, anti-Arab discourses have surfaced among the Turkish public. Furthermore, due to the Turkish government’s openly hostile position to the Syrian regime, Syrian migration became closely linked with Turkish domestic politics and foreign policy. Analyzing the Syrian migrant community in Turkey requires contextualizing it within the political framework of both the host society and the region.

The literature on security and securitization has long been criticized for neglecting the significance of gender as a dimension of security. Literature on security within the international relations discipline has been inadequately engaged in analyzing the pervasive insecurities affecting women during and in the aftermath of armed conflicts. Instead the prevalent discourse often imitates statist discourses on armed conflict. In contradistinction, an examination of gender-related human (in)security issues arising as a result of the armed conflicts would significantly enrich the literature. This change of perspective is critical to understanding the gender-specific social, economic, and cultural barriers that create insecurities for Syrian women refugees and migrants.<sup>48</sup>

While all Syrians have been affected by violence and conflict in Syria and their lives have been uprooted, the group most affected by the ongoing war are women and children.<sup>49</sup> Prior to war and conflict, women and children were already regarded as a disadvantaged group in modern Syria. The war

has added new forms of precariousness and insecurity to their lives. However, the extremes of either “happiness” for being saved or “poverty” as an endemic condition of their new lives do not reveal much about the future for Syrian refugee and migrant women.

In general, Syrian women face more gender-related problems than Turkish women when attempting to participate in economic, political, and social life as a result of their precarious status. Despite their disadvantages, many Syrian refugee and migrant women have become leaders for their families and have come into prominence as significant actors in the shaping of the economic and social life of Syrian communities in Turkey. Syrian women constitute almost half of the Syrian refugee population in Turkey, and the five-to-eighteen and nineteen-to-thirty-four age groups constitute the majority of Syrian women settled in the country. The youngest age group, those less than five years old, includes close to quarter of a million girls. This indicates that the fertility of Syrian women has remained higher than the Turkish or regional average, despite the problems such as living in a foreign country, having an unstable life, and an uncertain future. Consequently, education, care, and health policies, including the services to be provided for the under-five age group, have become a major concern in a country where the population at large already strives to receive adequate services in these key areas.<sup>50</sup>

In making policies to address the issues facing them, the Turkish authorities are keen to give priority to the traditions, culture, and habits of Syrian women. Many of these traditions, however, are markedly patriarchal and tend to treat women as brides and mothers only, thus limiting their livelihoods to household labour and marriage. A basic mistake made in policy development is the assumption that Syrian women have the same needs and vulnerabilities as women in Turkish society, since both groups are predominantly Muslim, and they come from neighbouring countries. Not only does Syria have a distinct culture, lifestyle, and customs, but the war in Syria—and the displacement and dispossession that followed—has created unforeseen social practices that affect the lives of those trying to settle in Turkey. Syrian refugee women increasingly find themselves far outnumbering men, as they have gone to join rebel groups, have been killed or captured in combat, or migrated outside of the country separately. In addition, a large proportion of young men have fled the country, fearing the regime’s expanding policy of conscription. As such, Syrian women are under increasing economic and social pressure to secure their future.

Considering the realities facing Syrian migrant and refugee women, lack of birth control and abortion services is at risk of leading to high fertility rates, early marriage, and reinforcing the perception of women as the backbone of household and family. As such, there has been limited success for

the participation of Syrian women in education and training programs. Girls aged between eleven and seventeen are particularly vulnerable. Needless to say, the leadership of Syrian women, many of whom are heads of households or in polygamous marriages, will help strengthen the economic and social participation of the Syrian population in Turkey.<sup>51</sup>

To put the situation of Syrian women in perspective, it is important to note that only one in five women are in paid employment in Turkey. Overall, the female labour force participation rate stagnated at around 30 per cent, well below the average for the Organisation for Economic Co-operation and Development for the last thirty years, despite rapid urbanization and massive social transformation.<sup>52</sup> In the case of Syrian refugee women, language issues and gender-based discrimination further complicate matters, so very few women refugees find work other than in poorly paid cleaning, housekeeping, or childcare duties, which are outside the formal economy. This combination increases Syrian women’s economic dependency and precarity. Women who migrate with their children face further barriers, as they cannot combine childcare and employment when access to education for Syrian children is limited or missing, especially during the earlier phases of the exodus.<sup>53</sup> This is the context in which we can anticipate early marriage of girls emerging as a survival strategy. However, since marriages under the age of eighteen are not recognized in Turkey, early marriage risks leading to further vulnerabilities for Syrian women. “Early marriages” could be understood as a form of human trafficking. Especially in the border provinces, young girls and women are persuaded to come to Turkey with the promise of a better life only to be forced to either marry a Turkish or Syrian man in a religious ceremony to become their unlawful second wives, or forced into prostitution.

Under the state of emergency rules that have curtailed public life in Turkey since August 2017, strict security regulations restrict NGO responses to refugees and adversely affect services for survivors of gender-based violence. The humanitarian groups in Turkey have focused primarily on emergency response and immediate needs for survival. At this stage Syrians are no longer guests, and the majority of them intend to settle in Turkey permanently. An integration phase orchestrated by public authorities, including language courses, job training, familiarity with public services including educational institutions, and skills-training could facilitate integration of female Syrian refugees into Turkish society. However, most of these services are either absent or are utilized by Syrian men instead in the predominantly patriarchal Syrian and Turkish societies. A gender-responsive plan to integrate female refugees into the social and political life of Turkish society would be the first step in that direction. An educational strategy that offers self-reliance and education

for female refugees to support themselves and their families is sorely needed. However, given the larger Turkish context, such a strategy is also needed for Turkish women who are not refugees but natives to the land. Similarly, ensuring that all Syrian children are in school is one of the most effective ways to stop child marriage, but again, the same stipulation applies to Turkish girls who are forced into early marriages.

Expanding multi-sectoral service centres and promoting gender sensitivity within the existing humanitarian response to the Syrian crisis is of utmost importance. Given that the lives and social networks of most refugees have been destroyed and that women make up the majority of displaced Syrians, female refugees play a crucial role in overcoming the challenges refugee communities face for years to come. The resilience of female refugees should be matched with opportunities for them to create sustainable and safe communities for their families in Turkey. The problem is that working-class, marginalized urban migrant and rural women in Turkey also face very similar challenges, and the majority of Syrian refugees share their living spaces and life worlds with the underclasses of Turkey who have very similar needs and also suffer from very similar dynamics of gender-segregation themselves.

### Conclusion

Forced labour is not a static or singular situation but is experienced in diverse ways and through complex entry points.<sup>54</sup> Using the International Labour Organization definition, forced labour is becoming increasingly prevalent in the context of forced migration across the Middle East, the example of Syrian women being one amongst many. Since fieldwork amongst refugee and displaced populations has been restricted, so there has been little research into the experiences of asylum seekers and refugees in this regard. In this article I argued that severe labour exploitation among migrant groups and *sans-papiers* is to be understood within the wider framework of lack of freedom of movement, precarious livelihoods, and undetermined or semi-legitimate socio-legal status. Employers and traffickers often deliberately use these vulnerabilities to impose to extreme working conditions upon forced migrants that would not otherwise be possible. In this regard, precarious immigration status such as being undocumented, or being a refused asylum seeker foregrounds insecurity, exploitation, and trafficking. A close examination of Syrian women's experiences also revealed that the range of coercive and abusive practices affecting displaced populations have a marked gender aspect. As employers or recruiters exploit the lack of socio-legal status to impose substandard working conditions on workers, particularly those working without permission, the situation also leads to the emergence of new forms of bondage such as human trafficking of young

girls and women for the sex trade. While employers could not easily use immigration status to deny improvements or to withhold pay in the context of "regular work," with precarity these practices flourish and often go unreported. In areas such as human trafficking and forced marriages, the situation becomes even more bleak as society often turns a blind eye and normalizes these practices through by silently condoning them. Syrian women who enter the workforce often move between multiple jobs and repeatedly experience employers refusing to pay agreed wages. Finally, those who enter the "irregular work" of the sex trade are not even covered by the standard vocabulary of labour rights. Overall, the threat of denunciation to immigration authorities, police, and risk of deportation, particularly for forced migrants who fear persecution or war conditions if returned to their country of origin, is easily used as a disciplining social device in these exploitative working relations (Schweitzer 2014).<sup>55</sup> The lives of the majority of Syrian refugees and asylum seekers in the Middle East are widely recognized as characterized by poverty, insecurity, and in some cases destitution. And yet there is little documentation of women's exploitation in care industries, in marginal sectors, through clandestine marriages and forced sex trade. Hence their lives remain invisible, a malady that neither academia nor NGO work alone could undo. The cost of ignoring gender when analyzing conflict and post-conflict environments is to render Syrian women's lives invisible. To uncover gender-based power relations and deconstruct the so-called gender-neutral approach to precarity in forced migration contexts, we must start with highlighting the differential impact of war and displacement on women and girls. Cessation of hostilities or reaching a safe country for settlement is not synonymous with peace or life with dignity for refugee and migrant women.<sup>56</sup> As the case of Syrian women in Turkey attests, patriarchy resurfaces after war and cross-fertilizes with local forms of oppression and mainstreaming that marginalizes women in novel ways and promotes a conservative return to the status quo *ante bellum*.

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# Inhabiting Difference across Religion and Gender: Displaced Women's Experiences at Turkey's Border with Syria

Seçil Dağtas

## Abstract

*The global refugee crisis gives new urgency to questions of gender and religion in contexts of displacement. This article adopts and contributes to an intersectional feminist reading of gendered displacement by examining the daily lives of a diverse group of displaced Syrian women at the southern borderlands of Turkey, a country hosting the world's largest population of refugees today. I argue that the vernaculars of hospitality and border crossings surrounding these women's lives assemble gendered practices and religious discourses in ways that rework and transcend their citizenship and identity-based differences. These assemblages, moreover, derive significant insight from women's labour and everyday networks at the local level, which often go unnoticed in public debates. Research that shifts focus from institutional governance to women's everyday sociality allows intersectional feminists to capture the nuances of displaced women's agency and the contingencies of their dwelling and mobility in the Middle East against the de-historicized representations of victimized refugee women.*

## Résumé

*La crise mondiale des réfugiés confère une nouvelle urgence aux questions de genre et de religion dans les contextes de*

*déplacement. Cet article adopte, et alimente, une lecture féministe intersectionnelle des déplacements sexospécifiques en étudiant la vie quotidienne d'un groupe divers de femmes syriennes déplacées dans les territoires transfrontaliers du sud de la Turquie, pays qui accueille aujourd'hui la plus grande population de réfugiés au monde. J'argue que les particularités de l'accueil et des passages de frontières qui rythment la vie de ces femmes conjuguent des pratiques sexospécifiques et des discours religieux d'une façon qui repense et transcende leur citoyenneté et leurs différences identitaires. De plus, ces particularités conjuguées permettent de dégager de nombreuses informations sur le travail des femmes et les réseaux quotidiens au niveau local, qui passent souvent inaperçues dans les débats publics. Les travaux de recherche qui déplacent leur intérêt de la gouvernance institutionnelle à la vie sociale quotidienne des femmes permettent aux féministes intersectionnelles de saisir les nuances des actes posés par les femmes déplacées et les imprévus concernant leur logement et leur mobilité au Moyen-Orient, les uns et les autres étant à mettre en perspective avec les représentations hors contexte historique des femmes réfugiées victimisées.*

The displacement of millions due to the ongoing war in Syria has alarmed the international public and drawn attention to the accompanying gender-based violence and religious persecution. Media outlets have documented accounts of sexual slavery of Yazidi women and the persecution of sexual and religious minorities by “Islamist” groups in Syria.<sup>1</sup> Politicians and civil society actors in Western countries have debated prioritizing the “most vulnerable” (e.g., Christian Syrians or “women-and-children”<sup>2</sup>) for refugee sponsorship.<sup>3</sup> Women and queer refugees have faced the need to mobilize gendered images of victimhood on religious and racial grounds to secure humanitarian assistance, legal protection, and political support.<sup>4</sup> These images often replicate the Orientalist portrayals of Middle Eastern women as sexually and religiously oppressed by patriarchal, homophobic, and violent—if not terrorist—Muslim men.<sup>5</sup> They underscore the need to situate problems of gendered displacement within a broader “matrix of domination”<sup>6</sup> that includes patriarchy, racism, heterosexism, colonialism, nationalism, and other mutually constitutive systems of oppression.

Post-colonial and transnational feminists argue that the language of gender oppression can help justify “white, Western, and Christian racial and religious superiority” when divorced from other mechanisms of power.<sup>7</sup> The sexual and religious subordination of women and queer people in Muslim societies often becomes a pretext for anti-immigrant rhetoric and border control in the West,<sup>8</sup> and humanitarian interventions in the Global South.<sup>9</sup> A feminist intersectional approach (emphasizing the interconnected nature of social identities and related power structures) is thus essential to debunk the deployment of such discourses for addressing the problems of displaced Syrian women. Yet this approach should not rely merely on a categorical understanding of social differences to describe the subjective experiences of this heterogeneous community. As scholars of homonationalism note, when bound to identitarian paradigms, intersectional frameworks categorize race, class, gender, and sexuality as distinct, commensurate, and pre-established markers of identity that intersect in specific domains of political life.<sup>10</sup> As such, they fall short of capturing how these social categories themselves get constituted, assembled, and transcended in unpredictable ways within the actual relations of people under scrutiny. Moreover, these relations do not always concern encounters between Middle Eastern and Western liberal subjects in overtly political or bureaucratic domains of life. In the Middle East, where asylum laws and resettlement policies are less structured and more dependent on local responses than in their Western counterparts,<sup>11</sup> displaced women negotiate their social roles and transcend their differences through ordinary relations of neighbourliness, kinship, and hospitality, often within the home space.

This article examines such negotiations at the southern borderlands of Turkey, a country hosting the world’s largest population of displaced persons today (over three million) due to the Syrian war.<sup>12</sup> I focus on the daily lives and struggles of a diverse group of displaced Syrian women, as these lives are shaped by the contingencies of their dwelling and movement in Turkey’s province of Hatay, near the border with Syria. I argue that the vernaculars of hospitality and border crossing surrounding these women’s lives present complex articulations of gender with religion vis-à-vis—but also beyond—their citizenship and identity-based differences. These articulations derive significant insight from women’s labour and everyday networks at the local level, which often are dismissed as trivial in public and political debates.

Since the early days of the Syrian war in 2011, Hatay has been a major destination for displaced people, because it has geographic and historical connections to Syria, long-established cross-border networks, and Arabic-speaking demographics. As of October 2017 Hatay is among the four provinces with the largest Syrian populations in Turkey. It hosts about 17,000 refugees registered in four camps and an estimated 400,000 in its towns and villages.<sup>13</sup> In my long-term ethnographic research from 2010 to 2014 I examined the conditions of religious co-existence between diverse populations in Hatay’s administrative capital Antakya, composed of bilingual (Turkish-Arabic) Alawis, Jews, Orthodox Christians, and Alevi and Sunni Turks, as well as a small number of Armenians.<sup>14</sup> The data presented in this article, however, derive largely from my follow-up visits to the region over the summers of 2015 and 2016 for a total of three months, during which I interacted primarily with displaced Syrians.

Specifically I draw on participant observation in women’s homosocial gatherings in Antakya, and on fifteen in-depth interviews with Syrian women aged twenty-two to seventy. Eight of these women came from middle-upper-class Sunni families from Aleppo with former business ties to the region, three were Orthodox Christians from Homs and Damascus, and the remaining four had previously lived in the countryside near Aleppo and Latakia before they came to Hatay. All interviews were semi-structured and audio-recorded and were conducted in Turkish, Arabic, and English, depending on the respondents’ language skills and socioeconomic background.<sup>15</sup> They took place during my regular visits to these women’s houses, often after I had developed an understanding of the social context of their lives. These visits also situated our interaction in a hospitality context where my identity as a Turkish woman anthropologist from Canada was inflected, subsumed, and transcended by my status as a guest.

My data challenge the victimizing stories of sexual and gender-based violence under Muslim rule. Instead, the women’s experiences register day-to-day interactions that

entail cultural intimacy, reciprocity, and piety, as well as tensions and exclusions within gendered domains of hospitality. The forms of commitment and labour that women invest in these domains are inseparable from their ethnic, religious, and national affiliations. Yet they also express contingent assemblages of gendered practices and religious discourses that may be obscured by an identity-based intersectional reading and its presuppositions about “the character of those domains which are said to intersect.”<sup>16</sup> This article addresses these assemblages, calling for an intersectional feminist approach that de-centres Western imaginations of the “refugee” and territorially bounded categories of citizenship beyond identitarian paradigms.

### *Hatay as the Nexus of Nation and Religion*

Scholars approach the challenges of displacement by focusing on institutional processes. They examine how legislation and policy shape refugee life,<sup>17</sup> and debate the agency of refugees in responding to such governance.<sup>18</sup> Feminist scholars in particular effectively demonstrate the central role gender plays in the operation of, and responses to, asylum mechanisms by situating the experiences of displaced women and queer people in politico-legal contexts.<sup>19</sup> Recent work on Syrian refugees maintains this focus on governance. While some scholars examine the regulation of Syrian refugees through global and national immigration regimes,<sup>20</sup> others point to political structures and ethno-religious factors to explain regional responses to the current refugee crisis.<sup>21</sup> Studies of Syrian refugee women in Europe and the Middle East likewise address how they endure institutional marginalization, gender-based insecurities, and ethno-religious and legal violence.<sup>22</sup>

The legal and political conditions under which displaced Syrians arrive and settle in Turkey are indeed a vital component of their lived experiences. As a result of its “geographical limitation” policy towards the 1951 Refugee Convention and partial commitment to the 1967 Protocol, Turkey grants refugee status only to “citizens of member states of the Council of Europe” and provides temporary asylum for asylum seekers in third countries, with no prospect of long-term integration in Turkey.<sup>23</sup> The recent arrivals from Syria, however, came under Turkey’s impromptu “temporary protection regime,” which espoused an open border policy for “Syrian guests” and provided them with “differential inclusion” in the form of legal access to health, education, and employment in some sectors.<sup>24</sup> The future of Syrians in the country has nevertheless remained precarious. Turkey closed its southern borders in 2015 and is building a wall along them. It also signed a deal with the European Union in 2016 promising to accept mass returns of migrants from Greece in exchange for financial assistance.<sup>25</sup> The uncertainties of national asylum policy and the limited involvement of the UNHCR in the resettlement of

displaced Syrians in Turkey have made local politics and histories particularly influential in the lives of this population and their local hosts.

In the case of Hatay, the sociocultural impact of these recent demographic developments registers a longer history of shifting border regimes in the context of colonial relations and nation building. Formerly called the Sanjak of Alexandretta, the province was annexed to Turkey from French Mandate Syria in 1939, following a plebiscite that was state-managed from Turkey’s capital, Ankara.<sup>26</sup> The sanjak’s delayed union with Turkey mitigated the effects of the national homogenization that characterized the transition from the Ottoman Empire to the Turkish Republic in the post-First World War era. This did not prevent the exodus and dispossession of its religiously diverse Arabophone and Armenian populations after the annexation, however.<sup>27</sup> As outliers to the new republic’s ideals of national homogeneity, the remaining kin of these communities faced assimilationist language, education, and population policies, along with economic restrictions and property ownership restrictions. Combined with the anti-Arab sentiments at the heart of Republican nationalism, which sought to align Turkey with “modern and secular Europe” rather than with the “Islamic Middle East,”<sup>28</sup> these measurements have led to the minoritization and further outmigration of the region’s Jewish, Christian, and Alawi citizens.<sup>29</sup>

Although the annexation has divided communities and detached many from their extended kin, sanjak’s residents have maintained religious, linguistic, business, and family ties with people in Syria, often through frequent and reciprocated visits across the border. In the early days of my fieldwork in 2010, I met Syrian women who had settled in Antakya after marrying into local families of the same religion, as well as Antakyans who had previously lived in Syria for university education or short-term business. While non-Sunni urban populations were mostly bilingual, older women in Hatay’s Alawi and Christian villages knew little Turkish and spoke of distant relatives residing in northern Syria. Private taxis carried hundreds between Antakya and Aleppo each day, and many vendors in Antakya’s “Syrian bazaar” relied economically on cross-border trade with Aleppine merchants. The 2009 Syria-Turkey Visa Waiver Agreement also led to the increased presence of Syrian tourists in Antakya, which many locals considered beneficial for business until mid-summer 2011.<sup>30</sup>

Despite these various forms of relatedness across the border, my long-term interlocutors in the region distinguish themselves from Syrians, often to avoid potential accusations and suspicions regarding where their true loyalty resides. This self-differentiation gained a stronger sectarian dimension after the Syrian war due to President Erdoğan’s (Sunni) Islam-oriented divisive rhetoric, his anti-Assad and

pro-rebel stance, and the rise of authoritarianism throughout the country.<sup>31</sup> My contacts among the region's Arabophone Alawi and Christian populations, for instance, often expressed suspicions about pious Sunni Syrian refugees who fled the Assad regime and who have been "welcomed" by the governing Justice and Development Party.<sup>32</sup>

Such suspicions have both historical and contemporary referents in the context of the Turkish state's role in the marginalization of these populations. People associate these recent demographic movements with different instances of governmental resettlements of Sunnis into the region throughout the history of modern Turkey. They also expressed anxiety over the cross-border mobility and violence of Sunni jihadist groups fighting in Syria. More often than not, however, both locals and Syrian newcomers inhabit multiple positionalities vis-à-vis each other, shifting between kin, neighbour, and enemy, depending on the context of their social interaction. As they have self-settled in Hatay by mobilizing formerly established networks and communal histories, or by engendering new bonds, the majority of displaced Syrians have become part of the local social fabric in urban and rural areas, rather than being confined to its refugee camps. Women's socialization within this fabric concerns their specific roles and labour within day-to-day relations of hospitality. These relations are imbued with power, hierarchies, and rivalry, as much as with intimacy, reciprocity, and affection. When women invoke religious discourse to narrate these relations, they emphasize the relational and ethical aspects of their religion, rather than its individualized or identity-based representations.

In what follows, I turn to vignettes from my fieldwork that illustrate how displaced women's everyday sociality simultaneously registers and transcends the differences across gender and religion beyond the formal structures of governance. If legal categories of (religious) minority and Syrian refugee build on the idea of the nation as bounded by naturalized borders, this sociality continuously unsettles such neat presentations and their manifestations.

### ***Ambivalences of Hospitality***

"The more you eat on this table, the more you love us, the more you love *Allah*," Aisha's mother (forty-five) remarks, when I try to politely decline her offer to fill up my plate with home-made pastries for the third time. I had known Aisha (twenty-seven) for over a month by then (June 2016), but this was my first visit to the two-bedroom duplex apartment she lives in with her family—her parents, her two younger sisters, and her husband, who works as a medical doctor in a Syrian health clinic in Antakya.<sup>33</sup> Men are not at home in the afternoons, so Aisha tells me to be comfortable, to act "as in [my] own home," while removing her hijab and long coat

that covers her jeans and T-shirt. I learn that their apartment belongs to an Alawi merchant with whom Aisha's father had close business ties prior to the conflict. "This is nothing like our house in Aleppo, but our landlord is a good man. God bless him," her mother says, and Aisha adds, "At least we don't live in one of these typical Syrian neighbourhoods; we may be the only Syrian family living in this district."

Indeed, the majority of displaced Syrians in Antakya populate low-income neighbourhoods, which are identifiable through Arabic signs on restaurants and shops, as well as by the graffiti on the street walls. Arab citizens of Turkey do not know how to read and write in Arabic. But they speak it well enough to make the city "feel like home" for many Syrians, as some remarked to explain to me why they settled in this part of the country. However, young women who wish to build a new life in Turkey, such as Aisha, see this as yet another challenge. "Everybody here speaks Arabic, so Syrians don't make the effort to learn Turkish," Aisha states, as we move from their fashionably decorated kitchen to the living room for afternoon coffee. "But we have to learn it if we don't want to be a guest or a refugee in this country forever."

Brought together at a kitchen table, the two registers of hospitality—the literal practices of feeding guests and the figurative framing of asylum as permanent guesthood—are central to the social roles and self-image of many displaced women I met in Antakya. They express different ways in which a mother and a daughter aspire to be a host and to belong in a country where they have been simultaneously welcomed and excluded as the state's "guests." Tahir Zaman observes that displaced Muslims who constitute the majority of the world's refugees today "read exile in majority Muslim countries as familiar and as home."<sup>34</sup> These groups reimagine their own migration through an Islamic narrative that builds on the pre-Islamic tradition of tribal hospitality toward strangers. These Islamic conceptions of home and mobility, Zaman further suggests, point to the fluidity of religious kinship beyond citizenship and envision territorial sovereignty as belonging to God rather than to the state.<sup>35</sup>

For Syrian arrivals in Turkey, religious affinity (as well as difference) constitutes an ethical resource that shapes their social relations with locals from diverse ethno-religious affiliations. In offering more food, Aisha's mother invited me—a guest in her home and a host in the country where she resettled—to participate in a neighbourly and divine love, conjoined in an Islamic ethics of giving and receiving beyond the institutional domain of legal. "I am not Muslim for you or for myself," she later explained to me over coffee when I asked her to elaborate more on the relationship between feeding guests and loving God. "I am Muslim for God, and it is my duty as a Muslim to feed my guests properly, no matter who they are." The presentation of hospitality as a divine order unbound by

specific identities erases the hierarchies that are intrinsic to the separation of the host from the guest. Aisha's comment about being a "refugee," by contrast, reminds us how these hierarchies of hospitality have come to define Syrian women's differential status in Turkey. This differential status, as both knew well, is not easy to resolve solely through abstract religious referents and their affective cadence.

Anthropologists have long described how local customs of hosting and visiting others are central to building and maintaining political alliances in Middle Eastern and Mediterranean contexts.<sup>36</sup> Often less discussed is how these customs depend on women's labour and social networks, which are formed in less visible parts of the home space. The materiality of everyday hospitality—involving actual visits to the houses, the display of guestrooms, and verbal and ritualistic expressions of neighbourliness—requires women's often undervalued collaborative work in carefully seasoning, preparing, and serving food to the guests.<sup>37</sup> This work often provides a common moral framework that connects women to each other across religion, kin, or socioeconomic class, while also harbouring hierarchies between them on other grounds. Anne Meneley calls this phenomenon "competitive hospitality" in her ethnography of how Yemeni women manifest their status and wealth in gender-segregated spheres of hosting.<sup>38</sup> In research conducted in pre-war Syria, Christa Salamandra likewise considers Damascene women's customary morning coffee visits and monthly afternoon receptions as gendered sites of competitive display and markers of social distinction.<sup>39</sup>

For Syrian women in Antakya, the coexistence of power and intimacy in home visits transforms ordinary categories of hospitality into shared linguistic tools to convey their experiences of social dislocation. Women particularly use these categories to describe difficulties in reciprocating and being recognized as "hosts" by the locals with whom they now have social relations. In July 2016, while we were preparing for a day-long trip to visit a number of Syrian refugee families residing in Hatay's border villages, an Alawi NGO worker repeatedly advised me to accept their offers of delicacies, even if I did not want to. When I questioned her insistence, she told me that it is common among local visitors to Syrians' houses to refuse such offers—a refusal that my Syrian interlocutors later confirmed they interpreted as denying them host status.

Such denial is particularly offensive to the Syrian women I met. The majority of these women, like Aisha's mother, spend their time at home while their husbands and sons work as occasional labourers in construction and the historic souk with a daily wage of 40 lira, half of what a local worker would make.<sup>40</sup> They receive aid from humanitarian agencies, which is vital but also controversial, since it causes friction with the locals who, according to some Syrian women, are

also poor and thus jealous of the attention Syrians receive. "If the villagers visit us, they watch what we serve them," Naima (thirty-five) noted, "and then they either don't accept it, saying they have just eaten, or comment on how they can't afford this brand of cookie or that kind of tea ... you know, just to make us feel less proud, incompetent, or guilty."

Halima (forty-five) articulated the significance of visitation networks for social belonging when a sympathetic NGO worker told her, "You are here as guests, we do not think of you as refugees," during our visit to her single-bedroom unit in a low-income neighbourhood in Antakya. Simultaneously acknowledging and challenging the hierarchy implicit in this state-induced rhetoric of guesthood, she responded, "I am grateful to those of you who do not make me feel like a 'refugee,' who visit me and invite me to their homes, as neighbours would normally do."

Either as a religiously framed discourse, a metaphorical relationship, or an everyday practice, the vernaculars of hospitality assist displaced women in Antakya to cling—if tenuously—to a life interrupted by displacement. Notwithstanding the accounts of exclusion, hostility, and resentment, women also endure through the affinity they form with other women (both Syrian and local) via these vernaculars and practices. Some of these practices take more deliberate forms outside the home space in other parts of Turkey. For example, the neighbourhood initiative "woman-to-woman refugee kitchen" unites Turkish, Kurdish, and Syrian women around cooking in Istanbul's low-income districts.<sup>41</sup> Others are built around shared religious idioms. For instance, the mawlid—religious ceremonies in which Islamic holy days are celebrated by reading passages from the Koran—are the main home-based activities through which Syrian Muslim women and their local neighbours gather and establish more reciprocal relations with one another. Echoing Aisha's mother's remarks about feeding in the name of God, women consider the food they serve in these instances as an ethical and religious obligation rather than a power-laden display of individual generosity.

Together, these practices present an alternative to the bio-political invocation of hospitality by governments, humanitarian organizations, and international law, as widely debated in migratory contexts.<sup>42</sup> They remind us that hospitality as a "cosmopolitical right"<sup>43</sup> to be granted by nation-states and guaranteed by international law is just as gendered as its material manifestations in ordinary relations. It conjures an undifferentiated, gender-blind figure of the human or the citizen, while at the same time mobilizing visceral and domestic-like bonding with guests.<sup>44</sup> Such portrayals obscure both women's figurative and literal connections to the home space and their often-invisible labour in hosting others, and how this domestic-like bonding is experienced



and expressed differently by men and women as well as by different women. They also raise new questions for feminist scholars of migration to tackle: what are the possibilities for producing a critical politics around displaced women's affective and social investments in hospitality given that these relations are already defined by social hierarchies and an asymmetrical division of labour between the sexes?

Following Jasbir Puar's take on the work of Deleuze and Guattari,<sup>45</sup> I suggest that displaced women's hospitality relations in Antakya be understood not only as arenas of intersecting identities, but also as assemblages of diverse religious discourses, social categories, gendered practices, and reciprocated and unreciprocated relations.<sup>46</sup> These assemblages—like the very category of the “Syrian refugee women”—are emergent, heterogeneous, and ephemeral in the nonetheless ordered social life.<sup>47</sup> They mobilize religion as a shared idiom that implies an ethical force of everyday interaction, as well as a marker of identity. When this social life becomes interrupted by wars, displacement, and multiple instances of legal and illegal border crossing, the individual biographies of these women become even more fragmented. The cross-border journeys of Yasmine (thirty-three) illustrate how this fragmentation produces unpredictable alliances along and beyond distinctively perceived social categories of religion, ethnicity, and gender.

### ***Bordering Encounters***

A self-identified devout Christian, Yasmine is originally from the city of Homs, where she worked as a translator in a tourism office and had met her husband-to-be, Hasim, a Christian mechanic. Shortly after their engagement, the war began and left them in two different neighbourhoods, one under the control of government forces and the other of the opposition. “Between his house and mine, there was one street that neither of us could cross without having the possibility of being killed,” she said. “It was easier for both of us to come to and meet in Turkey than visit each other there.”

Yasmine was the first to leave, and like thousands of Syrian nationals she could legitimately cross into Turkey from Yayladağı using her passport. She stayed near a Christian family in Altinozu, where I first met her, helping them with housework and harvesting crops. She communicated with Hasim over Whatsapp for a year and a half, until Hasim hired a smuggler to help him enter Turkey through Cilvegozu, the second border crossing point between Hatay and Syria and one that was under ISIS control on the Syrian side. They were married in Turkey and had a child there, but because it was easier to cross the border into the regime-controlled areas of Syria than to get an appointment with the Syrian Embassy in Istanbul to register their daughter, they went back to Homs. “We also wanted to see if we could return. The situation was

slightly better around where my family lived, but the living conditions were still harsh. We could not have any connection to Hasim's family, though. Their neighbourhood was completely destroyed.”

A month later, when ISIS was attacking Homs, Yasmine's mother told them to leave Syria for good, since they were constantly being interrogated by the regime's security because Hasim did not have a Syrian stamp on his passport. Yasmine explained, “It looks suspicious in Homs when neighbours see investigators entering your house all the time, as if we did something wrong. In our neighbourhood, many areas have Sunni, Shi'a, Druze, Ismaili, and Makdoushi people, as well as Maronite and Orthodox Christians. People there only think about their security and safety, they do not care about being pro-regime or anti-regime, they just don't want troublemakers in their neighbourhood. So we left again.”

Back in Hatay the young couple kept their distance from other Syrians who populated the district they lived in to avoid being drawn in to the complexity of Syrian politics. “We have no relationship with Syrians here. They think differently than us. We don't want to talk about politics and be involved. But we have many Turkish friends, not only through the church, but from town, Muslims, Christians. We speak the same language and get along well.” Hasim found his current job—repairing cars—through Turkish contacts (that is, Arabophone Turkish citizens) he made in the refugee camp where he stayed upon crossing the border for the second time. Yasmine came a few months later on a flight via Beirut and Istanbul. When I last saw them in the summer of 2016, they were renting the basement unit of the house owned by their church's priest's relative. They were thankful for the donations they received from the church and the support of the local community, but Yasmine wished to disown the “Syrian refugee” label: “When we go to the hospital, for instance, or on the street, they give me a look of repugnance. I do not wear the veil, so at first they think I am Turkish. But then when I speak they know I am Syrian. I see how nicely the nurses treat Turkish people, they open their office doors with smiles. If a Syrian knocked at their doors they do not smile ... In Syria we hosted the Lebanese refugees and Iraqis, we never frowned at them. Here, they treat us badly as Syrians instead of welcoming us.”

Yasmine nostalgically defines pre-war Syria as shaped by a local conviviality between diverse religious communities and as welcoming of other displaced populations of the Middle East. This account resonates with anthropologist Dawn Chatty's analysis of Syria as “a refuge state.”<sup>48</sup> Chatty claims that established traditions of religious cohabitation in the Middle East and forced migrations of minoritized communities into Syria (e.g., Armenians, Circassians, Palestinians) since the nineteenth century explains why so many Syrians escaping the conflict today have settled in the neighbouring

countries of Jordan, Turkey, and Lebanon without registering with the UNAs “refugees.” Seeking “survival in dignity”<sup>49</sup> rather than legal asylum, displaced Syrians have relied on kin or other networks, coming and going across borders on the basis of the intensity of the conflict back home. Indeed, like Yasmine and Hasim, many Syrians I met in Hatay crossed the border multiple times in both directions and contemplated a potential return. Even after Turkey closed the border in 2015 and tightened its border security, there were occasions to go back. Some Syrians who crossed the border on foot into Syria from Hatay with the permission of the Turkish authorities for the 2017 Muslim Eid celebrations did not return.<sup>50</sup>

Scholarly and popular references to Middle Eastern cosmopolitanism, however, tend to obscure how colonial, global, and regional power dynamics have historically shaped intercommunal interdependence and sectarian divides in the region, leading to the dispossession of its diverse populations.<sup>51</sup> These dynamics inform the bureaucratic challenges and social exclusion that Yasmine identified after her national position shifted from host to guest. These resentments nevertheless coexist with small acts of care, cultural intimacy, economic support, and neighbourliness outside of institutional frameworks. Religion, in this context, is more than an affiliation whose identification is based on the presence or absence of its visible gendered markers, such as “the veil.” It also works as an ethical and affective resource to endure displacement and its aftereffects. “I now leave everything to God,” Yasmine said, by way of concluding our three-hour-long interview.

My husband and I have good intentions towards people, even though God has made it hard for us. He is testing us now to see whether we will keep following him or we will leave him. No, we will follow him ... In the midst of all the stress of having to leave our home in Damascus and to start a new life with nothing, I got pregnant, and my pregnancy test showed that my daughter might be born with a disability. I lived nine months through stress, but I knew that God wants me strong, so that my child will have strength and not weakness. So I gave birth to her, and she was the most beautiful of God's creation, a miracle, and our future. I know that God never leaves me, I always follow God.

Yasmine gave meaning to both her displacement and her motherhood through this account of a testing God, assured faith, and the reward of a “miraculous” birth. Her gendered body lay at the heart of Yasmine's piety and its narration, connecting the ordinary to the divine and the personal to the social, and ensuring the future of her family and kin. A mother, a wife, a Christian, a Syrian, an Arab, a guest, and a host, Yasmine simultaneously inhabited difference and transcended it in everyday sociality. As communal and national

borders interrupt the order of her life, this sociality reassembles her gender roles, religious identity, and acts/narratives of piety in often unpredictable ways.

### *From Intersections to Assemblages*

Just as there is no universal experience of displacement, there is also no universal “women's experience” of resilience and resistance in the face of discriminatory practices and victimizing narratives surrounding their lives in the camps, detention centres, and urban settings. An intersectional feminist approach provides the tools to identify the global power structures and local vernaculars of ethnicity, language, religion, and socioeconomic status informing the contingencies of being a refugee woman. The interdependency of the systems of oppression, however, does not mean that these social categories are equivalent or commensurable. As Joan Wallach Scott notes, racial difference often “works to establish the outsider status of those others who aren't part of the presumed homogeneity of the national body.”<sup>52</sup> Sexual difference, by contrast, cannot be excluded from—and rather is vital to—the reproduction of that body. This conceptualization elevates the nation's women as sexual others above racial outsiders, as evident in the racial, sexualized, and religious framings of the “Syrian refugee” as an object of compassion or suspicion in the West.

Research that shifts focus from institutional governance to the everyday life of asylum complicates these exclusionary ideas of belonging and formalized hierarchies of suffering that are legally and semantically etched on to the “refugee” category.<sup>53</sup> The stories and lived experiences of Syrian women in Hatay reveals that these social categorizations, although influential, may not correspond to the realities of displaced women in practice. Not only do these women float across or disown the labels of refugee, asylum seeker, minority, or citizen; they often rely on other aspects of their lives, religious practices, and social relations to survive. They navigate spectrums of power in the house, on the street, among themselves, and vis-à-vis other men and women, rather than solely in their bureaucratic encounters with international humanitarian agencies or nation-states. Like Yasmine and Aisha, they sometimes align more with Turkish citizens of their own religious and linguistic communities or socioeconomic class than with other displaced Syrians or state and civil society actors.

Even subnational identity categories prove to be unstable and indeterminate in the social context of these alignments. Displaced Syrian and local Antakyan women become each other's kin, neighbour, friend, or enemy in gendered domains of everyday hospitality. These contingent (and expectedly reciprocal) positions evade being fixated on a particular ethno-religious identity, territorial belonging, or legal status. Women's everyday labour in less visible parts of the house is

essential to establish and maintain these hospitality relations. When states or humanitarian agencies invoke the language of hospitality to frame their relations to displaced populations, they interrupt this reciprocal logic of relatedness, as implied in Aisha's references to her official guest status, Naima's and Halima's resentful accounts of hosting others, and Yasmine's memories of pre-war Syria and her cross-border journeys and bordering encounters. To make sense of these invocations, women turn once again to everyday life in which religion, gender, and ethnicity emerge, merge, and give meaning to each other in dynamic ways, rather than intersecting as pre-established identities. Perhaps we should look more to this life and the forms of assemblages it entails to present more nuanced understandings of displaced women's agency against the de-historicized representations of victimized refugee women.

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# Tracing the Coloniality of Queer and Trans Migrations: Resituating Heterocisnormative Violence in the Global South and Encounters with Migrant Visa Ineligibility to Canada

Edwar d Ou Jin Lee

## Abstract

*Most of the scholarship on queer and trans migrants focuses on the refugee experience post-migration to Canada. In contrast, this article draws from a doctoral study that included participant interviews and policy/media textual analysis to map out the historical, geopolitical, social, and economic dimensions that shape homophobic and transphobic violence across the globe, as well as queer and trans migrations from the Global South to Canada. These realities are analyzed through the lens of coloniality and on the scale of empire to historicize how queer and trans migrant lives are shaped by forgotten histories of colonial violence. This study suggests that the hyper-visibility of Canada's "generous" treatment of queer and trans refugees obscures how its border regime blocks people from the Global South from entry.*

## Résumé

*La plupart des travaux de recherche sur les migrants queer et trans ciblent leurs expériences postmigratoires. Cet article fait en revanche suite à une étude doctorale qui comprend des entretiens avec les participants et une analyse de textes au contenu politique ou médiatique pour rendre*

*les dimensions historiques, géopolitiques, sociales et économiques qui façonnent dans le monde non seulement la violence homophobe et transphobe, mais aussi les migrations de personnes queers et trans des pays du Sud vers le Canada. Ces réalités sont analysées sous le prisme de la colonialité et à l'échelle de l'empire, afin d'historiciser la manière dont les vies des migrants queer et trans sont façonnées par des histoires oubliées de violence coloniale. Cette étude laisse penser que l'hypervisibilité du traitement «généreux» du Canada vis-à-vis des réfugiés queer et trans occulte la manière dont le régime frontalier empêche les personnes provenant des pays du Sud d'entrer dans ce pays.*

## Introduction

Canada has recently asserted itself as a global LGBTI human rights leader, especially in its welcoming of LGBTIQ refugees.<sup>1</sup> Indeed, some of the scholarship and media accounts of LGBTI rights hail Canada as a "safe haven" for LGBTIQ refugees, while highlighting the pre-migration experiences of homophobia and/or transphobia (in countries of origin) as the primary, and sometimes only, driver for why LGBTI people from the Global South flee to Canada.<sup>2</sup> However, a growing body of scholarship critiques

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the Canadian refugee apparatus and highlights the structural and intersectional barriers faced by queer and trans<sup>3</sup> migrants within and outside of the refugee determination system.<sup>4</sup> These scholars also interrogate the ways in which homonational and settler colonial discourses and practices interweave through immigration and refugee processes.<sup>5</sup>

However, most of the Canadian scholarship focuses on an analysis of the LGBTQ refugee experience after migration to Canada, and especially the refugee determination system. As a result, few scholars provide an in-depth portrait of the historical, geopolitical, social, and economic conditions that shape the realities of queer and trans people living in the Global South prior to their arrival. This article thus aims to map out these complex dimensions that shape contemporary forms of homophobic and transphobic violence across the globe, as well as queer and trans migrations from the Global South to Canada.

In order to do so, I draw from my doctoral study in which I conducted participant interviews and analyzed policy and media texts in order to trace how the realities of queer and trans migrants were socially organized by the Canadian immigration/colonization regime.<sup>6</sup> Paying attention to social organization, as Roxana Ng suggests, allows for links to be made from “local experiences to broader social and global processes, which are not always immediately apparent at the local level.”<sup>7</sup> Although my study includes post-migration experiences, I have chosen to focus this article on my study participants’ pre-migration experiences and contexts. More specifically, I examine the realities of queer and trans people living in the Global South by resituating their experiences of homophobia and transphobia in their countries of origin and then tracing their attempts to migrate to white/Western nation-states, including Canada.

The term *white/Western*, as conceptualized by Gada Mahrouse,<sup>8</sup> highlights the complex relationship between race (whiteness), nation (Canadian), and geopolitical centre (Western). *White* signifies Canada’s historical formation as a white settler society and its contemporary implications, while *Western* signifies its place of global power alongside the European Union and the United States. This framework binds the Canadian immigration/colonization regime to global power relations, which are often dictated by Western actors. This article explores how participants from my study were refused entry into multiple white/Western nation-states on the basis of visa eligibility requirements. These “encounters with ineligibility” reveal the ways in which white/Western border regimes block entry of queer and trans people from the Global South and put into question the degree to which countries, such as Canada, can truly be “generous” towards migrants in general and LGBTQ refugees in particular. As part of a constellation of border regimes, “Canada’s

colonial project goes beyond its geo-political borders as a nation ... how different non-white bodies are placed within and/or arrive at the borders of the contemporary Canadian nation-state is a complex story of placemaking or the denial thereof, of arrival and becoming or of constantly being made to exist out-of-place.”<sup>9</sup>

These processes of racialization and colonization are simultaneously gendered, classed, able-ized,<sup>10</sup> and sexualized, resulting in an uneven and hierarchical distribution of life chances and exposure to death.<sup>11</sup> I also draw from queer and trans diasporic critique to highlight how complex notions of home and nation are imbued by cisnormativity and heteronormativity.<sup>12</sup> An analysis of cisnormativity reveals the ways in which social institutions and practices presume that everyone is “cis”—whereby one’s gender identity and physical sex are entirely aligned, thus erasing trans realities and rigidly enforcing the gender binary.<sup>13</sup> Whereas heteronormativity can be defined as the presumption that everyone is heterosexual through dominant institutions and practices that reproduce heterosexuality and naturalize monogamous marriage between a cis man and cis woman.<sup>14</sup> I also use the term *heterocisnormativity* to highlight when cisnormativity and heteronormativity overlap.

Since the participants from my study span across Asia, Africa, and Latin America, I use an analytic that not only attends to geographically situated specificities, but also power relations on a global scale. Thus, *coloniality*, as coined by Anibal Quijano, provides a framework to map out a global matrix of power.<sup>15</sup> The coloniality of power is obscured by the prevailing narratives of modernity: progress, civilization, development, and market democracy.<sup>16</sup> Modernity’s form of global governance—the nation-state—emerged from the ashes of the many colonial projects driven by Europe, its desires for empire-building and, as Sylvia Wynter argues, “its construction of the ‘world civilization’ on the one hand, and, on the other, African enslavement, Latin American conquest, and Asian subjugation.”<sup>17</sup> As such, the “residual intimacies” of conquest, slavery, and indentured labour persist and deepen into the present.<sup>18</sup>

A central feature of coloniality is how modernity has defined the “civilized” human subject as white people/whiteness in relation to the non-human black people/blackness.<sup>19</sup> Anti-black logics that underpin white/Western empires persist in classifying people on a hierarchical scale of humanness, since, as Rinaldo Walcott suggests, “the Black body is not the most abject body in a competition of abjection and oppression, but the Black body is a template of how the abjection by which the Human was produced.”<sup>20</sup> Moreover, an analytical focus at the scale of empire makes legible what Jodi Byrd describes as the “cacophonies of colonialism”—interlacing colonial and imperial logics across geographies.<sup>21</sup>

This article seeks to historicize contemporary queer and trans migrations from the Global South to Canada to take into account the “fractured continuities” of “geographies and histories of empire, global capitalism, slavery, coerced labour, forced transportation, and exile [that] have materially shaped queerness, migration and queer migration, both past and present, including through the effects of haunting.”<sup>22</sup> This historicization situates contemporary forms of queer and trans migrations within histories of white/Western empire building to map out hierarchies within and across groups and locations while also contending with human classifications that were informed by colonial and imperial logics.

### ***Forgetting Colonial Histories of Cisnormative and Heteronormative Violence***

In this section I consider how the forgetting of colonial histories of social violence imbued by heterocisnormative processes indelibly shapes how queer and trans migrations from the Global South to Canada and other white/Western nation-states are articulated. Which acts of social violence are remembered and erased intimately shapes what and how we know what we know about contemporary forms of social violence and forced migrations. According to Lisa Lowe, there has been a lack of knowledge produced about the ties between “the slave trade and the extermination of native peoples that founded the conditions of possibility for indentureship; that stretches forward into the ubiquitous migrations of contemporary global capitalism.”<sup>23</sup>

This forgetting of colonial and imperial violence and can be traced back to the nineteenth-century emergence of the Western European liberal philosophy of modern humanism.<sup>24</sup> The liberal philosophy of modern humanism espoused a universal vision for economic freedom, political independence, and personhood through state citizenship, wage labour, the exchange market, and participation in a civil and secular society. However, a global racialized division of labour reveal that “colonial labor relations on the plantations in the Americas were the conditions of possibility for European philosophy to think the universality of human freedom, however much freedom for colonized peoples was precisely foreclosed within that philosophy.”<sup>25</sup> This liberal philosophy that affirmed “universal” property rights and personhood was invested in white settlement in the colonies, land appropriation from Indigenous people in the Americas, slave trade of black Africans, and indentured Asian migrant labour, as well as the genocide of Indigenous peoples across Asia, Africa, and the Americas.<sup>26</sup>

Moreover, to achieve conquest over Africa, Asia, and the Americas between the nineteenth and twenty-first centuries,<sup>27</sup> colonial powers were consumed by concern over what was called “carnal knowledge” in the colonies.<sup>28</sup> Not

only about sexual acts, “carnal knowledge” signified broader colonial desires to reorganize sexual relations in the colonies, since “the colonial management of sexuality, affect, marriage and family among the colonized formed a central part of the microphysics of colonial rule.”<sup>29</sup> The colonial regulation of sexual relations included the realms of bodily contact and tactile relations (sexual or otherwise), along with sites for education, morality, health (hygiene), and family,<sup>30</sup> socially reorganizing colonized societies through laws related to concubinage, marriage, and prostitution.<sup>31</sup> These “intimacies of empire” were crucial to consolidate colonial power, as the “management of those domains provides a strong pulse on how relations of empire are exercised, and that affairs of the intimate are strategic for empire-driven states.”<sup>32</sup>

The intimacies of empire organized sexual relations not only in the colonies but also in the metropolises.<sup>33</sup> The circulation of colonial discourses and practices related to sexuality and gender in the colonies were intimately tied to the emerging bourgeois class and intimacies in the metropole.<sup>34</sup> The desire for respectable bourgeois intimacies<sup>35</sup> within the British Empire, for example, was reproduced through heterocisnormative processes tied to the nuclear family.<sup>36</sup> The normative power of respectable middle-class domesticity was reinforced by eugenic discourses that “scientifically” labelled certain bodies as degenerate.

Applying “scientific knowledge,” medical professionals classified phenotypical differences between white and racialized bodies, to mark racialized bodies as inferior.<sup>37</sup> This marking of racialized bodies was simultaneously gendered, as racial difference was located differently between racialized cis men versus cis women.<sup>38</sup> Along with producing racialized and gendered hierarchies, the classification scheme included a rigid two-sex system—male and female—with any variation deemed outside “normal” human biology.<sup>39</sup> Also same-gender sexuality transitioned from being labelled as perverse sexual acts (sodomy) into a pathological condition inherent in individuals—homosexuality.<sup>40</sup> These eugenic discourses were racialized, gendered, sexualized, able-ized, and classed, both marking deviancy and highlighting the boundaries of what was considered “normal” and “respectable.” These eugenic discourses were also informed by imperial and colonial exploits, as “an intricate dialectic emerged—between the domestication of the colonies and the racializing of the metropolis.”<sup>41</sup>

This intricate dialectic between the colonies and the metropolis was reinforced through discourses of degeneracy, which considered sodomy/buggery as perverse acts and the eunuch/hermaphrodite as deviant, circulating globally through the imperial and colonial ventures of white/Western men in Asia, Africa, and the Americas.<sup>42</sup> Colonial rulers identified same-gender sexual activity and gender



transgressions as deviant, thereby justifying its surveillance, policing, and criminalization.<sup>43</sup> The heterocisnormative intimacies of empire reproduced an intricate dialectic that regulated and transformed sexual and gender relations between white bourgeois subjects and colonized peoples on a global scale. Thus the regulation of heterocispatriarchy through the creation of white respectability versus racialized degeneracy was integral to colonial and imperial exploits not only globally, but also in the making of a white settler society in Canada. The erasure of these heterocisnormative processes as central to colonial and imperial exploits and imbricated into the principles of white supremacy and patriarchy intimately shape contemporary discourses on queer and trans migrations. These discourses often reproduce a liberationist narrative<sup>44</sup> in which queer and trans people migrate from the “backward” and “uncivilized” Global South to total freedom in “modern” and “civilized” white/Western nation-states, such as Canada.

### ***Political, Material, and Transnational Dimensions of Homophobic and Transphobic Violence***

In this section I unpack the historical, political, and transnational dimensions that shape the homophobic and transphobic violence experienced by two participants from my study. My study included thirteen queer and trans migrants from the Global South, ranging from Central and North Africa, to Southeast and Western Asia, Central America, Mexico, and the Caribbean. The interviews were conducted after participants had migrated to Canada, from 2009 to 2014. Everyone interviewed described experiences of homophobia and/or transphobia prior to migrating to Canada. These acts of oppression were perpetrated by family and community members as well as state agents. Interpersonal and state-sanctioned homophobic and/or transphobic violence were an integral part of everyday life. However, the intensity and scope of homophobic and transphobic violence differed between individuals and across regions, countries, communities, and families. Participants often described how they were abandoned and sometimes persecuted by family and friends while also experiencing police surveillance, torture, and imprisonment for transgressing gender norms and/or getting “caught” in engaging in same-gender sexual activity.

The following section provides an in-depth examination of the experiences of Jean Michel and Lana. I pay particular attention to the geographic and political specificities of Jean Michel’s and Lana’s experiences of interpersonal and state-based heterocisnormative violence. Although both individuals are from different regions of Africa (Cameroon) and the Caribbean (Jamaica), the ways in which heterocisnormative violence operates in their lives signal geopolitical complexities and forgotten histories of colonial violence.

### ***Jean Michel, Cameroon, and French Colonial Legacies***

From Cameroon, Jean Michel is a young gay man who is primarily French speaking, interested in sports, and university educated. A major event in his life in Cameroon was when he was incarcerated for being identified as a homosexual. At a certain point, Jean Michel’s imprisonment was in the media, increasing his public recognition as a gay person. “I was persecuted in my city ... after having left prison, all of my family abandoned me. I was persecuted by my friends, my family, my community, by everyone. I was at risk to being returned to prison for homosexuality, if I remained in my country.”<sup>45</sup>

This heteronormative violence was shaped by a broader historical and political context. The legal text that sanctioned Jean Michel’s imprisonment was article 347 of the Cameroon penal code, which states that anyone who engages in “sexual relations” with someone of the same sex will face imprisonment from six months to five years, along with a fine of between 20,000 to 200,000 francs.<sup>46</sup> The criminalization of same-gender sexual relations can be traced back to anti-sodomy laws imposed by French colonial rule in early 20<sup>th</sup> century Cameroon as part of a broader colonial juridical apparatus meant to ensure control over indigenous populations.<sup>47</sup> The latest iteration of criminal laws against same-sex sexuality was established in 1972, a little over a decade after Cameroon had gained independence from French colonial rule.<sup>48</sup>

Although the international media situated the context of the imprisonment and persecution of individuals such as Jean Michel in Cameroon as yet another example of a “homophobic Africa,” Patrick Awondo suggests unpacking the political and material conditions of homophobia in Cameroon.<sup>49</sup> During a period of mass unemployment experienced by the majority of the Cameroon population, privately owned media outlets, along with religious and student leaders identified homosexuality as a Western and colonial import that had infiltrated the corrupt political elite.<sup>50</sup> Some media outlets recycled the criticism that the outgoing colonial administration, at the precise birth of an independent Cameroon post-colonial nation-state in 1960, had instrumentalized “homosexuality” as a pathway for political advancement of the handpicked elite, making “colonial homosexuality” a “symbol of the fawning compromise between the current political elite ... and France, the former colonial power.”<sup>51</sup>

Some newer media outlets, competing against their more well-established counterparts, were the first to post the names and photos of some of the political elite who were thought to be homosexual. This accusation was buttressed by religious leaders (mostly Catholic) and student groups, and led to a charged political environment in which the government responded by targeting of mostly poor/working-class men who were imprisoned for engaging in same-sex sexual acts

and whose names and photos were first posted in a couple of privately owned media outlets and then elsewhere.<sup>52</sup> The instrumentalization of homosexuality, as Western depravity practised by some political leaders, served to reassert moral and political power for student and religious leaders in the face of state suppression.<sup>53</sup>

However, Awondo insists that another set of actors within media, legal, and health spheres also contests this framing of “colonial homosexuality” within the political elite as a primary cause of mass poverty. Some media outlets questioned the journalistic integrity of the newer newspapers who had published material that were deemed violations of privacy.<sup>54</sup> Also obscured is an emerging, yet complicated LGBTI human rights movement in Cameroon. One organization garnered the political and financial support of most white/Western NGOs for their focus on sexual health and leadership of educated men who identify as gay/homosexual, in contrast with another organization that engaged with a “universal human rights” approach that did not directly confront state powers but focused more on respecting individual privacy.<sup>55</sup> Jean Michel himself spoke of key individuals in Cameroon who had assisted him when he was being incarcerated and in his migration trajectory to Canada.

### *Lana, Jamaica, and English Colonial Legacies*

Lana identifies as gay and male, but uses “she” pronouns. Although she does not use the term *trans*, her reflections about her sexual and gender identity reveal the ways in which she lives in the world as a gender non-conforming person. Since childhood, Lana experienced daily experiences of hetero-cisnormative violence for being gender non-conforming: “All my life, my community, persons, they identify me before I even knew who I was, that I was gay. I knew I was something different. But I didn’t know what it was called ... and in the process of searching for me, I was identified by my community in a very derogatory way, as in being bashed all the time, calling ‘faggot,’ ‘battyman,’ ‘gay’ ... as a young child, I was terrified, I was petrified.”

Lana also had allies, key friends, or family members who helped her to stay safe or flee. “My two sisters ... they knew that I’m gay and they were supportive, so they tried to hide my stuff and keep most of my stuff. But I have to be in isolation with my friend [name] from December until I leave the island in April. It was very hard ... it was bondage. It’s not easy when you have to hide under the covers at night, in a car.”

Although Lana did not experience incarceration based on her sexual orientation and/or gender identity, she does refer to being homosexual in Jamaica as illegal. The legal text making same-gender sexual relations illegal can be traced back to the imposition of the 1864 Offences against the Person Act by the British colonial government, which prohibited “acts

of gross indecency” (sexual acts) between men, and “buggery” (sodomy) in general.<sup>56</sup>

As Jamaica became its own nation-state in 1962, the Indigenous elite preserved a large range of pre-existing laws, including making “gross indecency” and “buggery” criminal to prove their competency in post-colonial governance.<sup>57</sup> Similar to other post-colonial Caribbean nation-building projects, a heterosexual and patriarchal social order was reinforced by the governing elite in Jamaica through promoting a moral code that identified non-procreative sex, such as gay or lesbian sex, as foreign to the nation’s cultural norms.<sup>58</sup> As these laws from the colonial era expanded to include same-gender sexual relations between women, white/Western-driven structural adjustment programs refashioned definitions of masculinity and femininity through the privatization of women’s labour (i.e., funding cuts to health, social services, and education).

At the same time, Blake and Dayle suggest that some queer and trans people in Jamaica have actively resisted this particular framing and criminalization of same-gender sexual relations for over five decades. The formation of gay and lesbian identity in Jamaica emerged in the 1970s, taking up “gay liberation” discourses that had emerged out of the United States in the 1960s.<sup>59</sup> Blake and Dayle describe three time periods, or waves, of sexual minority-based activisms, which included consciousness-raising activities, pushing for constitutional protection, and decriminalization. During the latest wave of activism by local activists, international law and human rights convention frameworks have been mobilized, to place international reputational and economic pressure on the Jamaican government. However, there has also been a shift in transnational activism related to LGBTI human rights, with tensions arising between the objectives and strategies of white/Western actors within the international human rights movement and local Jamaican LGBTQ activists.<sup>60</sup>

This tension surfaced in my interview with Lana, who referenced the effects of a threatened Jamaican tourism boycott that was initiated by a Canadian-based coalition that demanded that the Jamaican government address its violation of LGBTQ rights. “I remember when there was a boycott from Canada from the gay community here, and trust me, that reaped up a storm in Jamaica, because people were going around and attacking gay people more than ever. We were being attacked more than ever because of what was published in the paper and on the radio station there, and they’re like ‘these things can’t happen here’ ... so people were attacking. I can remember that.”

Although Lana doesn’t explicitly reference who from the “gay community” in Canada initiated the boycott, the period in which Lana referenced this experience was precisely when a public campaign was launched by the coalition Stop

Murder Music Canada (SMMQ).<sup>61</sup> The coalition called upon leaders of the Canadian music industry to stop selling and broadcasting homophobic dancehall artists.<sup>62</sup> In addition to applying public pressure to key actors within the Canadian music industry, the SMMC lobbied the federal minister of immigration to refuse entry to anti-gay reggae artists on the grounds that some of their lyrics violated Canadian criminal and human rights laws.<sup>63</sup> In 2008 the SMMC launched a public campaign that threatened to call for a Jamaican tourism boycott if the Jamaican government did not denounce homophobic violence, repeal the criminalization of homosexuality, include sexual orientation into the Jamaican Charter of Rights, and develop educational campaigns.<sup>64</sup> The call for a Jamaican tourism boycott sparked debate.<sup>65</sup>

Lana refers to the time “when there was a boycott from Canada from the gay community” and then how the boycott “reaped up a storm in Jamaica.” However, upon receiving an official response from the Jamaican government, the SMMC ultimately decided not to proceed with the tourism boycott.<sup>66</sup> Lana articulates the impact of a *proposed* tourism boycott, rather than a fully realized one. Lana links this proposed tourism boycott to an increase in attacks on her and other LGBTI Jamaicans “because of what was published in the paper and on the radio station.” Lana’s reflections gesture to the transnational trajectory of public text-mediated discourses initiated by the SMMC coalition in Canada. The call for a boycott of Jamaican tourism by the SMMC coalition was then mediated by Canadian news media, in particular LGBTQ media, which were, in turn, rearticulated by Jamaican news media.

A more thorough investigation into the social organization of the SMMC coalition call for boycott and its impact on the everyday lives of LGBTI Jamaicans is outside the scope of this study. However, the linkages described by Lana connect the SMMC coalition’s boycott call with an increase in attacks against LGBTI Jamaicans and reveals the power of certain public text-mediated discourses. In this case, the material effects occurred from activities and texts initiated by the SMMC coalition, which were then dispersed into a transnational public sphere through media outlets in Canada and Jamaica. These public text-mediated discourses, rearticulated by Canadian and Jamaican news media, then circulated through Canadian and Jamaican politico-administrative regimes and private enterprises (i.e., music companies), as can be evidenced by the cancellation of concert venues and removal of songs from iTunes, and the direct response to the SMMC coalition by the Jamaican government.

The strategies and impact of the SMMC coalition’s call for a boycott echoes an earlier, similar campaign run by Outrage! in the United Kingdom in 2003. In their criticism of the Stop Murder Music (SMM) campaign by Outrage!, Blake and Dayle suggest that exclusion of local Jamaican LGBTI

activists from this initiative resulted in a “resurgence of ethno-nationalistic sentiment and a hardening of views on homosexuality following the campaign. Many felt that SMMC bore the disquieting undertones of a civilizing mission—a bid to reform the barbarous bloodthirsty culture.”<sup>67</sup> The SMMC coalition in Canada thus reproduced these dynamics, resulting in an increase in violence against LGBTI individuals like Lana.

### *Intergenerational Colonial Legacies*

The criminalization of sexual and gender transgression in both Jean Michel’s and Lana’s regions—Cameroon and Jamaica—can be traced back to nineteenth- and twentieth-century British and French empire building.<sup>68</sup> Colonial laws that criminalized sexual and gender transgressions (i.e., sodomy, “eunuchs,” vagrancy, etc.) operated as a key tool of white/Western empire building to contain and control the colonized. As one tool of many, these laws should be situated within the broader colonial management of racialized, gendered, and sexualized relations. Although colonial rulers claimed their aim was humanitarian, to improve the lives of the colonized, “in practice, however, imperialist interventions in sexuality could also enforce local patriarchies, stigmatize alternative sexualities, and serve as instruments of imperial control over colonized peoples.”<sup>69</sup> The policing, surveillance, and erasure of Indigenous sexualities and genders, as interpreted by colonial powers, served as key mechanisms through which many Indigenous societies were reorganized.<sup>70</sup> The boundaries of heterocisnormative intimacies demarcated which sexualized and gendered behaviours and colonized bodies would be consigned to life or death. This consolidated the colonial relation of the civilized (heterosexual/cissexual) white/Western subject versus the uncivilized perverse Other.

The factors that compel queer and trans people from the Global South to migrate thus cannot be contained to “acts of homophobia/transphobia,” since “African homophobia does not exist, nor does European homophobia, Asian homophobia or South American homophobia ... we must understand homophobic acts within their specific local histories as these intersect with broader global histories.”<sup>71</sup> Such historicization renders visible histories of colonial violence and challenges the current framing of the global LGBTI human rights agenda.

Indeed, all participants in my study referred to their parents and/or grandparents, most of whom lived in Asia or Africa during the period of anti-colonial struggle that forced British and French colonial rulers to withdraw, after establishing “post-colonial” nation-states.<sup>72</sup> This was also the precise period when previous anti-sodomy and vagrancy laws once imposed on an “immoral” colonized people were reconfigured into a political tool for the emerging political

elite to identify these colonial laws as integral to the cultural values of the newly established nation-state.<sup>73</sup> Some scholars suggest that this key shift was partly an anti-colonial reaction against colonial rulers who framed sexual and gender transgressions as inferior cultural practices of the perverse colonial subjects.<sup>74</sup>

With this shift, the extended history of the colonial management of sexual relations was erased, along with the colonial violence required to impose the heterocisnormative intimacies of empire. On the basis of one interview, it is difficult to trace the intergenerational effects of this period on the present-day lives of participants. However, this intergenerational history exists and informed how their parents transmitted notions of sexuality and gender.

It is thus the colonial making of these nation-states with mostly white/Western-backed authoritarian regimes that not only reinforced the patriarchal heterosexual/cissexual citizen<sup>75</sup> but also shaped subsequent mass refugee movements, as the displacements from anti-colonial struggles during the 1960s were also caused by the global proliferation of capitalism and imperialism.<sup>76</sup> There were also neo-colonial continuities in the ways in which mostly white/Western economic interests continued to guide the political decisions of emerging militarized dictatorships across the Global South.<sup>77</sup> Nearly all of the participants were born in the 1980s and 1990s, during the era of imposed structural adjustment programs by the International Monetary Fund and World Bank.<sup>78</sup> These economic measures were imposed by mostly white/Western-backed authoritarian regimes and entrenched pre-existing global economic inequalities, resulting in the devaluation of local currency, decline in the level of social services, and greater privatization of women's unpaid labour.<sup>79</sup>

These white/Western-driven capitalist processes of recolonization included the making of loyal heterosexual/cissexual citizens, in relation to perverse Others.<sup>80</sup> Central to the post-independence nation-building project was the maintenance of a heterosexual, cissexual, and patriarchal social order, through discourses of "family values," the promotion of heterosexual monogamous marriage, and continued criminalization of sexual and gender transgressions.<sup>81</sup> The prevailing social order was also accomplished partly through the policing of cis women's sexualities and genders, as the criminalization of sexual and gender transgressions expanded to include same-gender sexual activity between two women.<sup>82</sup> The emerging global neo-liberal economic order was thus reinforced through the policing of women's sexualities and strengthened criminalization of sexual and gender transgressions.

This global economic context becomes the "structural base" for the everyday violence against queer and trans

people "as a political weapon in the hands of disenfranchised groups that are themselves victims of the structural violence in an unequal economic system."<sup>83</sup> The Rwandan genocide that Sammy fled was shaped not only by the colonial legacy of inter-ethnic hierarchies established by Belgian colonizers prior to their departure, but also economic collapse, as "the macro-economic reforms imposed by international creditors ... played a crucial role in fostering the collapse of state institutions and creating a situation of social and political divisiveness."<sup>84</sup> Sammy explains that the motivation to flee Rwanda was shaped by his economic status (as poor) and fear of homophobic violence interlinked with the emerging genocide. Ultimately, each participant from my study was differently situated within global colonial legacies, which shaped their present-day realities. It is these complex and multi-layered realities that compelled them to migrate to white/Western nation-states.

### *Encounters with Visa Ineligibility*

In this section I examine the ways in which queer and trans people from the Global South encounter visa eligibility requirements to gain entry into white/Western nation-states. I have explored how queer and trans migrants obtained temporary visa/permits to enter Canada.<sup>85</sup> However, my aim here is to highlight the circumstances under which participants were *not* able to obtain visas/permits. More specifically, I examine the text-based processes that organized the migration attempts to Europe and Canada of four study participants: Sammy (Rwanda), Sarah (Algeria), Sayad (Azerbaijan) and Lana (Jamaica).

When Sayad and his partner's circumstances, as a gay couple, rapidly shifted in response to the homophobic threats they faced from his partner's parents, they began to desperately search for a way to leave Azerbaijan. Although Sayad had already previously lived in the United States as an international student, this past migration experience did not help him find a way to leave Azerbaijan. Sayad's encounter with ineligibility was tied to visitor visa requirements:

We were considering ... [going] to Norway and claim refugee status there ... it wasn't working out at all ... I tried international organization for migration, I tried UNHCR, I tried various other organizations that are stationed both in our home country and overseas and I didn't receive any response or any kind of assistance ... the only way for us to ... apply for refugee status in Norway is to actually be physically in Norway. So you can't do it outside of Norway ... we couldn't get a visa to Norway unless we have an invitation from someone ... they don't provide tourist visas without invitation.

In Sayad's case, entry into Norway required an invitation from someone from Norway. Similarly, Sarah, as a trans

woman living in Algeria, describes attempting to contact multiple LGBT organizations in Europe and Canada, only to be told that they could help her only if she were able to first enter the country.

There was an association, one person who worked in an association ... [in] Spain. So he told me, “OK look, this is what we will do. I will send you an invitation. As if you are invited to participate in a conference here in Spain for people,” they told me, for LGBT[people] ... so I received the invitation, everything was good ... you know that Algeria with Western countries, to be able to get a visa, it was really difficult. You can't get a visa. It's really closed ... so I submitted my [visa] request. They told me that I have to wait twenty days or one month. So, I received a negative decision.<sup>86</sup>

For both Sarah and Sayad, the “letter of invitation” emerged as a central text related to the eligibility requirements to migrate to a European country. Becoming eligible for a visitor visa not only depended on their own ability to fulfill eligibility criteria (i.e., income level), but acceptance also hinged upon the recommendation of a white/Western citizen or organization. Even with the invitation letter from a conference organizer in Spain, Sarah received a negative decision on her visitor visa application, resulting in her trying to obtain a visa elsewhere. For Sammy, the desire to migrate to Europe and/or Canada/United States was not an encounter with ineligibility, but rather, a long-term relationship with ineligibility. As a teenager, Sammy wanted to migrate to Europe as an international student, recognizing its value (i.e., increased employment opportunities when returning to Rwanda): “It was very difficult to be able to register for any university. It was difficult to be able to pay for these studies. It was difficult to locate funding ... from international organizations that could cover the costs for these studies ... it was really complicated to receive a bursary from these organizations. And it was very difficult for the Rwandan government be able to, at the very least, pay for these studies.”<sup>87</sup>

For both Sammy and Sarah, the financial requirements proved to be a significant hurdle to obtaining a visitor visa and/or study permit. Sammy describes how being from southern Rwanda made it more difficult to receive government financial support to study abroad, as northern Rwandans were favoured by the government, at that time. Sammy's long-term relationship to ineligibility was thus organized by his location within Rwandan politics.

These participants' navigation through Canadian and European visa/permit application processes reveal the transnational character of queer and trans migrant encounters with ineligibility. Indeed, most participants in my study made multiple attempts to access a temporary visa/permit

to enter a white/Western nation-state and were sometimes unsuccessful. These attempts reveal the ways in which eligibility criteria such as income requirements, invitation letters, and bi-national scholarship arrangements are fundamental to blocking migrants from the Global South to enter white/Western nation-states.

At the same time, these participants actively negotiated visa/permit application procedures that, on the surface, appear to be rigid. Many of the participants' previous experiences of migrant exclusion shaped their decision to obtain a Canadian visa/permit. Sarah's and Sayad's encounters with ineligibility reveal how the EU<sup>88</sup> visa/permit application process was unresponsive to the heterocisnormative violence that shaped their attempt to obtain a visa/permit in the first place. Key eligibility criteria thus organized a dividing line between ineligibility versus eligibility, regardless of one's sexual and/or gender identity.

### ***“Encounters with Ineligibility” versus Canada as a “Safe Haven” for LGBTQ Refugees***

My study suggests that queer and trans people from the Global South are often deemed ineligible for a visa/permit to enter white/Western nation-states, including Canada. These encounters with ineligibility reveal the ways in which visa/permit eligibility operates as a tool of migrant exclusion that is ultimately disinterested in the realities of queer and trans people from the Global South. This transnational tool of exclusion targets poor/working-class queer and trans people in the Global South especially, marking them as almost always ineligible. Prior to the start of WorldPride 2014 in Toronto, a number of Ugandan “gay rights advocates” were refused entry for lack of travel history and family ties in Canada, and insufficient funds for the trip.<sup>89</sup> In 2017 a Tunisian LGBTQ activist who was invited to present in Canada described how his visitor visa application (and those of other LGBTQ people he knew) was refused, at least partly for fear that they would seek refugee status upon entry to Canada.<sup>90</sup> These visa refusals of LGBTQ people also occur within the context of visa refusals for a disproportionate number of any person from the Global South. Prior to the 2016 World Social Forum in Montreal, over 200 people, mostly from the Global South, had their visitor visa application denied.<sup>91</sup>

Some scholars have examined how queer and trans migrants, especially refugees, come to embody and navigate homonationalist discourse.<sup>92</sup> In contrast, this article sheds light on some of the consequences of this discourse. The stories of “exceptional” LGBTQ refugees who are “saved” by Canada circulate through media and policy texts, obscuring the realities of thousands of people from the Global South, including some who are queer and trans, who are refused entry. The erasures of these stories make it easier for Canada

and other white/Western nation-states to articulate themselves as global leaders of LGBTIQ human rights and a “safe haven” for LGBTIQ refugees. This is especially the case with Canada, which has made hyper-visible the recent improvements to the refugee claim process to be more “queer and trans friendly,” such as the implementation of guidelines for refugee claims based on sexual orientation and gender identity and expression (SOGIE).<sup>93</sup> This hyper-visibility obscures a global border regime driven by white/Western nation-states, including Canada, that actively blocks queer and trans people from the Global South from accessing the refugee claim process through visa ineligibility.

To be clear, my assertion here is not a critique of the advocacy that led to improvements in the refugee claim process. These guidelines will most certainly assist a certain number of LGBTIQ refugee claimants and help to ensure that the refugee adjudication process will not be based on stereotypes.<sup>94</sup> However, this analysis does elicit critical questions about the political usefulness of publicly lauding a “queer and trans friendly” refugee claim process when the queer and trans people who need it the most can’t access it.

The “encounters with ineligibility” that study participants experienced also reveal a deepening alignment of Canadian and European borders. The exclusion from Europe of some participants was shaped by interstate migration policies of the EU which include a border-control regime aimed explicitly to block “irregular” migration to Europe.<sup>95</sup> Those who attempt to enter EU member states without a valid visa/permit are considered “irregular migrants,” even if they are identified as in need of international protection.<sup>96</sup> More recently the EU has facilitated labour mobility and trade between EU member states while simultaneously closing the borders to most potential migrants from the Global South.<sup>97</sup> The mobility for some and racialized exclusion of others has been described by some as “Fortress Europe,” as belonging to the EU results in mobility and economic privileges for Europeans while “the continent’s external borders are increasingly fortified ... non-Europeans may break the law—and accordingly might be treated as criminals—simply by being present.”<sup>98</sup>

In September 2014 Canada signed the Comprehensive Economic and Trade Agreement with the EU described as the more “ambitious” and “broader in scope” than the North American Free Trade Agreement, opening new markets to the benefit of Canadians. A couple of weeks later, Citizenship and Immigration Canada announced the inclusion of additional European countries to the Designated Country of Origin list and included a statement by the minister of citizenship and immigration, Chris Alexander, stating, “Thanks to our government’s reforms to Canada’s asylum system, we are providing protection quickly to those who are truly in need while protecting our system from abuse. We will continue to

welcome legitimate trade and travel with our European partners.<sup>99</sup> This quote directly links recent reforms to refugee policy with the Canada-EU free trade agreement and affirms the neo-liberal shift in Canadian governance that correlates refugees with security, sovereignty, and border control.<sup>100</sup>

Moreover, the regulation of visas/permits is organized by designated CIC visa offices located in Canadian embassies as well as visa application centres (VACs), meant to assist individuals in submitting and tracking applications for visitor visas, work permits, and study permits.<sup>101</sup> The United Kingdom and Swiss-based company that operates Canadian VACs is VFSGlobal, a subsidiary of the Kuoni Group and is “the world’s largest outsourcing and technology services specialist for governments and diplomatic missions worldwide.”<sup>102</sup> Making explicit how temporary visas are organized and often coordinated across white/Western border regimes (and motivated by corporate economic interests) reveals the subtle yet deep-rooted manner in which the coloniality of power operates on a global scale.

In addition, the local realities and forced migration trajectories of Lana (Jamaica), Sammy (Rwanda), and Jean Michel (Cameroon) reveal the ways in which anti-blackness underpins white/Western empires and border regimes. Tracing their collective histories reveals how black people and Africans have endured slavery and a “cacaphony of colonialisms”<sup>103</sup> from European powers (Britain, France, Belgium). Prior to landing in Canada, these participants migrated (or attempted to) multiple times, across Europe and Africa. Sammy was refused entry onto a plane, many times, in an attempt to eventually enter Canada. “An individual sold me his passport because he had travelled to the US and he had a multiple entry visa ... I tried multiple times to take the plane ... they would trap me. I was almost taken to jail, but fortunately, there were people who helped me to find a Zimbabwe passport, through government connections.”<sup>104</sup>

These multiple migration trajectories reveal how anti-black logics result in black people being constantly “out of place.” At yet Lana, Jean Michel, and Sammy responded to white Western border regimes in acts of refusal, and, as Jack Halberstam argues, “It is a game-changing kind of refusal in that it signals that refusal of the choices as offered.”<sup>105</sup> Although outside the scope of this article, it is crucial to note that queer and trans migrants employ multiple strategies of survival and resistance in order to navigate and at times fight back against the colonial and imperial logics that organize policies and institutions aimed at their exclusion or removal.

### **Conclusion**

In 2015 a new Liberal government took power in Canadian Parliament, led by the charismatic Prime Minister Justin Trudeau. Since this time, a member of Parliament has been

named the special advisor on LGBTQ issues, and in 2017 Canada publicly announced its role as co-chair (with Chile) of the Equal Rights Coalition, an intergovernmental network comprising over thirty countries focused on “promoting” and “protecting” LGBT human rights globally.<sup>106</sup> These changes have resulted in a significant shift in policy vis-à-vis migrants, as highlighted by the resettlement of over 45,000 refugees. Certainly this is a stark contrast to the recent election of Donald Trump as the president of the United States.

However, the visa/permit application procedures remain in place, as demonstrated by the visa refusals for the World Social Forum in 2016 and the gay Tunisian activist in 2017. At the same time, the Comprehensive Economic and Trade Agreement between Canada and the United States officially came into effect. Although these recent geopolitical shifts merit further attention, the continued imbrication between Canadian and European border regimes suggests a further fortressing of white/Western nation-states that seem interested in queer and trans people from the Global South only when they enter refugee claim process that is difficult to access.

My study findings suggest a rearticulation of the intimacies of white/Western empires<sup>107</sup> and the links between heterocisnormative violence in the Global South with national, regional, and transnational contexts of civil war, genocide, dictatorship, revolution, development, resource extraction, and generalized violence. Global and domestic neo-liberal economic policies have operated in concert with the growth of religious fundamentalisms, resulting in an increase in state violence, including the expansion of criminal laws against sexual and gender transgressions.<sup>108</sup> The political, social, and transnational conditions for queer and trans people in the Global South are intimately linked to the ways in which either they are blocked from white/Western nation-states or they enter as migrants with precarious status.

Tracing back the lives of queer and trans migrants living in Canada to their countries of origin and their intergenerational histories fundamentally shifts what and how we know what we know about contemporary forms of social violence and forced migrations. This process of historicization gestures to the ways in which the “residual intimacies” of conquest, slavery, and indentured labour continue to “haunt” queer and trans migrants from the Global South who are presently living in Canada. The question becomes how scholars and activists challenge dominant liberationist discourses of queer and trans migrations and delve into “an ethics and politics in struggling to comprehend the particular absence of the intimacies of four continents, to engage slavery, genocide, indenture and liberalism, as a conjunction, as an actively acknowledged loss within the present.”<sup>109</sup>

The violent forgetting of these complex histories of colonial violence has greatly contributed to the notion that queer

and trans migrations to Canada are a result of simple “acts of homophobic and transphobic violence” by barbaric and uncivilized cultures.<sup>110</sup> This affirms the importance for queer and trans migration scholars to engage in broader analyses of coloniality, anti-blackness, and border regimes of white/Western nation-states. However, shifting the focus on post-migration realities of queer and trans migrants in Canada requires engaging with an analytical frame that contends with the ways in which white settler colonial logics inform queer and trans migrations.

Finally, by situating heterocisnormative violence in the Global South and subsequent queer/trans migrations within complex histories of global capitalism and empire, scholars challenge liberationist narratives<sup>111</sup> and instead gesture to queer and trans decolonial and abolitionist futures. A queer and trans decoloniality, as Paola Bacchetta suggests, deploys “strategies and tactics for resisting not just one or another relation of power at a time, but rather the ensemble of co-constitutive relations of power in question, inseparably ... it is to draw near to opening a space, and holding space, for the creative construction for other ways of life.”<sup>112</sup>

#### Notes

- 1 David A. B. Murray, *Real Queer? Sexual Orientation and Gender Identity Refugees in the Canadian Refugee Apparatus* (London: Rowman & Littlefield, 2016); Edward Ou Jin Lee, Trish Hafford-Letchfield, Annie Pullen Sansfaçon, Olivia Kamgain, and Helen Gleeson, *The State of Knowledge about LGBTQ Migrants Living in Canada in Relation to the Global LGBTQ Rights Agenda* (Montreal: Université de Montréal, 2017).
- 2 Ainsley Jenicek, Edward Lee, and Alan Wong, “‘Dangerous Shortcuts’: Representations of LGBT Refugees in the Post 9/11 Canadian Press,” in “Race and Ethnicity,” special issue, *Canadian Journal of Communications* 34, no. 4 (2009): 635–58; Olivier Roy, “The Colour of Gayness: Representations of Queers of Colour in Québec’s Gay Media,” *Sexualities* (2012): 75–90; Murray, *Real Queer?*
- 3 In this paragraph, I have transitioned between terms such as *LGBTI*, *LGBTQ* and *queer* and *trans*. As identity categories, the terms *queer* and *trans* are limited in fully capturing complex lived realities. My use of these terms extends beyond identity categories to also engage with queer and trans theories and politics. See Lionel Cantu, *The Sexuality of Migration: Border Crossings and Mexican Immigrant Men* (New York: NYUPress, 2009).
- 4 Murray, *Real Queer?*; Sharalyn Jordan, “Un/Convention(al) Refugees: Contextualizing the Accounts of Refugees Facing Homophobic or Transphobic Persecution,” *Refuge* 26, no. 2 (2010): 165–82; Edward Ou Jin Lee and Shari Brotman, “Identity, Refugeeess, Belonging: Experiences of Sexual Minority Refugees in Canada,” *Canadian Review of Sociology* 48, no. 3 (2011): 21–74.

- 5 Murray, *Real Queer?*; Katherine Fobear, "Queer Settlers: Questioning Settler Colonialism in LGBT Asylum Processes in Canada," *Refuge* 30, no. 1 (2013): 47–56; Melissa White, "Ambivalent Homonationalisms: Transnational Queer Intimacies and Territorialized Belongings," *Interventions* 15, no. 1 (2013): 37–54.
- 6 I use the term *immigration/colonization regime* in order to highlight the ways in which immigration and colonization to Canada are both informed by the historical desire for white settlement and the ongoing logics of white settler colonialism.
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- 87 Translation: C'était très difficile de trouver une inscription dans les universités. C'était difficile de pouvoir payer ces études. C'était difficile de trouver des financements ... à partir (des) organismes internationaux qui peuvent payer les études ... c'était très compliqué d'avoir une bourse d'études dans ces organismes-là. Et c'était très difficile que le gouvernement Rwandais puisse payer, par exemple, au moins les études.
- 88 Applicants for inclusion within the Treaty on European Union must meet the "Copenhagen criteria" (as articulated in 1993), which include stable democratic institutions, promote human rights, have a functioning market economy, and adhere to a cohesive political, economic, and monetary union ([https://europa.eu/european-union/sites/europaeu/files/docs/body/treaty\\_on\\_european\\_union\\_en.pdf](https://europa.eu/european-union/sites/europaeu/files/docs/body/treaty_on_european_union_en.pdf)).
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- 93 Nicholas Keung, "Refugee Board Creates Guidelines for Deciding LGBTQ Claims," *Star*, May 5, 2017, <https://www.thestar.com/news/immigration/2017/05/05/refugee-board-creates-guidelines-for-deciding-lgbtq-claims.html>. Immigration and Refugee Board of Canada, "Chairperson's Guideline 9: Proceedings before the IRB Involving Sexual Orientation and Gender Identity and Expression," 2017.
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## Book Reviews

### *In the Name of Women's Rights: The Rise of Femonationalism*

Sara R. Farris

Durham: Duke University Press, 2017, 272 pp.

*In the Name of Women's Rights: The Rise of Femonationalism*, by sociologist Sara R. Farris, is an important and timely contribution to the fields of sociology, gender and women studies, and migration studies. Farris, over five chapters, both introduces the concept of femonationalism and makes a very compelling argument about it as an ideological formation.

The author traces the genealogy of right wing parties' co-optation of the language of women's rights and feminism in order to advance their anti-immigration, anti-Muslim, and xenophobic agendas, in the Netherlands, France, and Italy. Farris clearly lays out how the dichotomous framing of "brutal, savage Muslim men vs. Muslim women victims" reproduces the problem of sexism as one that belongs exclusively to non-Western societies. She continues by arguing that this depiction further renders non-Western societies as dangerous to Western values of "equality" between men and women, while simultaneously shedding light on the patriarchal and misogynistic characteristics of the political parties that use these arguments.

The book investigates the institutionalization of gendered integration policies and their role in normative reproduction of non-Western Muslim women immigrants as providers of affect/care labour. The author gives a brilliant and much-needed materialist intervention into, and analysis of, the economic capital that can be derived from the demonization of Muslim men as violent, and the victimization of Muslim women, "subjected to a backwards culture and savage men" from which they need saving. The author also builds on the tension and hypocrisy of using feminism as a tool to liberate Muslim women immigrants from the cultural chains of

patriarchy. She argues here that anti-immigrant right-wing parties address women as mothers rather than individuals, resituating women's core role and value in society as mothers—a concept feminism quarrelled with historically and refuted.

Farris provides a discourse analysis of the media campaigns of neoliberal governments and the nationalist right-wing parties in question. Through this discursive analysis, Farris deconstructs the gendered nature of civic integration programs and analyzes how the theme of gender equality became central to civic integration. Each of Farris's five chapters theoretically engages with theories of nationalism, post-colonial feminist studies, and critical race studies. Noticeably, after engagement with the last in the fourth and fifth chapters, an obvious and profound engagement with Marxist theory and analysis are used to elucidate the political economy of femonationalism.

Once situated within migration studies, the book's most striking intervention is a historical reminder of Europe's existence as a fortress long before the surfacing of the border crisis—now named "refugee crisis"—that emerged with the flow of Syrian refugees escaping war to seek refuge in Europe. It is also a reminder that the didactic violence of integration policies and institutional violence against migrants existed before the "Syrian refugee crisis." But mostly her most brilliant intervention is in shedding light on how women's rights and feminist ideologies of gender equality are being used and co-opted by European right-wing parties and consolidated by femocrats in order to further discriminate against Muslim and non-Western immigrants. Farris takes us back to the roots of this instrumentalization through a critique of affect/care labour, such as domestic labour, and by showing how

discussions of care labour have been historically central to the critique of patriarchy as exploitation of women. As right-wing parties use immigrant Muslim women's liberation as a way to sugar-coat their anti-Muslim and anti-immigrant agendas, though their cultural and economic policies they resituate female Muslim immigrants as care bearers of the nation who should provide the affect labour from which European women were "emancipated." The book reminds us of the racialization of women's emancipation: as Western women broke the bonds of care labour and went out to join the open market of work under capitalism, the burden of care labour fell on the shoulders of women of colour – in this book's case, Muslim women immigrants and non-Western female immigrants.

Reading the gendered analysis in this book, one finds that it resonates with the tools used by international non-governmental organizations to support female refugees, especially noticeable today in Syrian refugee camps, particularly those in the Middle East. "Empowerment" centres, for example, teach sewing and make-up classes along with other skills for employment deemed "appropriate for the female gender."

Although the author deftly illustrates the consequences of the hegemonic way in which female Muslim immigrants are being produced, she engages little with examples that rupture this hegemonic portrayal; neither does she engage with any form of resistance by female immigrants towards these policies or the normative gender roles imposed on them. Through this, she also falls into a pattern common to post-modernist approaches to tackling Islamophobia, failing to include the voices of resistant Muslim women immigrants in the analysis. Even though she engages with Muslim women

immigrant femocrats who support right-wing parties, she flattens their subjectivities. A different, multi-layered engagement and approach with these Muslim women immigrant politicians would have provided a more nuanced take on the roots of their politics. In addition, an engagement with critical gender governance literature would have expanded and further demonstrated the co-optation of women's rights and neoliberal attempts to absorb feminism.

Most importantly, it is refreshing to read this epistemological intervention on Islamophobia in Europe and its convergence with gender and neoliberal governments and economies. The problematic framing Muslim women as victims in order to further exploit them is clearly reiterated and powerfully demonstrated. A particularly well-made and well-supported argument in this book revolves around the precarity of migrant lives and their production as illegal aliens as having a base in the accumulation of capital stands out very strongly in her book.

*In the Name of Women's Rights: The Rise of Femonationalism*, with its theoretical sophistication and solid arguments, is highly recommended for graduate students who are interested in sociology, gender studies, feminism, critical geographies, migration studies, affect labour, Marxism, nationalism, neoliberalism, and capitalism.

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### *Go Home? The Politics of Immigration Controversies*

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Hannah Jones, Yasmin Gunaratnam, Gargi Bhattacharyya, William Davies, Sukhwant Dhaliwal, Kirsten Forkert, Emma Jackson, and Roiyah Saltus  
 Manchester: Manchester University Press, 2017, 186 pp.

**B**etween July 22 and August 22, 2013, the UK Home Office carried out Operation Vaken, a campaign ostensibly aimed at increasing "voluntary returns" of undocumented migrants. As part of the campaign, vans were

driven through some of the most "ethnically diverse" neighbourhoods in London, displaying a billboard saying, "In the UKillegally? GOHOMEORFACEARREST." The Go Home vans

were the starting point for the research project that forms the basis of this book.

In parallel to Operation Vaken, the Home Office undertook further campaigns. They, for instance, displayed posters in hospitals claiming “NHS hospital treatment is not free for everyone,” started using recognizable immigration raid vans, and published images of immigration raids on their Twitter account with hashtags such as #immigrationoffender and #nohidingplace. This book focuses on such government communications campaigns and discusses their—intended and unintended—consequences and their impact on people’s everyday lives.

*Go Home?* is divided into six chapters, each followed by a short interlude, entitled “Living Research.” These interludes discuss thoughts, reflections, and experiences about the research and represent a refreshing way of reflecting on the politics and practice of research. In the reflective interlude following chapter 5, for example, the authors build on Audre Lorde and her writing about anger as a powerful motivator for activism, spurring both this research and acts of resistance.

The introductory chapter offers an overview of the book and a conceptualization of the hostile political climate, public debates, and discourses on migration. Further, it provides a brief discussion of tightening border regimes, encompassing the deterritorialization of border control, the fortification of nation-state borders and the domestication of borders—all salient issues in Britain at the time of researching and writing the book. Most importantly, the chapter introduces the authors’ approach to the research. The project Mapping Immigration Controversy began as a collaboration. It was developed and effected in partnership with community organizations, the core research team itself being a relatively large group of eight academics. The project challenges the division between activism and academia and contributes to “thinking and discussions about the role of critical migration research” (17). Methodologically, the authors rely on a combination of qualitative and quantitative methods, specifically focus groups, interviews, online research, ethnographic observations, and a survey. It is an interdisciplinary research project, drawing upon theories from disciplines such as cultural studies, economics, politics, and sociology.

Chapters 2 and 3 conceptualize anti-immigrant government communications on a more theoretical level. Chapter 2 draws on the framework of performative politics to understand government communications. The authors view both the communications campaigns, which they describe as speech acts, as well as physical affirmations of borders, such as through raids or deportations, as state performance. They argue that such campaigns are directed at several audiences, one purpose being to reassure those skeptical of migration. However, audiences hold an interpretative power, and

accordingly there is an “inherent instability” (43) to political performances. Chapter 3 examines government communications with reference to the policy logics that frame them. It shows how affective, symbolic, and emotional dimensions increasingly shape rhetorics related to migration and how Operation Vaken “needs to be understood in the context of this perceived need for the state to *seem* tough in the eyes of the voting public” (81).

Chapters 4 and 5 present a more detailed analysis of the empirical research. In chapter 4 the authors discuss the effects of anti-immigration communications and include a spatial dimension in their analysis. They point out that the local as well as national context and historic specificities have an impact on these effects. The same campaign in different places is differently received, and the context also influences the reaction and possible resistance to such campaigns. Some of the consequences of anti-migrant communications they found were the creation of a divide between those perceived as migrants and those not, and increased fear and feelings of precariousness among racialized minorities. Further, they found divisions within communities based on a discourse of “deservingness” and on a dichotomy opposing “good” and “bad” migrants and citizens, suggesting that such communications segment the population.

Chapter 5 builds on narratives of “un/deservingness” and shows how, in the context of such discourses, people categorized as “bad” migrants employ similar strategies themselves towards others, such as newer migrants or people living at the margins of the welfare state, to shift their own position and present themselves as belonging to the “deserving” group. The authors further illustrate how, while some resort to neoliberal values of productivity and aspiration, others resist those values and refer to alternative ones, such as everyday acts of kindness in “an attempt to rehumanise social relations” (130).

Government communications prompted debates about solidarity, and people have engaged in various forms of resistance, such as in demonstrations or counter-campaigns, which the authors view as having the potential “to be a powerful antidote to the performance of toughness” (138). The concluding chapter brings together the arguments made throughout the research and emphasizes the need to engage with questions of race and racism, as well as with their intersections with other social categories, in order to understand immigration control and bordering practices.

*Go Home?* is a timely contribution that analyzes consequences of current migration politics with a valuable intersectional perspective. The book provides an insight into the effects of immigration enforcement rhetoric and shows how borders creep into spaces of everyday life. Through empirically well-grounded research, the authors demonstrate the violent

consequences such as poisoning discourses can have. Reports of increasing racism in the aftermath of the UK referendum on EU membership only heighten the pertinence of this work.

The project provides an excellent example of conducting collaborative research and producing anti-racist and feminist-situated knowledge (4), and a kind of public scholarship (161) that is informed by academics like W. E. B. Du Bois, bell hooks, or Audre Lorde. Part of such research is the commitment to make the knowledge accessible to an audience beyond academia. Not only is the book written accessibly,

the researchers also communicated their thoughts both during and at the end of the project, including through blog posts, tweets, a short film, and a conference that included beyond-text formats such as performances. Ultimately, the authors contribute to imagining more inclusive futures and to alternative forms of knowledge production.

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### *Running on Empty: Canada and the Indochinese Refugees, 1975–1980*

Michael J. Molloy, Peter Duschinsky, Kurt F. Jensen, and Robert Shalka, foreword by Ronald Atkey  
Montreal and Kingston: McGill-Queen's University Press, 2017, 612 pp.

**R***unning on Empty* documents the Canadian resettlement operation of about 70,000 refugees from the Indochinese region between 1975 and 1980. It is a hefty monograph, rich in details and anecdotes. It will serve as a reference for teaching this period and, because of the novel information it includes, might be used as a starting point for new research. In addition to making a clear empirical contribution, the book is original in its focus on the role of the public administration over this period. The public service is presented as a site of innovation in managing an unprecedented resettlement effort. The engagement and devotion of public servants is an important thread throughout the story, and the interactions between elected officials, high-level public officials, and federal departments are explored with enough detail to account for the different ways in which each influenced the others.

*Running on Empty* contributes to current efforts to illuminate the workings of the Canadian state from the inside, when it comes to refugee, immigration, and border operations. Besides historical literature, it is an interesting historical companion to Mountz's *Seeking Asylum: Human Smuggling and Bureaucracy at the Border* (University of Minnesota Press, 2010) and Satzewich's *Points of Entry: How Canada's Immigration Officers Decide Who Gets In* (UBC Press, 2014). It also provides a different representation of mid- and

high-level public servants working in immigration in this period. Instead of the actors described by the historical work on the Canadian immigration bureaucracy as engaged in control, exclusion, and boundary making, the characters of this story are determined to help and to ensure due process. Whether readers will be convinced or not, *Running on Empty* attempts to show that each generation of public servants contributed differently to Canada's refugee policy.

Stemming from a collaboration between the Canadian Immigration Historical Society, the authors and officers active in resettlement operation, the book is divided into three sections: the history of Canada's involvement with the Indochinese refugees, the resettlement operations in Southeast Asia, and the work of welcoming the refugees in Canada. It rests on archival materials, including never-released files such as Cabinet memoranda, and includes testimonials from officers active abroad and in Canada. The first section reviews Canada's refugee policy and the events leading to the fall of Saigon, with an eye on the positions taken by Canada as part of a changing geopolitical context. It follows policies, laws, and politics chronologically from 1975 to the 1980s. Chapter 4 on the 1976 Immigration Act is a great resource for teaching about the inclusion of new provisions into legislation and about the beginnings of the private sponsorship program. Notable in this section is



also chapter 7, which documents “innovations on the run.” This chapter really demonstrates the operational flexibility demanded during that period and how public servants had to draw inspiration from unexpected places (e.g., the Berlin airlift) to respond to the new challenges they faced. Section 2 provides a vivid and diverse portrait of the day-to-day work over this period. Using interviews, narratives, and even original reports produced in the field, chapters in this section highlight the complexity of the work of these officers in relation to headquarters’ (Ottawa) misunderstandings of the realities in the field, lack of resources, but also simple human factors that affected the officers’ working conditions. The inclusion of a chapter on Quebec’s operations in South-east Asia is a commendable contribution to our understanding of the lesser known actions of the province during that period. This section is the most original of the book. At the same time, it could have benefited from a richer discussion regarding the decisions of what to include in this section, e.g., specific issues and events. Likewise, more contextualization of the individual narratives included would have been helpful. Section 3 focuses on the resettlement operations as they unfolded in Canada. It includes accounts of arranging the operations at the airport, coordination between government stakeholders, and the work of the refugee settlement officers. *Running on Empty* also includes a useful chronology of the Indochinese refugee movement to Canada, pictures of the operations, maps of the areas described, and biographies of all of the officers who shared their experience. It concludes with some lessons learned from this extraordinary operation.

*Running on Empty* is hesitant to make any theoretical claims and resists making strong political statements. While

this may be frustrating for some readers, it should also be seen as an opportunity. It provides scholars with a wealth of empirical information and testimonies to build on. It also shows the lasting influence of this period on current policies and operations, despite legislative changes and new technologies. It is a timely publication, as Canada is now starting to take stock of the 2015 Syrian resettlement initiative. Parallels and contrasts can be drawn throughout the book. The most important being, undoubtedly, that the “size of the commitment [to resettle Indochinese refugees] came as a surprise to public servants” (454), something that is reminiscent of Trudeau’s post-election commitment to resettle 25,000 Syrian refugees in a year. While technologies, the size of the federal administration, and the overall geopolitical context have evolved, chances are that the future work on the 2015 episode will stress similarities with the 1975–80 period such as innovation despite limited resources, officers’ dedication in the field, and the contribution of the private sponsorship program. At the same time, the book is a sobering reminder not to prematurely celebrate Canada’s current resettlement efforts. Considering the major differences that are the unprecedented size of global displacement and growth of the capacity of the Canadian state, the story told by *Running on Empty* makes the 2015 resettlement targets less impressive, to say the least.

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### *The Child in International Refugee Law*

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Jason M. Pobjoy

Cambridge: Cambridge University Press, 2017, 317 pp.

**I**n his magnificent new book Jason M. Pobjoy methodically and persuasively builds the case for a thorough reset of international refugee law in order to address the gap in protection for refugee children. Despite the fact that almost

half of the world’s refugees are children, refugee law tends to make them invisible, using an adult-centred lens that fails to capture the predicament of children and youth who are refugees, resulting in incorrect assessments of refugee status.

If they are accompanied by adults, children's claims are often treated as derivative, accepted or rejected based on the adults' claims, when in fact a child often has independent grounds for refugee status. As Pobjoy's analysis shows, recognizing the plight of refugee children does not involve watering down the Convention definition of refugee, but rather bringing it into line with developing international human rights law, and upholding the basic refugee law principle of *non-refoulement*. He also clearly demonstrates how the "best interests of the child" principle, as set out in the Convention on the Rights of the Child (CRC), can be used as a separate and complementary legal basis for protection of refugee children and youth, preventing their deportation if contrary to their best interests.

This book is an essential resource for refugee decision-makers, policymakers, and advocates. It comprehensively reviews the legal scholarship on the Refugee Convention as it relates to children, going back to the seminal works of Grahl-Madsen, Goodwin-Gill, and Hathaway, and the ground-breaking comparative research study on the treatment of separated and unaccompanied refugee children in the United States, the United Kingdom, and Australia by Bhabha, Crock, Schmidt, and Finch.<sup>1</sup> Pobjoy reviews UNHCR's accomplishment over the past thirty years in developing guidelines for the application of the Refugee Convention to children, and in promoting the Convention on the Rights of the Child as the fundamental legal framework for the protection of children and adolescents. Most significantly, Pobjoy exhaustively reviews the development of international and domestic case-law dealing with the determination of refugee status of children, quoting from decisions of the highest courts in the United Kingdom, the United States, Canada, Europe, Australia, and New Zealand. While researching this book he identified and reviewed over 2,500 refugee decisions involving children, and he has indexed and captured these cases in a web resource.

The foundation for Pobjoy's thesis is set out in the first chapter, beginning with the historical background of the refugee child's place in international human rights law from the 1924 Declaration on the Rights of the Child to the 1989 Convention on the Rights of the Child.

The CRC provides a principled basis for child-appropriate procedures in adjudicating refugee claims involving children. Realizing the participatory rights of children in refugee determination is the first step to countering their invisibility. Children's claims are more likely to be ignored when they are accompanied by their parents. Pobjoy discusses the inadequacy and asymmetry of derivative refugee status that often occurs with accompanied children, even when the child is the principal applicant with the strongest claim for protection. This also leads to asymmetry in refugee settlement. For example, in Canada adult refugees are permitted to include

their non-refugee family members in their request for permanent resident status in order to maintain family unity. However, refugee children are not permitted to include their parents and siblings in their application for permanent residence and are often denied family reunification. Counsel have dealt creatively with the adult-centred refugee status determination by arguing that the parent should be granted refugee protection because the parent is at risk of psychological harm due to the harm that would befall the child. Pobjoy shows that reliance on the specific human rights of children set out in the CRC could result in a more principled approach to refugee determination of all family members, overcoming the asymmetry of adult-centred derivative refugee status.

The CRC is also an interpretive aid for dealing with refugee claims by children and youth, as it creates a child-centred lens for the Refugee Convention. This is relevant in addressing subjective fear of persecution, credibility assessment, and the increased fact-finding responsibility of the decision-maker when dealing with child claimants. The child-centred lens of the CRC also focuses on the myriad variety of serious harms that constitute persecution of children. Pobjoy illustrates these persecutory harms with case studies that connect to the fundamental human rights of children as set out in the CRC. Although some of these particular harms may not be persecutory for adults, they are persecutory for children as a result of their emotional and physical dependency, their developmental needs, and their greater sensitivity and vulnerability.

The complex issue of "nexus to Convention grounds" is explored in detail as it relates to the refugee status of children. Pobjoy shows how the "predicament of the claimant" approach is more appropriate for identifying the nexus to Convention grounds in claims by children. In the situation of harm from non-state actors, including the family of the child refugee, the CRC provides guidance on effective state protection. Furthermore, the reasons for the well-founded fear of persecution may be related to the "particular social group" of childhood, or the family of the child claimant.

Perhaps the most interesting and innovative part of this book is the analysis and discussion of how the Convention on the Rights of the Child provides additional and complementary grounds for protection of the child. The application of the best interests principle to all judicial and administrative decisions concerning the child, when combined with the clearly stated human rights of the child as set out in the CRC, can be used to prevent the deportation of a child who may not qualify for refugee protection.

This book is a valuable and timely resource. Pobjoy makes a principled, transparent, and sophisticated argument for increased protection of refugee children by using the CRC. Refugee advocates are encouraged to have recourse to the UN Committee on the Rights of the Child, which has a clear

mandate to monitor state compliance with the Refugee Convention as it applies to children and youth. And Pobjoy demonstrates that state failure to comply with commitments under the Convention on the Rights of the Child results in violation of the Refugee Convention by *refoulement* of refugee children. This book and the website resource constitute a monumental achievement that will have a significant impact on the developing law and will act as a major force in filling the protection gap for refugee children.

**Note**

- 1 See J. Bhabha and Susan Schmidt, "Seeking Asylum Alone: Unaccompanied and Separated Children and Refugee

Protection in the U.S." (Cambridge, MA Human Rights at Harvard, June 2006); J. Bhabha and Nadine Finch, "Seeking Asylum Alone: Unaccompanied and Separated Children and Refugee Protection in the U.K." (Cambridge, MA: Human Rights at Harvard, November 2006); J. Bhabha and Mary Crock, *Seeking Asylum Alone—A Comparative Study: Unaccompanied and Separated Children and Refugee Protection in Australia, the UK and the US* (Sydney: Themis, 2007).

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# Review Essay

Laura Bisailon

## *Refugees in Extended Exile: Living on the Edge*

Jennifer Hyndman and Wenona Giles  
New York: Routledge, 2017, 164 pp.

## *Borderlands: Towards an Anthropology of the Cosmopolitan Condition*

Michel Agier  
Cambridge: Polity, 2016, 186 pp.\*

I weave together common threads of two incisive, humane, articulate, and complementary books—*Refugees in Extended Exile: Living on the Edge* and *Borderlands: Towards an Anthropology of the Cosmopolitan Condition*. Both make highly original and timely contributions to the fields of anthropology, geography, migration, and political studies. They will appeal and be useful to researchers, students, and practitioners interested in questions, such as: What does it feel like to be a person in need of state protection? To be a refugee, faced with little choice but to live and raise children in exile for years without foreseeable end? What does it look like to live one's life in the liminal spaces between disparate places, such that you are not fully a part of any of these?

We traverse the geographies and encounter the histories and present-day conditions in parts of Africa, Europe, the Middle East, and North America. We encounter myriad ways that people and places have been and are connected in transnationally discernable ways. Hyndman and Giles's book emerges from their "global homelessness project" (22), which was motivated by refugees' "tenacity and strength despite the

challenges of protracted displacement" (xvi). They aim to inform efforts that address deleterious effects of perennial expatriation. Agier sets out to disrupt status quo thinking about mobility and the so-called other by showing how our world is blended or "cosmopolitan." Both books are empirically grounded in field sites and convey that the authors have listened closely and compassionately to informants. Such shared commitments and approaches position the authors to distill, discern, and show us how and with what consequence social processes manifest in the lives of people we meet in these books.

*Refugees in Extended Exile* is an engrossing and important study of extended human dislocation. In six chapters Hyndman and Giles illuminate social processes and political arrangements that position refugees to live in persistent displacement. What mechanisms enable and support this situation of uncertainty? What would it mean to rupture such conditions, releasing people from limbo? These questions gnawed at the authors, compelling inquiry. We are necessarily troubled by the findings unearthed. Refugees in

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\* Originally published as *La condition cosmopolite: L'anthropologie à l'épreuve du piège identitaire* (Paris: Éditions La Découverte, 2013).

long-term displacement have little choice but to habituate to “ontological insecurity” (37) as an organizer of their existence. This means foreclosure in knowing or shaping the future with a measure of certainty. *How* this foreclosure is socially produced, organized, and sustained is explored. Impediments to resolving long-term exile for refugees in Kenya and Iran are visible through their analyses.

This book is organized into empirical (3, 5) and theoretical (2, 4) chapters, in addition to an introduction and conclusion. In chapter 2, a problematic is foregrounded: during lengthy displacement, tension between notions of protection and national security is rife. A tenacious contemporary narrative marries the refugee and state security concerns. At once over-general and harmful, this connotation politicizes and places the refugee within the frame and logic of risk and harm. In the international refugee apparatus, long-term displacement is a containment strategy. Worldwide, we are seeing at once a reduction in protecting people in need and a rise in ways to preclude, exclude, watch, and warehouse them.

What does it look and feel like to live in extended exile? Chapter 3 affords us glimpses into people’s lives to answer this question. We are brought into the lives of Afghans living in Iranian cities. We learn about the living conditions and circumstances of Somalis residing in Nairobi and in Dadaab refugee camp, Kenya. (The book’s two maps appear in this chapter, helping us to visualize spatial relations.) Analytically, the authors task themselves with having us see people in “relational ways” (49) so that we can appreciate and develop understandings about their predicaments. Refugees are thus humanized for us through stories of loss and suffering produced by chronic precariousness. The authors make connections between their work and the rich body of scholarship from the geographies explored.

Chapter 4 analyzes how countries including Kenya, Uganda, South Africa, and Tanzania have managed refugees in extended dislocation by using policy and legal instruments. We are offered a fascinating timeline and details about policy and legal history and practices in and between these countries. The authors ask us to reflect on opportunities and challenges that exiled people living in these jurisdictions face, including what approaches were tried and which worked well and less well and why. They also ask us to think about alternatives to onward resettlement to another country. Hyndman and Giles marshal the ideas of Giorgio Agamben, Hannah Arendt, Judith Butler, Alison Mountz, Patricia Owens, and Miriam Ticktin, among others, to nourish their analysis and produce novel insights about the politics of long-term displacement.

What about resettlement as a response to life in protracted exile? Chapter 5 documents the surprises, tensions,

and contradictions that refugees, who had previously lived in extended expatriation in Iran and Somalia and who were resettled to Canada, confront. This chapter opens our eyes to what is gained and lost through immigration. We are privy to people’s decision-making and happiness, yes, but also to their ambivalence, melancholy, and musings about what it might have been like to stay behind. What also makes this chapter intriguing is how the material chafes with the ideological notion that Canada is a country “everybody in their right mind” would want to inhabit. Perspectives of those who settled after living in prolonged displacement tell a markedly dissimilar story.

*Borderlands* is a compelling study of life in spaces on the edges of/in between nations. Agier uses the history and materiality of borders and walls—devices that are meant to divide, block, and bound—to focus analytic attention on social relations that develop in these dynamic places. As locations of juncture and transience, migrants find themselves inside and outside official national spaces. As sites of flux, borders oblige people to experience difference, experience themselves as different, and to adapt to newness.

Agier’s book is organized into two parts to be read “successively or in parallel” (ix). In the first section he advances the idea that experiencing the unfamiliar is an increasingly universal process shaped by global movement and trade. As to the need to acclimatize and learn the ways of the so-called other, he posits that this is an endemic trait of the “cosmopolitan condition,” defined as “the experience of the roughness of the world by all those who, by taste, necessity or compulsion, by desire or by habit, are left to live in several places almost simultaneously and, in the absence of ubiquity, to live increasingly in mobility, even in an in-between” (ix). While this imperative to acclimatize might be most obvious in the effort migrants undertake, Agier argues that this condition is “likely to become the most widespread social and cultural way of life in a near future already in the process of construction” (11–12). In the second section we read about the practical and conceptual tools and actions to fulfill these conditions. The tome culminates in a call to explore the lineaments of cosmopolitanism as practice.

These books were researched and written during overlapping periods in the first decades of the twenty-first century. It follows, then, that the authors take issue with and ultimately reject the increasingly frequent conflation of migrants with risk, terror, and security. The authors recognize and problematize these analytic moves as decontextualized expressions of political reaction and agenda setting. The accurate framing, Hyndman and Giles emphatically state, is to see migrants’ lives as “barometers” of widespread social anxiety and problems, not as causes of ills. In the same vein Agier suggests that migrants are indicators of social processes and

transformations that have long been underway. That is, in experiencing the unfamiliar and adapting to uncertainty, we are urged to see the conjunction between migrants and ourselves as inhabitants of an intertwined world.

The academic genealogy in which these collections are steeped makes them exciting bedfellows. Self-proclaimed “undisciplined feminist *bricoleurs*” (21), Hyndman and Giles produce fine analysis using an opulent pool of ideas from Anglo-American and also Continental European realms, including works by Agier. With an equally thrilling dose of “intellectual promiscuity”<sup>1</sup> and squarely within anthropology and ethnology, Agier delves into the recesses of Continental European, African *francophonie* and Latin American founts of knowledge and beyond. We are privy to a veritable tour de force of social scientific thinking about migration in historical and contemporary environments.

What do Hyndman, Giles, and Agier ask in return for reading *Refugees in Extended Exile* and *Borderlands*? First, that we take a *humanist* stance and gaze to engage the five senses in our conceptual and embodied relations with migrants, mobile people, refugees in expatriation, and the constellation of actors whose professional lives come into being through and depend on their presence in borderlands and exile. We are asked to forefront the human behind the headline by situating the person within the politics in which she or he lives. Doing so can safeguard against the possibility that these people and conditions disappear into the jargon of the international refugee apparatus and the rationalities of the nation-state system, which, unless we pay attention to how we use them, can distract and distort to harmful effect.

Second, the volumes ask that we exercise *reflexivity* and see transformations that happen when we over-simplify and over-generalize messaging produced about migrants, mobile people, and refugees in exile. A priority action, the three authors agree, is casting off of the binary “us and them.” This point couples their ideas with those of Lemn Sissay<sup>2</sup> (2016). His poem shows how this dualism is an ahistorical falsehood unsynchronized with the multi-local world that exists, which, as Hyndman, Giles, and Agier show, has actually always existed as such.

#### Immigration R.S.V.P.

The lemons you suck are from Spain  
The orange you drink's from South Africa.  
Shoes you wear are made in Pakistan  
And your oil is from Saudi Arabia.

You import your petrol from the Gulf States  
Your toys are made in Taiwan.  
Your coffee they send from Colombia  
Your cars are driven from Japan.

You've flooded yourself with foreign good  
But foreigners, you tell me, are bad.  
You say you're afraid that we'll over run you  
But I'm afraid we already have.

Finally, Hyndman, Giles, and Agier ask that we *use* their analyses. For example, I will not employ the concepts “protracted refugee situation” and “durable solution” as easily as I might have before reading these books. Both volumes are suitable for social science and humanities classrooms. For undergraduates, delving into particular excerpts would be a good strategy. For graduates, the full-length publication would expose students to the breadth of intellectual sources that they could use in their work. These books provide valuable places for students to see how to use social theory that stretches across disciplines. They also learn what theoretically informed empirical work looks like. I hope that Hyndman, Giles, and Agier would agree that these are fertile ways to broadcast their timely, erudite, and high-spirited scholarship.

#### Notes

- 1 L. Bisailon, “Practicing Intellectual Promiscuity: A Professor's Response,” *Underground* 37, no. 3 (2017): 28–9, [https://www.academia.edu/35589808/Practicing\\_Intellectual\\_Promiscuity](https://www.academia.edu/35589808/Practicing_Intellectual_Promiscuity).
- 2 L. Sissay, *Gold from Stone* Crows Nest: Allen & Unwin Canongate, 2016.

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