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Centre for Refugee Studies, Room 844, Kanef Tower, York University
4700 Keele Street, Toronto, Ontario, Canada M3J 1P3
E-mail: refuge@yorku.ca
Website: http://www.yorku.ca/refuge

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Introduction: The Racialized Refugee Regime

CHRISTOPHER KYRIAKIDES, DINA TAHA, CARLO HANDY CHARLES, and RODOLFO D. TORRES

The Racialized Reception Contexts (RRC) research program was launched at conference at York University in October 2016. The conference featured twenty-three speakers, including established and emerging scholars from ten countries, each of whom was concerned to draw a deeper connection between scholarship in refugee studies (RS) and ethnic and racial studies (ERS). This special issue is the first of two RRC general publications that aim to give an explicit platform for the further development of that connection.1

At its onset, RRC sought to draw from ERS the insight that “race” is a social construct rather than a “biological fact,” but also to be considered more than a variable that may or may not be relevant to RS scholars, depending on the particular group that was/is being subject to refuge. In what is increasingly referred to as the Global Refugee Regime, “persecution on the grounds of race” is but one of many on which a person might legitimately make a claim for asylum. In this respect, the concept of racialization is helpful in that it can refer to the “signification of some biological characteristic(s) as the criterion by which a collectivity may be identified…. [T]he collectivity is represented as having a natural, unchanging origin and status, and therefore as being inherently different.”2 Yet ERS scholars have long recognized that racialization is an embedded structure of oppression with deep roots within capitalist modernity and the world economy.3 Indeed, the institutional context that prefigured the twentieth-century concern with refugees—the League of Nations early inauguration of the first high commissioner for refugees in 1919—was paralleled by the rejection of the Racial Equality Proposal, which had been tabled as an amendment to the Covenant of the League of Nations by one of the league’s founding great powers, Japan. The rejected proposal read: “The equality of nations being a basic principle of the League of Nations, the High Contracting Parties agree to accord as soon as possible to all alien nationals of states, members of the League, equal and just treatment in every respect making no distinction, either in law or in fact, on account of their race or nationality.”4

The Racial Equality Proposal had cast a spotlight on the connections between racialized oppression in the domestic contexts of Western powers, their empires, and imperialist rivalries, and had enjoyed fervent support, particularly among Blacks in the United States. As Kearney notes, “There developed a great enthusiasm in the black communities of the United States for a Japan-led, anti-white-imperialist movement.”5 The league’s rejection of racial equality in international relations was due in part to the emerging concern to divest domestic demands for racial equality and anti-racist resistance of political authority; that is, to depoliticize what Du Bois had referred to as “the problem of the twentieth century … the problem of the color-line.”6 The depoliticization of race in international relations could not be so easily accomplished when faced by the anti-colonial movements of the pre- and post–Second World War period, and potently, in the aftermath of the Third Reich’s promotion of scientific racism as ideological justification for the annihilation of six
million Jews. Reflecting on three trips to Poland after the war, Du Bois drew out the interconnections between racialization as a global process and the particularities of racialization as pertaining to different groups:

The result of these three visits, and particularly of my view of the Warsaw ghetto, was not so much a clearer understanding of the Jewish problem in the world as it was a real and complete understanding of the Negro problem. In the first place, the problem of slavery, emancipation and caste in the United States was no longer in my mind a separate and unique thing as I had so long conceived it. It was not even solely a matter of color and physical and racial characteristics, which was particularly a hard thing for me to learn, since for a lifetime the color line had been a real and efficient cause of misery.\footnote{In 1950 the United Nations Educational, Scientific and Cultural Organisation (UNESCO) issued the first of what would subsequently become known as its Four Statements on Race. The 1950 statement, and its three revisions in 1951, 1964, and 1967, embodied the rationale underpinning the establishment of UNESCO in 1945—to respond, in the aftermath of the Second World War, to the barbarism and atrocities committed, uninhibited in a moral climate validated by scientific racism: “The great and terrible war, which has now ended, was a war made possible by the denial of the democratic principles of the dignity, equality and mutual respect of men, and by the propagation, in their place, through ignorance and prejudice, of the doctrine of the inequality of men and races.”}

UNESCO’s objective of challenging “the myth of race” by distinguishing it from “the biological fact of race”\footnote{UNESCO’s first Statement on Race did not dislodge “Race” had the effect of dehumanizing and objectifying people as less deserving of treatment as the human bearers of civilization. The human will to determine one’s life trajectory was delimited by racial group belonging. Biology placed agency beyond human hands and into the material object of racial bodies. Yet, and for our purposes, while UNESCO challenged the kernel of scientific racism, “race” was positioned as a singular variable not deeply constitutive of the intimate and racializing relationship between geopolitics and the domestic sphere of national reception that positions, grants status to, and ultimately receives refugees.} sought to create distance from the nineteenth-century imperialist nationalist view encapsulated in Victorian Tory politician Benjamin Disraeli’s espoused doctrine that “all is race.” The belief that humans could be categorized as belonging to one of three biologically constituted and unchanging groups—Caucasoid, Negroid, and Mongoloid—and that cultural, social, and individual characteristics were hierarchically reflective of these “racial types,” was such a deeply held view in European and North American societies that it had provided legitimacy for Western nation-building, imperial domination, and the racial extermination policies of the Third Reich. “Race” had the effect of dehumanizing and objectifying people as less deserving of treatment as the human bearers of civilization. The human will to determine one’s life trajectory was delimited by racial group belonging. Biology placed agency beyond human hands and into the material object of racial bodies. Yet, and for our purposes, while UNESCO challenged the kernel of scientific racism, “race” was positioned as a singular variable not deeply constitutive of the intimate and racializing relationship between geopolitics and the domestic sphere of national reception that positions, grants status to, and ultimately receives refugees.

For UNESCO, ethnicity and culture were more legitimate markers of individual and social characteristics than race. However, UNESCO’s first Statement on Race did not dislodge the scientifically designated “biological fact of race.” The limitation of this approach was that the doctrine of race had emerged and been so interwoven with biological determinacy in the late nineteenth and early twentieth centuries that the fixity connoted by “biological fact” could now be carried by “cultural fact,” even when the concept of race was absent from discourse. In short, cultural and ethnic differentiation and fixity could easily become a homologue of race, especially where phenotype (i.e., skin colour) demarcated group belonging: in effect, the logic of racialization shifted to accommodate the view that human beings cannot be categorized by race in a race hierarchy, but by culture in a cultural hierarchy. It is here that overlap with the politics of refugee becomes most explicit.

Scholars working in refugee studies recognize that persons receiving refugee status must navigate the everyday terrain of “refugeeness,”\footnote{A contested condition of existence in which the figure of the refugee is constructed by policy practices and media representations that together constitute a media-policy-migration nexus. A set of political and media-validated scripts play out—particularly in the cultural construction of a war-induced “refugee crisis”—that informs Western assumptions of what a refugee is and that} a contested condition of existence in which the figure of the refugee is constructed by policy practices and media representations that together constitute a media-policy-migration nexus. A set of political and media-validated scripts play out—particularly in the cultural construction of a war-induced “refugee crisis”—that informs Western assumptions of what a refugee is and that
excludes the “non-deserving.” In the West, migrants and refugees from the Global South and East are (in)validated within a “victim-pariah” representational status couplet, where entrants must prove they do not constitute a threat to the receiving state. There follows a publicly anticipated performance of the refugee role informed by understandings of war, violence, and their impact on persons displaced by conflict. The performative expectations of contemporary refuge construct refugees as involuntary, non-wilful objects shaped and moved by forces of conflict: “refugees” must fit the “victim” role in order to gain entry, and act so as to retain host acceptance. In the cultural script of refuge, refugees are victims who “deserve” rescue; receiving societies are saviours who provide it.

The construction of “the refugee” as a “forced” “non-Western” object without will or socio-cultural history, to be rescued by the benevolent West is the central point of overlap between racialization and refuge in the contemporary context of refugee reception. Edward Said’s Orientalism thesis offers a partial way into deconstructing cultural scripts of refuge. The Western historical construction of the “non-Western other” as uncivilized, unruly, and lacking in cultural sophistication contrasts with “the West,” where the cultivation of self assumes a superior and dominant vantage point from which Western imperial interventions are justified. The West (self) is constructed as active (masculine), knowledgeable, and moral; the East (other) as passive (female), to be led by Western virtue. In the macro-context of East-West geopolitics, self-determination movements and anti-colonial struggles of the twentieth century broke “the principle of confinement” and were interpreted through the Western lens of unruly barbarity. Yet, as a considerable body of scholarship has demonstrated, the activities of “displaced persons” cannot be understood as orientated around a conflict-induced “bare life” existence—a universal condition devoid of “pre-conflict” historical and cultural practices. The pre-conflict identities and behaviours of refugees are affected, but not omitted or defined by conflict and war. Framing refugees as victims “with no histories” whose existence “merely starts with the war” silences the interactive contestation that pre-conflict histories and cultural practices potentially mobilize against the media and policy scripts that currently underpin reception in Western states.

Given the centrality of racialization to geopolitics and the inauguration of the central institutions of international affairs in the twentieth century, to think of “race” as but one of many variables in what can also be called the century of the refugee is somewhat myopic. In short, to refer to the geopolitics of refuge as a “Global Refugee Regime” unwittingly falls into the trap of missing the centrality of racialization as an embedded system of oppression in the West, and to which we offer the counter-designation—the Racialized Refugee Regime.

Each of the articles featured in this special issue grapples with the Racialized Refugee Regime. “Race” is not thought of as a discreet variable for consideration but as part of an embedded structure of oppression in which the racialized refugee regime is generated and reproduced.

In “Forensic Age Estimation in Swiss Asylum Procedures: Race in the Production of Age,” Johannes Oertli examines the procedure of forensic age estimation (FAE) used to assess the “actual” age of an unaccompanied young person’s claim to be a child. Focusing on Swiss FAE asylum procedures, Oertli unpacks assumptions and practices that lead to “age disputes.” The study elaborates on what triggers such “age disputes,” highlighting the difference between forensic and medical age estimation and how the use of FAE in a forensic environment racializes the children involved. The piece makes a significant contribution to our understanding of how the putatively scientifically neutral practice of FAE can reproduce ethno-racialized boundaries and legal borders within current refugee regimes.

In “The Borders of Tropicality” Julián Gutiérrez Castaño argues that the discourse of tropicality in Colombia creates boundaries and binaries between racialized and normative territories, rural peripheral areas and urban centres, and spaces. Tropicality constructs darker “barbaric” regions closer to sea level and whiter “civilized” regions in temperate altitudes. The article helps us to move beyond the assumptions underpinning any notion that displacement “contained” within what is usually referred to as the “Global South” is not subject to racialization. Rather, race is a social construct that is in the making permanently, while presenting changes in space and time, challenging any static ideas of racialized refugee in intersection with geography. Yet, while the discourse of tropicality produces racialized spaces, where the process of displacement implies the crossing of the “border” between the “tropics” and the cities, Afro-Colombians, Indigenous people, and mestiza campesinas challenge the ideas of tropicality by creating new geographies as they settle after displacement. The study highlights the importance of understanding agency and the subjective negotiation of racialized refuge by its targets.

In “Queer Credibility in the Homonation State: Interrogating the Affective Impacts of Credibility Assessments on Racialized Sexual Minority Refugee Claimants,” Jen Rinaldi and Shanti Fernando critically appraise Canadian Immigration and Refugee Board (IRB) decision-making and argue that the process imposes burdens on diverse sexual orientation and gender identity and expression (SOGIE) refugee claimants of colour to prove that they are queer according to homonationalist interpretations of queerness. The article
makes an important contribution to our understanding of how nationalist refugee reception practices can accommodate ideas that are putatively taken as “progressive” and “anti-oppressive.” Their interrogation of legal discourses on “authentic queer refugeeness” reveals how such attributions attached to persons who are socially, politically, and legally organized by the racialized refugee regime can force them to conform to white Western ideals.

In “Patrouille des frontières nationales et représentations racialisées: Analyse de commentaires en ligne sur les réfugiés syriens au Québec” Mathieu Forcier analyzes commentary on the Facebook pages of Quebec’s largest media outlets on the Canadian government’s plan to resettle Syrian refugees in 2015. The study interrogates the particular configuration of normalized, national belonging used by anxious white ethnic majorities who perceive themselves as threatened by refugee resettlement. New social media therefore create an anomalous status-labelling space through which refugees and the receiving society are racialized as antithetical constituencies. The analysis underscores the fact that the denial of racism and the positive presentation of self were evident in negative discursive framings of the arrival of Syrian refugees. However, the representation of the Quebecois white ethnic majority as a “people” victimized by multicultural elites serves as an important reminder that the racialized exclusion of refugees can operate without recourse to overtly racist language.

In “The ’Worthy’ Refugee: Cash as a Diagnostic of Xenophobia and ‘Biologiticism’,” Clayton Boeyink argues that the refugee regime represents a racist colonial genealogy in discourse and structure, but also reflects changing geopolitical dynamics that applies a framework of preference to specific groups. The policy of refugee cash transfers, argues Boeyink, represents a biopolitical diagnostic for where refugees are deemed worthy to reside. The article highlights continuity, change, and differential treatment by examining cash for repatriation at the end of the Cold War; cash for urban Iraqi refugees in Jordan following the second Gulf War; and the Tanzanian government’s recent decision to shut down a cash project in Nyarugusu refugee camp. Where cash is allowed to flow is dependent on a racialized hierarchy of deserving, which positions the respective statuses of “refugee groups” within the racialized refugee regime.

Paloma E. Villegas and Tanya Aberman’s “A Double Punishment: The Context of Post-secondary Access for Racialized Precarious Status Migrant Students in Canada” highlights an important intervention they carried out in a bid to counter the racialized exclusion of “precarious status migrant youth” in post-secondary education. While there are access policies at the primary and secondary school level, racialized barriers in post-secondary education, perpetuated by the immigration and schooling systems in Canada, affect those of refugees in distinctive ways. Drawing from semi-structured interviews with migrant and refugee youth and their own experience organizing an access program at York University that targets precarious status students for inclusion, they indicate that precarious status students transitioning to university experience a “double punishment” through racialized exclusion. They end with a proposal to Canadian universities and policymakers to take head of the findings of their and other interventions so as to increase equitable inclusion.

Each of the articles included in this special issue helps to stimulate a more sensitive and productive understanding of the intimate relationship between racialization and refugee regimes. “Racialized Refuge” is a small step in stimulating wider and deeper debate, a call to think outside of well-established narratives, and to develop interventions that tackle the complexities of the Racialized Refugee Regime.

**Notes**

1. The second publication is a volume of country case studies, edited by Kyriakides and Torres, to be published by Routledge (US) in 2020.


16 Kyriakides, "Words Don’t Come Easy."


Christopher Kyriakides holds the Canada Research Chair in Citizenship, Social Justice and Ethno-Racialization, York University, Canada. ckyriak@yorku.ca

Dina Taha is a Ph.D candidate, Department of Sociology, York University, Canada. dinataha@yorku.ca

Carlo Handy Charles is a Ph.D. student, Department of Sociology, McMaster University and the Department of Geography, Université des Antilles. charlc6@mcmaster.ca

Rodolfo D. Torres is professor of urban planning, public policy, and political science, University of California, Irvine. rodolf@uci.edu
Forensic Age Estimation in Swiss Asylum Procedures: Racialization in the Production of Age

JOHANNES OERTLI

Abstract
In asylum procedures, authorities often doubt the claim of an unaccompanied young person to be a child. In Switzerland, in such cases, asylum seekers are made to undergo forensic age estimation to assess their "actual" age. This article studies this practice, drawing on interviews with the people who commission and conduct it. It elaborates on what triggers such "age disputes" and explains how age is being assessed. It continues by highlighting the difference between forensic and medical age estimation and how the use of FAE in a forensic environment racializes the children involved. In conclusion, this article reflects on the meaning of this racialization and what it, as well as the use of FAE, signifies about the interplay of racialized boundaries and legal borders within current migration regimes.

Résumé
Dans les procédures de demande d'asile, les autorités doutent souvent de la prétention de jeunes personnes non-accompagnées à être des enfants. En Suisse, dans de tels cas, les demandeurs d'asile sont soumis à une procédure d'estimation médico-légale afin d'évaluer leur âge « réel ». Cet article étudie cette pratique à partir d'entretiens approfondis avec les personnes qui la commissionnent et la mettent en œuvre. Il traite des raisons provoquant ces contestations sur l'âge et explique la façon dont l'âge est évalué. Il souligne ensuite la différence entre une estimation médico-légale et médicale ainsi que la manière dont l'estimation de l'âge en milieu médico-légal racialise les enfants concernés. L'article se conclut par une réflexion sur la signification de cette racialisation et sur ce que cette dernière, de même que l'utilisation de l'estimation médico-légale, signifient au sujet de l'interaction entre frontières racialisées et frontières juridiques dans les régimes migratoires actuels.

In Switzerland there are significant advantages to being considered an unaccompanied asylum-seeking child (UASC). They range from better reception conditions and care to being protected from deportation to the country of first entry under the Dublin III regulation. Thus authorities presuppose an incentive for adolescent asylum seekers to falsely claim to still be UASC and in turn to contest these
claims. Indeed, since the peak of asylum applications in the “migration crisis” in 2015, there has been more scrutiny of age disputes. Adolescent applicants have become increasingly entangled in legal disputes over their “true” age. Age has become a complicated category for young asylum seekers and the Swiss Secretariat for Migration (SEM), each attempting to prove opposite claims. For solutions, the SEM approached forensic medical practitioners, who perform a procedure known as forensic age estimation (FAE), wherein different parts of a young person’s body are measured and categorized. FAE establishes a probable age range of UASC, which authorities take to settle age disputes.

This article unpacks FAE in Swiss asylum procedures, focusing on one particular procedure called three-pillar analysis. It draws upon research conducted in Switzerland in the summer of 2016. I base my work on eight interviews lasting around one hour with specialists in AE, conducted between April and June 2016. The interviews were translated from German to English and anonymized. My interlocutors can be divided into two groups. I spoke with three individuals who commission or carry out tests and five people who are critical of the tests. This imbalance emerged because few people conduct FAE in Switzerland and because I struggled to find interview partners in favour of FAE, but not to find people opposed. While forensic age estimations (as well as other forms of age estimations) have been a focus of scientific inquiry (in particular, legal), little social science research has covered the issue, and much of it has focused solely on the procedure in theory, or on its participants. This article analyzes interviews with the people who commission and conduct FAE and thus centres on FAEs in practice.

I complement the interviews with a close reading of an expert report on age estimation (Ältersgutachten): the written product of FAE. Accessing such reports was difficult. However, I gained access to one report through an NGO worker. I used it to challenge and complement the interviews. It is anonymized and translated from German. Even though I read only one report, my interviews, as well as the academic literature the report cites, confirm the procedure detailed in it. The report will be used only to illuminate how FAEs proceed. I did not meet the young person whose body this report assesses. I know the subject is male, from Eritrea, and claimed to be sixteen at the time of the assessment, and the report led to his being re-estimated as adult.

This article elaborates on the reasons for such “age disputes.” Explaining how age is being determined, I continue to illustrate how FAE is different from medical age estimation conducted in a clinical context. I highlight how clinical and medical age estimation assess chronological or biological age respectively. I continue by focusing on one specific moment in FAEs, where this difference in context demands that FAE adapts its reference population. This leads it to draw upon a racist categorization. In this moment, the test racializes its subjects to uphold its validity in an asylum context.

In conclusion, this article reflects on the broader meaning of moments like this and how they, as well as the use of FAE, illuminate the ways in which sovereign “borders and racialized boundaries” operate in the current migration regime.

Age Disputes
The question of age is pivotal in asylum procedures, as everything, including the refugee definition, “must be interpreted in an age ... sensitive manner.” For example, the same ill-treatment amounts to persecution when faced by a child but not by an adult. In addition, children enjoy the additional protection of the Child Rights Convention. Moreover, even though no young person is forced to consent to an FAE, non-cooperation can amount to a breach of the applicant’s duty to cooperate. In the worst case, this can result in dismissal of the asylum procedure or at least will lower the overall credibility of the applicant and thereby influence the asylum decision. Kvittingen has uncovered this possibility in UK age estimations. Moreover, Swiss asylum law includes many procedural advantages and mandates better housing and care for UASC. Thus being underage entails different treatment for asylum seekers. Further, the Dublin III regulation protects children from being transferred back to their country of first entry. They are entitled to an asylum procedure in Switzerland. Thus being a child is decisive for an UASC’s future, and “age” is a vital procedural (considering the advantages of being UASC), financial (considering the costs of special treatment), and political (considering asylum statistics) issue.

However, all my interlocutors acknowledged that age, despite its imminence, is difficult to determine. As my interview partner working for the SEM explained, it constitutes a juridical dilemma. Sebastian is a senior case worker at the SEM. He responded to my official interview request to the SEM and wanted to discuss three-pillar analyses (the particular age estimation procedure discussed here) because they are a novel matter for the SEM. He explained why he chose FAE: “As a governmental organization, we are bound to the principle of judicial investigation. We must establish the facts and investigate the circumstance as much as possible. And I considered it my responsibility—as the person, who ... in the end signs the decisions—if we have the possibility to clarify age with such precision as the forensic medical specialists promise, we must use it.” He clarified that the reasons people cannot show proof of being a minor, like a passport or birth certificate, are plentiful and range from lack of bureaucratic structures in their
country of origin to ill-advice by smugglers. Some are also just informed enough to present themselves as younger than they are. In Sebastian's view, such incentives to cheat and the falsifiability of any proof destabilize every claim of adolescence. However, Sebastian considers it the SEM's obligation—as a government organization—to approach the truth as closely as possible. And he insisted that only FAE promises to assess age precisely enough to solve age disputes in a “scientific” manner, which adheres to “the principle of judicial investigation.” Likewise the Swiss Regulation on Asylum refers to the possibility of verifying applicants' claimed age using “scientific methods” and the Swiss Federal Council, whenever asked by MPS about the validity of FAE, replies that there is no reliable method, but FAE is at least based on “scientific methods.”

Age, Sebastian insisted, is assessed not only by using FAE. In fact, FAE constitutes only a weak indicator. Identity papers and the statements of the young person and physical appearance are also considered. Besides, according to longstanding judicial practice, age must be established as part of an overall estimation that considers all possible evidence, because no method is precise enough. However, as Sebastian himself explained, all evidence apart from FAE is falsifiable, or (in)voluntarily lacking. Furthermore, the burden of proof for being underage rests on the young person. Therefore if minority is implausible, majority is simply assumed.

If the SEM assesses a UASC as adult, the young person's age is preliminarily adjusted to “adult.” The final decision is taken only with the asylum decision (and can, therefore, be appealed only then). However, applicants can request adjustment of their personal data in the national registry of asylum seekers. In practice, this is rare, as accessing legal aid for age-adjusted young asylum seekers is hard.

The quote from Sebastian exemplifies that the SEM is unable to decide about age in a way that complies with the principle of judicial investigation. Therefore when Sebastian has a doubt, he turns to an Institute of Forensic Medicine, where forensic practitioners claim to establish age more precisely. Using FAE (a “scientific method”) allows him to overcome the age dilemma. Sebastian highlights how the inability to prove “age” by both the SEM and the applicants beyond any doubt triggers age disputes—which are not only about age, but also about the allocation of resources and protection.

Therefore forensic age estimation differs from clinical age estimation, in which the same methods are practised daily and where they were developed. In a clinical context, age estimations are conducted with “the purpose of preventing, diagnosing, or treating.” Yet, in a forensic context (like asylum procedures), FAEs are also used in criminal procedures, in particular concerning the question of age of criminal responsibility (and, thus, imprisonment) as well as in family law—they answer different questions. In clinical contexts, the chronological age of the child is always known (or at least not contested). And chronological and biological age are compared only as an indication of potential bodily disorders, not to establish adulthood. The doctor evaluates whether a child's physical development corresponds with the average development within its age group. If it does not, the child might be ill. As such, the test does not intend to establish clear boundaries but only to identify stark discrepancies. On the other side, in (non-clinical) FAE, if the test result and the UMA’s claim are incompatible, FAE concludes that the professed age of the child does not correspond to its factual age. Thus its stated age becomes implausible: the child might be lying. The comparison of test result and declared age no longer evaluates the health of the child, but rather assesses the credibility of the test subject. And this estimation needs to be much more (numerically) precise in order to deliver significant results—results that enable Sebastian to settle an age dispute.

**Forensic Age Assessment**

FAE is a complicated procedure, opaque to its subjects. At their core, age estimations compare the development of a specific part of the body of a young person whose age is unknown to the development of the same body part of a reference group, where everyone's age is known. In this way, it determines a likely range within which the young person's age in all probability falls. Thus FAE produces specific knowledge—a biological numeric age range—from the young person's body.

There are two different forms of forensic age estimation in Switzerland. Both happen, in most cases, shortly after arrival in Switzerland, when a case worker contests the claimed age on the basis of physical appearance or behaviour. Most commonly, a general doctor analyzes an X-ray of the left wrist bone, using a method developed by Greulich and Pyle in a hospital or by a GP. Yet this procedure has been criticized by medical associations for its imprecision. While it is still being used, the SEM started testing a new method of age estimation—the so-called three-pillar analysis—which they intend to roll out throughout Switzerland as part of a new accelerated asylum procedure that came into effect in March 2019.

Three-pillar analyses are different, as they compare and categorize three body parts (one for each pillar): wrist bone development, dental maturity, and sexual maturation. Three-pillar analyses are conducted by forensic scientists in university institutes of forensic science. FAE establishes a result for all three pillars and then mathematically merges
them into one combined result. In that way, according to my interlocutors, it assures greater accuracy and a holistic estimation of a child’s body.

All three body parts are similarly assessed. For example, following the report, the young person’s sexual maturity is categorized using the stages of Marshall and Tanner. Practitioners visually compare what they see to an image and a description for each stage. The young person’s primary sexual organs are classified at stage G5 (stage 5 genitalia): “genitalia adult in size and shape.” This taxonomy differentiates between five stages of development for genitalia (boys) or breasts (girls), as well as pubic hair. They range from stage 1 “pre-adolescent” to stage 5 “adult.” G5 indicates an average age of 14.92 (± 1.10) years, i.e., an age range from 13.82 to 16.02 years. Secondary sexual characteristics are ranked at stage PH5 (stage 5 pubic hair), which equates to an average age of 15.18 years, with a margin of error of 1.07 years. This categorization stems from data of 192 girls and 228 boys from the Harpenden Growth Study, a longitudinal study from 1948 to 1971 where a changing group of adolescent white British boys and girls from a lower-class background living in a children’s home in Harpenden, north of London, were examined and photographed (naked) every three months for up to fifteen years each.

The other pillars are similarly assessed, using a different classification. After all three pillars have been analyzed and an age range has been determined for each, they are mathematically combined into a final result. This is done by calculating the average of the two minimum ages (i.e., average age minus margin of error) of the skeletal and the dental assessment. The third pillar, sexual maturation and anthropometric measures, is—according to my interviewees—referenced only to exclude any bodily issues that influence the test. In the report, no such factors were detected. Thus, in a first step, FAE determines three different age ranges of the young person’s body, which are then combined into one result. In other words, it establishes the young person’s biological age.

In a second step, this combined result is then compared to the claimed age of the young person. In the report, the combination amounted to a minimum (biological) age of 16.5 years. In comparison, the young person’s claimed chronological age (15.9 years at the time of the test) is considered “incompatible.” “Based on the combined age diagnostic” and for the benefit of the person concerned, in consideration of the lowest singular result, which are not contradictory, at the time of assessment, for XXX the certain completion of the 16th year of life (16.5 years) can be concluded. Therefore, the indicated age of about 15 years and 11 months [15.92 years] is not compatible with the result of the forensic age estimation.”

Unlike in a clinical context, FAE needs an exact result against which it can compare the young person’s contested chronological age. Yet clinical age estimation is a statistical assessment of how much a body corresponds to its age average. Thus clinical and forensic age estimation answer two different questions. Noll considers this a type III error (“the expert gives the correct answer, but to the wrong question”). In other words, to him forensic age estimation answers a question about biological age (“Is this young person healthy?”), which is different from the question about chronological age being asked (“Is this young person a child?”). However, the different approach—the scientific-ness—is exactly why the SEM turns to forensic scientists. Thus, as I will argue, it is not so much that FAE answers a question different from the one asked by the SEM. Instead, FAE adapts its test in order to respond to the question asked.

**Influence of Ethno-Racial Ascription**

FAE has to adapt the reference population to match an asylum context. This adaptation not only racializes the young people assessed by FAE but also highlights the wider implications of the attempt to match clinical age estimations to an asylum context. In general, FAE compares a young person’s body part to the same body part of a reference population. Max explains that this reference population must comprise an optimal population. He is a forensic practitioner and conducts three-pillar analyses with UASCS. He contacted me after I approached his institute with a formal interview request. “The reference study always encompasses an optimal population; that is, persons who develop as well and as fast as possible, who simply do not have any influencing factors like a long illness or hunger.”

Optimal reference populations rule out factors that lower bodily development. If a person who has suffered hunger (and thus developed more slowly) is compared with a group who has not suffered hunger (and thus developed more quickly), FAE will estimate that they are younger, to their advantage. To Max, this method assures that FAE never overestimates anyone’s age (thereby denying needed protection). However, optimal reference populations also enable FAE to assess people from different contexts and backgrounds. All reference populations of the three pillars (wrist, teeth, and sexual maturation) comprise white European children (or children of white European descent). In the example of sexual maturation, the population encompassed white British boys and girls from Harpenden, UK. Similarly, Greulich and Pyle’s standards are based on white children of European descent from the Cleveland area. None of them suffered from malnutrition, and all were considered to be in good health.

Yet in practice and in the vast majority of cases, FAE is used on young people of colour. The question of comparability of young people from different origins is raised in the literature, but also by my interview partners (critical of FAE
and not). In my interviews with forensic practitioners, we touched upon the influence of “ethnicity,” and their answers struck me.

The report at hand discusses this possible influence of the test subject’s origin—he is Eritrean—on the test result in a section titled “Influence of Ethnic Affiliation.” First, the report determines that everyone passes through the same stages of development and thus affirms comparability between “ethnic groups.” Next, it establishes that everyone passes through bone age and sexual maturation at the same time. The report goes on to cite “evidence” that wisdom teeth of children of different ethnicities develop at different ages. Hence, it concludes the ethnicity of the reference group for dental age needs adaptation when FAE estimates young people of different “ethnic affiliations.” Thereby, this “ethnic affiliation” assumes the power of a biologically defined reference group. The report continues to consider what this signifies for Eritreans:

In Eritrea, there are nine larger ethnic groups. On the one part, there exist no generally accepted reference studies for Eritrean populations on tooth development, on the other part, owing only to the external appearance in the case at hand, neither the exact ethnicity nor the proportion and possible influence of a mixed ethnic origin can be concluded. However, the person affected can readily be assigned to Sub-Saharan Africa.

In a study by Olze et al., relevant differences of the established average age before the completion of root growth (stages D–G) between German, Japanese and South African populations could be demonstrated. Thus, wisdom teeth development of the South African population occurred approx. 1 year faster than in the German comparison group, which, in turn, [developed] faster than in the Japanese. Liversidge was also able to identify through a comparison of Black people from South African populations and populations from London a significantly earlier wisdom tooth development of the African population. In this respect, in the case at hand, the age estimation is based on the reference data of a South African population.

For lack of reference populations from Eritrea and because the practitioner is unable to determine the subject’s exact ethnicity beyond doubt, the person is “assigned to Sub-Saharan Africa.” As both Olze and Liversidge found that “South African teeth” develop faster than teeth of European children, the reference group is exchanged for a reference population from South Africa, and the subject is compared to South Africans or more exactly a reference group of “584 black South African subjects.” From “Eritrean,” stated by the young person himself on his personal details form, he has now been ascribed to “black South African.” He has been “readily” attributed “black.”

The direct consequences of this shift are hard to assess, because the original study of Demirjian in 1973 did not extend beyond 16 years (as their data included only 109 children between 15.5 and 18 years). In the case here, the underlying dataset is changed “in favour” of the age-disputed individual, as Olze found that the wisdom teeth of a South African population develop earlier than in the reference population underlying the stages of Demirjian, which comprised “1446 boys and 1482 girls [from …] Montreal […] with parents and grand-parents of French Canadian origin.” Yet in Olze’s study, the difference between the “German” and the “South African” reference group is to the subject’s disadvantage. In the male German reference group mineralization stages “F” (what was found for the report’s subject’s wisdom teeth) amounted to an average age of $18.2 \pm 2.1$, whereas those for “South African males” equated to $18.7 \pm 2.3$.

What is clear, however, is that the lack of a suitable reference group as well as the inability to pinpoint the young person’s ethnicity, to determine it in a way that cannot be falsified by the test subject—in other words without having to trust his word—led the person who conducted the test to redefine the subject’s ethnicity from Eritrean to “black.” He was ascribed Blackness and racialized. I insist on “ascribed,” because in this moment Blackness was also created by the fact that the forensic practitioner in charge was required to fall back upon “grand ethnicities”—considering that my interlocutors differentiated between “European,” “Asian,” and “African”—to make the category of ethnicity meaningful in this specific context. As Miles insists, racial categories do not exist: “There are no ‘races’ and therefore no ‘race relations.’ There is only a belief that there are such things, a belief which is used by some social groups to construct an Other (and therefore the Self) in thought as a prelude to exclusion and domination, and by other social groups to define Self (and so to construct an Other) as a means of resisting that exclusion.”

He highlights how racialization is constructing an Other in order to exclude it. Wodak and Reisigl highlight the point that, for Miles, racialization is a “process of categorization and meaning construction in which specified meanings are ascribed to real or fictitious somatic features.” This theorization helps to shed light on why the practitioner manages only to pinpoint the subject’s ethnicity beyond doubt, once the reference group had been changed; the new ethnicity was “readily” [ohne Weiteres] ascribed. Wallman explains her unease with this category of “ethnicity,” highlighting the fact that “ethnic” boundaries are always far from self-evident and more about “the meaning put upon difference,” that is the decision on where to draw the line. As Werbner helps to understand, the meaning of the ethnicity “Eritrean” (stated by the young asylum seeker on the personal details from the
beginning of his asylum procedure) is very different from the meaning the ethnicity acquires once the forensic scientist has put meaning upon it (i.e., made it useful in the context) by ascribing Blackness to the young person’s body. Whereas the former constitutes a self-identification, the latter is a “reification,” a “representation which distorts and silences.”

Thus ethnicity was reified into “black.” It became meaningful for FAE, because for “black” bodies, unlike for Eritrean bodies, a reference population exists. The “new ethnicity” allows the test to settle age disputes. However, it was also made meaningful in another way. It changed “ethnicity” from a self-identification to an external ascription of ethnic origin. In other words, the test, when faced with its own need to ascribe ethnicity to produce the demanded objective knowledge in a scientific way (to produce knowledge that settles age disputes) and its inability to do so, ascribes (and creates) an “ethnic affiliation” to make “ethnicity” “significant”: it racializes the subject to an all-African Blackness. It reduces, as Hesse poignantly formulates, a “diverse cultural representation to the limited iconography of ‘races.’”

The category of ethnicity—the validity of which as a category of self-identification is not at issue here—when used in the context of FAE becomes synonymous with “race.” The adjusting of the reference group thereby comes to resemble a discursive move that Balibar calls “differential racism”—a move away from “race” to a static “culture” that hides the underlying racist assumptions. In a similar way, Lentin insists that the “scientific status attributed to ethnicity as a replacement for race contributes to the neglect of the persistence of racism in contemporary society.” “Scientific” ethnicities (untainted by history) become a proxy for race. The “readily” ascription of the racialized category of ethnicity by the forensic practitioners to the young people’s bodies—and references to scientific journals that provide them with a justification to hide behind—conceals FAE’s support of racial categorizations.

And, returning to Miles, racialization is always the “racialisation of social relations,” which shifts focus to the consequences of this racializing of the test subject. FAE’s search for “an ethnic factor” highlights the fact that racism does not imply reference to biological difference. To the contrary, racism is the conversion of social “patterns of discrimination” into biological differences. Racializing the young people involved allows FAE to be used in a context it is not made for. It permits the establishment of a minimum age “in an objective way,” that is a minimum age that is claimed to be “precise enough” to solve an age dispute. Yet if FAE establishes age according to a comparison with a reference population, it assesses how much a body conforms to age averages (of ascribed and constructed “ethnic groups”). In other words, FAE excludes young people of colour whose bodies do not correspond to the ideal type of a child’s body (that is, a white childish body) from the protection of being a child. And as such it stands in a long tradition of ways Europe has excluded “threatening” Black bodies. Therefore, FAE highlights how racism is a process by which racialized others are produced and simultaneously confirmed, and how it hides the social relations behind it of who is inside and who is outside—of which child receives the protection of the state and which receives the full force of its politics of exclusion.

**Conclusion**

This article showed how age is crucial in asylum procedures. Yet for the SEM it constitutes a judicial problem, as they regard themselves unable to assess it adequately by themselves. Thus, they turn to forensic scientists, as FAE promises to assess age in a way that fulfills the SEM’s duty to adhere to the principle of judicial investigation. However, the way FAE estimates a person’s age glosses over the fundamental difference between clinical and medical age assessment. Whereas clinical age estimation works with a known chronological age, FAEs are commissioned because the chronological age is contested. Thus, while clinical age estimation searches only for discrepancies as indicators of illness, in FAE the comparison needs to be much more precise for the test to be useful to the FAE, to make it meaningful in a particular context and to solve an age dispute. In other words, FAE, as the use of clinical age estimation methods in an asylum (or forensic) context, requires more precision to assess whether or not a young person is a child or not.

However, this demand for precision racializes the young people involved. The specific demands that the test represents require FAE to construct an “ethnic affiliation” synonymous with race. FAE, as a racialized procedure, comes to exclude certain bodies from the protection that children are entitled to, not along age lines, but rather along lines of conforming or not to a normalized bodily image of what a “black” child looks like.

The racialization in FAE highlights how racism is a tool for exclusion and for justification. On the one side, it is another (racialized) layer of exclusion built into the immigration system. Yet, on the other, racism is to the “accuser’s benefit and at his victim’s expense.” In FAE, the racialization not only enables the use of forensic age estimations in asylum procedures, it also legitimizes the practice of assigning some young people the protection of being considered a child, while others are being transferred to their country of first entry under the Dublin III agreement. It does so by excluding those who conform to standardized (bodily) notions of childhood, while excluding those who do not. Lentin explains that this silence on race enables (in her example) the atrocities of the war on terror to continue, while still upholding the idea of
a Europe based on humanity. Park highlighted a similar consequence in the racist representation of the case of Omar Khadr, an underage Guantanamo detainee, in Canadian media. The racialization allows Omar to be excluded from the protection of the law he is entitled to as a Canadian citizen while at the same time upholding Canada’s own civility. Therefore racializing the young people in FAE allows for the coexistence of enforcement and protection. It reconciles two clashing state logics. And thus the racialization of the young person’s body balances the obligation of the state as the “corporate parent” of said UASC with increasingly punitive migration controls. FAE simultaneously represents and hides the exclusionary practices inherent in the current migration regime. It legitimizes the exclusion of vulnerable people at Switzerland’s gates while upholding the idea of a humanitarian tradition.

To finish off, I would like to return to the question of credibility. FAE is also an assessment of the credibility of those who undergo its procedure: the credibility of a young person’s claimed age (“Is the combined minimum age compatible with the claimed age?”). And, considering it is always a case worker’s suspicion that triggers FAE, it is also an assessment of the overall credibility of the asylum seeker. When I asked Sebastian what would happen if a young person refused to undergo FAE, he responded that it would be a breach of the person’s duty to cooperate (and, in turn, have implications for the applicant’s credibility assessment). In like manner, Kvitlinding (and others) uncovers that the mere fact to be an “age-disputed UASC” can already harm a young asylum seeker’s credibility. Reified ethnicity—or, as I would suggest, the racist use of the self-identification as ethnic Eritrean in the context of FAE (where it becomes synonymous for “black”—“distorts and silences” the subject. Through FAE it becomes easier to cast the (now racialized) Other as lying, as an “impostor-child” and, in turn, a “bogus refugee.”

And last, age, I hope it has become clear by now, remains a political question. And the SEM, by trying to overcome the dilemma about the assessment of age, not only outsources the problem but also racializes the child involved. However, it legitimizes the simultaneous concurrence of exclusion and inclusion, upholding a self-image of liberal values while simultaneously excluding people through illiberal practices. FAE contributes to this regime by drowning the “imperial topography,” which values young people according to “the characteristics of the bodies involved.” I would suggest that this shows how racism maintains what Hesse calls “white governmentality,” and how the governmentality of the European border regime ensures that “the policing of … borders” coincides with the “production of racialised boundaries.” Thereby it refocuses the centrality of racism in migration regimes as it ensures that protection is being granted only to those who are “not only in but of Europe.”

Notes
2 In spite of its importance, the SEM does not count age disputes (or age estimations), according to the SEM’s statistics bureau. It is, therefore, impossible to say how many UASC get caught in age disputes. However, my experience doing case work and research indicate that FAEs are the decisive piece of evidence more often than not. My interviews partners confirmed the same.
3 I speak of children as people under eighteen years and of young person if age is either unclear or irrelevant. See Debbie Busler, Katrina Cowell, Helen Johnson, and Jacinta Kane, ‘Age Assessment Guidance’ (Manchester: Association of Directors of Children’s Services, 2015).
4 At the time of this research, I worked in a migrant advisory centre in Berne, Switzerland. I encountered FAE through several young people who came to our office. The SEM had assessed them as adults using FAE. Yet they claimed to be children.


11 Following Eule, Loher, and Wyss, I conceptualize the European “migration regime” in contradistinction to a legal regime to draw attention to the “everyday practices of a variety of actors with diverging intentions” in “a conflictual field of interests, negotiations, discourses and struggles on inclusion and exclusion between different actors.” See Tobias G. Eule, David Loher, and Anna Wyss, “Contested Control at the Margins of the State,” Journal of Ethnic and Migration Studies 44, no. 16 (2017): 2.


16 Kvititingen, “Negotiating Childhood.”


21 Noll, “Junk Science?”

22 Article 7(1), Swiss Regulation on Asylum 1.


24 Swiss Federal Council, “Written Comment on Motion 16.3598.”

42 This is a typo. The result is 16.05 years.
44 See also A. Aynsley-Green, “Unethical Age Assessment,” British Dental Journal 206, no. 7 (2009): 337.
45 Noll, “Junk Science?”
46 Tanner, History of the Study of Human Growth.
51 Olze et al., “Forensic Age Estimation in Living Subjects.”
52 Olze et al., “Forensic Age Estimation in Living Subjects,” 171.
54 Demirjian, Goldstein, and Tanner, “New System of Dental Age Assessment,” 214.
55 Olze et al., “Forensic Age Estimation in Living Subjects,” 172.
56 Robert Miles, Racism after “Race Relations” (London: Routledge, 1993), 42.


64 Miles, Racism after "Race Relations," 42.


67 Albert Memmi, Racism (Minneapolis: University of Minnesota Press, 2000), 169.

68 Lentin, “Europe and the Silence about Race,” 487.


72 Kvittingen, “Negotiating Childhood.”


77 Stuart Hall, in Lentin, “Europe and the Silence about Race,” 490.

Johannes Oertli has an MA in migration and diaspora studies from SOAS, University of London. He is training as a TV and radio journalist. The author may be contacted at johannes.oertli@gmx.ch.
Abstract
This article argues that the discourse of tropicality in Colombia creates boundaries and binaries between racialized and normative territories, rural peripheral areas and urban centres, and spaces that have been constructed as darker “barbaric” regions closer to sea level and whiter “civilized” regions in temperate altitudes. Nevertheless, there is nuance to the geographies of tropicality, because race is difficult to contain within urban/rural spaces. Additionally, race as a social construct that is permanently in the making, presents changes in space and time, challenging any static ideas of race in intersection with geography. In supporting the argument that the discourse of tropicality produces racialized spaces, this article addresses forced displacement and the racialization that takes place along with displacement, which implies the crossing of the “border” between the “tropics” and the cities; and how Afro-Colombians, Indigenous, and Mestiza campesinas challenge the ideas of tropicality by creating new geographies as they settle after displacement.

Résumé
Cet essai soutient que le discours de la tropicalité en Colombie crée des frontières et des oppositions binaires entre territoires racialisés et normatifs, entre régions rurales et centres urbains ainsi qu’entre les régions près du niveau de la mer construites comme étant plus foncées et « barbares » et les régions tempérées dites plus blanches et « civilisées » situées en altitude. Les géographies de la tropicalité sont cependant plus nuancées car la race est difficile à contenir à l’intérieur d’espaces urbains ou ruraux. De plus, la race est un construit social en devenir qui change à travers le temps et l’espace, ce qui remet en question toute idée statique concernant son intersection avec la géographie. Soutenant l’argument selon lequel le discours de la tropicalité produit des espaces racialisés, cet article traite du déplacement forcé et du processus de racialisation qui accompagne le processus de déplacement, qui implique la traversée de la frontière entre les «tropiques» et les villes; et de la façon dont les campesinas afrocolombiens, autochtones et Mestiza, en s’installant suite au déplacement, créent de nouvelles géographies qui remettent en question l’idée de tropicalité.

Introduction
In November 1998 I had to run away from home because of the violence. It was during the night of November 7. I was pregnant. My route involved going through a farm that has a steep hill.… I managed to arrive in the early morning. I had my baby about one hour after…. Two days later, we learnt that we had to leave…. Some members of the community carried me down on a hammock. We...
had to walk on a hidden path because the paramilitaries were watching from helicopters. When I arrived at my village, I looked around and it was a sad image, everybody had left… Around midnight we heard that we had to leave because the paramilitaries were arriving. We had to get up and walked for more than fourteen hours, walking up and down steep hills. When we were getting close to Rióvicojo … I couldn’t take it anymore, I didn’t know where to put my feet, I was dying of thirst and hunger. I drank from a pothole with yellow water, I was so desperate. I was carried in an ambulance to the hospital. I didn’t feel when they put me in bed. I had a 42°C fever, and my body ached as if someone had beaten me badly. After this, the paramilitaries arrived, the guard and nurse hid me in a hole behind the hospital, where I had to remain with my partner and baby for hours. The hospital personnel weren’t allowed to see the people that were arriving. According to the paramilitaries, we were all guerrillas.²

The testimony above speaks of the terrible violence and forced displacement that are characteristic of the Colombian social and armed conflict, but it also reflects another dynamic that is the main concern of this article. The division and transition between rural marginalized spaces and central urban spaces, a separation that overlaps with the spaces where people are being dispossessed of their land and means of production, and the spaces where they arrive after being forcibly displaced. This article argues that this is a division that causes a new racialization, as people who had not necessarily confronted racism in the micro-geographies of daily life before dispossession and displacement become a new kind of racialized subjects. The racialization that takes place during the movement from their original territories does not affect individuals only. In addition to the historic racialization of Afro-Colombians, Indigenous peoples, and Mestiza campesinas,³ they are now categorized in an eclectic group that contains more than seven million IDPs in Colombia.⁴ In other words, forced displacement also creates new forms of racialization.

This article builds on the work of authors who have advanced critical race studies in Colombia. Peter Wade has studied the complexity of racial identity in Colombia and how the ideology of Mestizaje has influenced the national discourse, particularly in the Colombian versions of liberalism and multiculturalism.⁵ Arturo Escobar has theorized the relation between race, racism, and the discourse of development, uncovering the connection between Colombia’s national discourse of progress and violence.⁶ His work has been complemented by Ulrich Oslender, who researches the dialectic relation of development and forced displacement.⁷ Eduardo Restrepo, although focusing mostly on the Afro-Colombian population, has made a tremendous contribution to critical race studies in Colombia. His work on racialization as a dynamic process, in opposition to the traditional understanding of racial categories as static and fixed, had an important influence on this paper.⁸ Finally, the study of Santiago Castro-Gómez about science and race during the Enlightenment in Colombia, particularly his insights into the discourse of tropicality, has helped me to understand how this discourse was influential during the birth of the nation and its pervasive impact in the past and the present.⁹ This article further critical race studies in Colombia by reflecting on the discourse of tropicality in the present and articulating the relation between forced displacement and racialization.

This article is divided into five sections. The first explains the methodology used in the research from which this article springs. The second section explores the concept of tropicality in Colombia, which grounds the other sections geographically and explains how forced displacement can be understood in connection with cultural and racial dynamics. The third segment deals with the relation between race and forced displacement using national statistics on Colombia’s population, racial categories, displacement, and geographical information. The fourth part draws theoretically from post-structuralist, Marxist, critical geographies of race, and post-colonial literature to explain the rationality behind the dispossession of Indigenous peoples, Afro-Colombians, and Mestiza campesinas. This segment complements the previous section by addressing the dialectical relation between racism and forced displacement, identifying racism as a cause of displacement, and displacement as a source of racialization. The final section explores how IDPs, who have been racialized as an entire group through displacement, challenge the geographical divisions imposed by tropicality and understandings that reduce their lives to bare life,¹⁰ mainly by reclaiming and practising the rights to the city¹¹ and to mobility.

**Methodology**

This article uses a qualitative methodology that combines interviews, field diary, photography, and revision of institutional reports from government agencies and non-governmental organizations (NGOs). This research consists of twelve interviews conducted during the summer of 2014 in Colombia’s coffee region. Eight were individual structured interviews, one was a collective structured interview with three participants, and three were semi-structured interviews. The interviews followed a snowball technique, selecting the interviewees from a combination of previous contacts who
were familiar with race studies, further snowballing samples and IDPs. While selecting the interviewees, I kept in mind the importance of having diversity of gender, class, ethnicity, and age, among others, in order to reflect different points of view and experiences of racialization. Seven women and seven men were interviewed, four of them self-identified as Afro-Colombians, five as Indigenous, three as Mestizas, and two as White Europeans. Interviewees’ ages ranged between the twenties and sixties.

During the first interviews, I learned that the format needed to be more flexible in order to accommodate all interviewees. This flexibility was allowed in two situations. First, the structured format was modified from structured to semi-structured interview, when interviewees took the initiative and addressed some of the questions I had prepared even before I asked them. This flexibility gave interviewees the freedom to expand and emphasize the aspects that were more important for them. Second, before the interviews, participants were offered a written informed consent, which they were asked to sign. It became very clear from the beginning that for some of the interviewees signing any kind of consent was extremely uncomfortable, even traumatic. Some of the interviewees did not know how to read and write, or had very low literacy levels. Even more important, some of the interviewees had been dispossessed with the manipulation of written documents. As soon as I recognized these difficulties, I started using an oral informed consent, which avoided the discomfort of having to sign a document, but allowed them to learn about the research, its ethics protocol, the voluntary character of their participation, and the responsibilities that I had with them as a researcher.

**Tropicality in Colombia**

The geography of displacement and racism can be useful to recognize the borders of tropicality, although I must clarify that I am not trying to establish these borders. I am simply acknowledging their poignant presence. Tropicality is a geographical concept that helps to understand the construction and othering of racialized subjects, mainly by establishing a form of “environmental Eurocentrism.” This critique is inspired by and similar to Edward Said’s work on Orientalism, more concretely when it addresses the construction of European identity in a dialectical relation with the “Oriental Other.” In the case of tropicality, whiteness is built in opposition to the “Tropical Other.” Clayton and Bowd define *tropicality* as “a discourse—or complex of Western ideas, attitudes, knowledges and experiences—that, since the fifteenth century, has both created and been shaped by distinctions between temperate and tropical lands, with the temperate world routinely exalted over its tropical counterpart, and tropicality becoming central to the definition of the West as a temperate (moderate and hard-working rather than extreme and indolent) human as well as physical environment.”

The discourse of tropicality can be employed to understand climatic racism and other forms of environmental determinism that have been used to justify European colonization, and that has been adapted by European descendants (Whites) and Mestizas with aspirations to whiteness in nation-states such as Colombia. Tropicality justifies an imaginary geographical division between this group, on one hand, and Indigenous people, Afro-Colombians, and Mestiza campesinas on the other. Like orientalists, tropicalists collapse “geographical and ‘civilizational’ divides” to construct identity and otherness.

The discourse of tropicality in Colombia has its roots in the late seventeenth century, first as an initiative of the Spanish Crown, later as a project undertaken by the local elite. The most important representative of this project was the scientist Francisco José de Caldas, often referred as “el sabio,” the learned. His most ambitious project was to develop a geographic encyclopedia that covered the territory of the Viceroyalty of Nueva Granada. This was a modernizing project that sought to map the natural characteristics of each region, along with its weather, economic potential, and population, with the objective of increasing agricultural productivity. When mapping the population, emphasis was put on understanding its characteristics and traditions, and examining the moral and physical characteristic of the different racial groups in Nueva Granada, to establish a causal relation between their geographical location and their identities. For Caldas, the most determinant factor for variations between the regions was the altitude—an idea that became very popular among the academic and economic elites. These ideas were reflected in the *Casta* system, a hierarchical racial and social structure imposed by Latin American White elites, who were Spanish or their descendants. The *Casta* system institutionalized White privilege in the micro-geographies of everyday life, overseeing the most ordinary acts that people could or could not do on the basis of their race, and securing the highest positions in society for the White elite.

The imaginary geographical divisions imposed by the discourse of tropicality in Colombia are marked by two contradictions. First, Colombia’s territory lies entirely within the tropical region of the Earth. Second, the division among different regions/populations is not clear-cut. Today, many Mestizas live in the racialized tropics as Mestiza campesinas, while historically many Indigenous people and Afro-Colombians have inhabited the cities. In consequence, Indigenous peoples, Afro-Colombians, and Mestizas (urban and campesinas) have different experiences of racialization, othering, and inclusion/exclusion, depending on the
spaces where they are permanently or temporally situated. Recognizing these contradictions, I argue that today the imaginary borders of tropicality are porous, located not so much between the tropics and the highlands, as between rural peripheral areas and the cities. Although the borders of tropicality are not delineated in maps, they are real and oppressive. These borders encapsulate the “indefinable and impossible identities” that emerge as a consequence of colonial racialization, “identities which are ... regarded as non-identities.”

The first thing that they [city government] asked us, “What are you doing here? Why are you coming to the city when you belong in the mountains? Why are you here?” We kept silent most of the time, because we were afraid to explain many things. We were afraid to speak, to explain why we were in the city... We’re from the mountains, of course, we like them a lot, because we have everything there—we have our knowledge, our sacred places, our jaihe or spirit, because we’re water, we’re air, we’re cloud. For these reasons we’re from there, but the situation that we lived in the indigenous territories was very sad and difficult.

—Fernando*

The testimony of Fernando, an Indigenous Emberá leader whose community was displaced by the armed conflict from the West Andes to the city of Pereira, introduces various themes that I want to draw attention to. Local governments perform the role of the immigration official at the “border,” keeping “tropical” subjects outside the gates of the more “civilized” spaces, where Indigenous and other racialized people “do not belong.” It also speaks to the ambivalence of belonging to two different spaces: a traditional Indigenous territory in the mountains, and an urban territory where many Indigenous people, as well as Afro-Colombians and Mestiza campesinas, have been forced to move. In these urban spaces they are reclaiming and practising the right to the city. This spatial dichotomy is one of the most important elements of the interviews that I conducted. An aspect that reinforces the separation between the city and the racialized tropics is the construction of the coffee region’s identity as Mestiza/Paisa, excluding Indigenous people and Afro-Colombians from its history and present. The narrative of the Antioqueño (Paisa) colonization myth originally claimed a White identity that finally settled for a Mestiza/White racial identity. According to Parsons, “The preponderance of mixed blood ... is in striking contradiction to the frequent assertion that Antioquia is a white province.” There is a racial claim to ownership of the territory, which does not recognize that these spaces were Indigenous before the colonization and the existence of palenques (fortified communities created by runaway slaves) when these spaces were colonized. As Jackeline Mena, an Afro-Colombian professor at Universidad Tecnológica de Pereira explains, “When you ask, ‘What is the participation of Indigenous and Afro-Colombian communities in the construction of the landscape?,’ government officials and ordinary people ask you, ‘What do you mean? The campesina is Antioqueña.’ In consequence, Afro-Colombians do not belong in the coffee region, nor do Indigenous people, who are far away in their reserves.”

Following the geographical separation represented in the discourse of tropicality, Indigenous and Afro-Colombian groups are understood and studied as ethnic categories, while Mestizas are lumped together with whiteness in a category that is constructed as the normative bodyscape of the nation and that is commonly understood as non-racialized. This idea is reinforced in the production of the most important sources of national statistics, such as the census, which categorizes 86 per cent of the Colombian population as Whites and Mestizas, and “not belonging to an ethnic group.” This group is then assumed as the normative category, similar to whiteness in North America. After the separation of the territory into the racialized tropics and normative spaces, “ethnic groups” are then confined to the first, where they are supposedly left undisturbed, so they can practise their culture. They are seen as having static identities. In fact, they are pressured to remain the same and questioned when they change. Ironically, the discourse of tropicality sees them as “backward,” but they are also condemned to what has been socially constructed as “backwardness” because Colombia’s racial ideology does not allow them to transform. Their ethnic identities and cultures are fundamental in a racial project that presents Colombia as diverse and multi-ethnic, but their identities are unlike the identity of the normative subject of the nation. They are forced to become absurd museum identities/cultures that remind us of Balibar’s indefinable and impossible identities. During an interview with Jessica, an Emberá organizer in the city of Pereira, she challenged the idea that Indigenous people should remain constricted to what is understood as their traditional practices and territories. “Time changes. The new generations have changed too. Many people expect that Indigenous people stay in the mountain, in the river, without knowing what is happening in other places. They’re selfish because they think that we have to stay there, but just as everything changes, just as everything flows, we, Indigenous people, we are also fluid.”

The isolation of the tropics is breached when it is discovered that Afro-Colombian, Indigenous, and Mestiza campesina territories have valuable resources and/or when there are political motivations to gain more control over these spaces. The most damaging form of intervention due to external interests in these territories is a social and armed
conflict that involves guerrilla groups and the state (armed forces) in collusion with economic interests (multinationals, local economic interests, drug trafficking, and paramilitary groups). This conflict destroys community life, advances genocide in some of these communities and forces their displacement to other areas, particularly to urban centres. Afro-Colombians and Indigenous people have been subjected historically to racism, but for Mestiza campesinas who are displaced from territories where they have lived for generations, the displacement can be understood as a form of racialization that subjectified them to racism.

**Forced Displacement from Racialized Regions**

According to the Departamento Administrativo Nacional de Estadística (DANE), the Colombian government office in charge of national statistics, in 2005 the country had a population of 41,468,384. Some 4,311,757 (or 10.6 per cent) of the population identified as Afro-Colombians, while 1,392,623 (or 3.4 per cent) identified as Indigenous. The rest of the population (close to 86 per cent) was marked as not having an ethnic identity.

These data can be misleading, since DANE basically grouped together the categories of White, Mestiza, and any other ethnic group that did not identify as Afro-Colombian, Indigenous, Raizal, or Roma. This initiative can be understood within the context of internalized racism and Mestizas’ aspiration to whiteness, which drives Mestizas to distance themselves from brownness and blackness, denying central aspects of their identity, and reproducing racist dynamics that are damaging not only for Indigenous and Afro-descendants, but for Mestizas themselves. Mestiza is then officially conceptualized as the normative category, because its race and ethnicity are made invisible, it is strategically merged with whiteness, a category that historically has been built as not racialized, not part of any ethnicity, and has received racial privilege, although this article argues that there is more complexity within the category of Mestiza. Urban Mestizas are included in the normative bodyscape of the nation, while Mestiza campesinas are racialized by the discourse of tropicality in similar ways to Afro-Colombians and Indigenous peoples.

DANE reports that 14 per cent of the Colombian population identified as part of an ethnic minority. We could argue that any department in Colombia where more than 14 per cent of its population identifies as part of an ethnic minority...
could be understood as a racialized territory in relation to other areas of the country. This observation has some weaknesses, as it assumes a regular and consistent distribution of ethnic groups along a political-administrative territory, but I still consider this indicator useful to draw a geography in which the relationship between racism and forced displacement is made explicit by highlighting the departments that have an ethnic population superior to the national average and comparing them with the departments that are more affected by forced displacement.

Colombia presents one of the worst crises of internally displaced persons (IDPs) in the world. The Colombian definition of IDPs corresponds to a predominant description as people who have been “uprooted by conflict, violence and persecution.” Notice that the official understanding of IDPs does not include people who have been displaced by economic/development projects and natural disasters. A “person who has been forced to migrate within the national territory leaving behind his/her home and usual economic activities, because his/her life, physical integrity, security, and personal freedoms, have been violated and they are under threat by any of the following events: internal armed conflict, unrest and tensions, generalized violence, massive violations of human rights, infractions of the international human rights charter; and other circumstances related to the previous events that affect drastically the public order. –Article 1, law 387 of 1997.”

Table 1: Forced Displacement by Department and Ethnicity

<table>
<thead>
<tr>
<th>Department</th>
<th>Total Population</th>
<th>Afro-Colombian (%)</th>
<th>Indigenous (%)</th>
<th>Source</th>
<th>IDP crises/population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cauca</td>
<td>1,268,937</td>
<td>22.2</td>
<td>21.5</td>
<td>Acción Social, CODHES 38</td>
<td>33,393</td>
</tr>
<tr>
<td>Chocó</td>
<td>454,030</td>
<td>82.1</td>
<td>12.7</td>
<td>Acción Social, CODHES 13</td>
<td>34,925</td>
</tr>
<tr>
<td>Nariño</td>
<td>1,541,956</td>
<td>18.8</td>
<td>10.8</td>
<td>Acción Social, CODHES 21</td>
<td>73,426</td>
</tr>
<tr>
<td>Valle Cauca</td>
<td>4,161,425</td>
<td>27.2</td>
<td>0.6</td>
<td>Acción Social, CODHES 14</td>
<td>297,744</td>
</tr>
<tr>
<td>Antioquia</td>
<td>5,682,276</td>
<td>10.9</td>
<td>0.5</td>
<td>Acción Social, CODHES 19</td>
<td>299,067</td>
</tr>
</tbody>
</table>

Departments with the five worst crises of displacement according to incidence over the total population. Racialized territories are highlighted.

The exact number of IDPs in Colombia varies, depending on the source of information and period covered. According to Acción Social, the government office that oversaw internal displacement until 2010 and was replaced by the Departamento para la Prosperidad Social, there was an accumulation of 3,389,386 IDPs between 1996 and 2010. The Consejería para los Derechos Humanos y el Desplazamiento (CODHES), an independent NGO that is highly respected for its work on human rights and forced displacement in Colombia, states that there have been 5,701,996 IDPs between 1985 and 2012. The United Nations High Commissioner for Refugees (UNHCR) calculates that the average population in forced displacement during the last twenty-five years sits at around 5,400,000. The Centro Nacional de Memoria Histórica (CNMH) estimates that close to seven million people have been displaced by this conflict. CODHES, UNHCR, and CNMH statistics include forced displacement caused by armed groups formed after the demobilization between paramilitaries and the Colombian government (2003–6), while government statistics do not reflect this source of displacement. CODHES reports that Indigenous peoples represent 7.08 per cent of IDPs in Colombia, in spite of the fact that they comprise only 3.43 per cent of the Colombian population; similarly, Afro-Colombians make up 22.5 per cent of IDPs in Colombia, but they are only 10.62 per cent of Colombia’s population, according to the census. There is no statistic on Mestiza campesinas displaced by the conflict, but taking into consideration the census and the fact that people are displaced mostly from rural spaces, one can assume that they constitute most of the other 70 per cent of IDPs. The disproportionate impact of forced displacement over racialized people has also been acknowledged by government offices such as Acción Social and Defensoría del Pueblo, and international institutions like UNHCR.

Table 1 and map 1 confirm that displacement in Colombia is a highly racialized problem. Following the Acción Social report, ten out of twenty departments that register internal
displacement crises are territories with a larger racialized population. The incidence is even higher if we use the number of internal displacement emergencies registered by CODHES. In 2012, eight out of the fourteen departments that presented more forced displacement crisis were racialized territories, with Cauca, Chocó, Nariño, and Valle del Cauca registering more crises for every inhabitant. These four departments are located on the Pacific coast of Colombia, where more than 90 per cent of the population is of Afro-descendant, and 5 per cent is Indigenous. These departments are the spaces that the discourse of tropicality has represented as peripheral, racialized, darker, and barbaric. The following section explains how these markers are attached to these territories and its inhabitants, and the dialectical relation between racism and forced displacement.

**Dispossession and Racialization**

Modernization of the nation-state is intrinsically violent. In Colombia it implies the forced displacement of Afro-Colombians, Indigenous people, and Mestiza campesinas; the dispossession of their land for the benefit of agro-business, mining corporations, and other economic projects; and their forced integration into national and global economic circuits. This process targets these groups with biopower and discipline to get rid of traditional ways of life that differ drastically from capitalist modes of production. Afro-Colombians, Indigenous peoples, and Mestiza campesinas become more productive and competitive by embracing modernization and technology, or they must disappear as small farmers, an option that in the context of the Colombian armed conflict means being literally disappeared from the face of the earth or being displaced from their land.

The concepts of primitive accumulation and accumulation by dispossession are critical to understand forced displacement in the geographies that the discourse of tropicality has constructed as “extreme,” “indolent,” and “barbaric.” Forced displacement has been an effective way to rob Indigenous peoples of their ancestral lands, Afro-Colombians from their legally recognized collective territories, and Mestiza campesinas from their historic territories. To a certain extent all these groups practise a relation with the land that differs from the form of private property inherent to capitalism. Forced displacement transforms the commons into modern private property, expanding the frontiers of capital by conquering new territories, particularly for industrial agriculture and extractive industries. The production shifts from a mixed economy of peasants’ self-subsistence crops and commodities, to the exclusive production of commodities with exchange value. Simultaneously, Indigenous peoples, Afro-Colombians, and Mestiza campesinas are severed from their means of production. Finally, forced displacement creates surplus population ready to be incorporated into the workforce of the agro-industry and extractive industries in rural areas, or other industries in the city.

Harvey’s accumulation by dispossession is understood as a continuous and necessary practice for the reproduction of capitalism. It includes, but it is not limited to “the commodification and privatization of land and the forceful expulsion of peasant populations…; conversion of various forms of property rights (common, collective, state, etc.) into exclusively private property rights; … commodification of labor power and the suppression of alternative (indigenous) forms of production and consumption; colonial, neo-colonial, and imperial processes of appropriation of assets (including natural resources); monetization of exchange and taxation, particularly of land.”
All these practices are present in Colombia’s forced displacement, which affects particularly racialized people who inhabit the peripheral spaces that the discourse of tropicality has contributed to produce, while the central normative spaces become the receptors of IDPs. According to Harvey, this process is even more brutal in the Global South: “In developing countries, where opposition to neoliberalism and accumulation by dispossession can be stronger, the role of the neoliberal state quickly assumes that of active repression even to the point of low-level warfare against oppositional movements (many of which can now conveniently be designated as terrorist to garner U.S. military assistance and support).”

This critique is very relevant in the Colombian context, where the United States has been heavily involved in the displacement of Indigenous peoples, Afro-Colombians, and Mestiza campesinas through its War on Drugs/Plan Colombia, which included the investment of billions of dollars for military purposes and the fumigation of extensive areas with Round-Up, destroying the means of subsistence of these populations.

Forced displacement can be understood in connection to development. It reproduces neo-colonial relations of exploitation of the periphery by the metropole, benefiting corporations from the Global North, particularly mining and agro-business. It benefits Colombian economic elites in a process that can be framed as internal colonization, but that it is closely connected with neo-colonial dynamics, as national and international dominant classes share the same discourse of development and are responsible for what Oslender calls “a global capitalistic logic of displacement.”

In this sense, the division between the Global North and the Global South is not a simple geographical division based on national borders and stages of development, but a more complex spatial division that inherits from pockets of privilege within the North and the South. These spaces are reproduced even in the post-colonial era, creating spaces of exclusion and inclusion inside the nation-state. Class and race are decisive in the creation of these spaces, which Fanon qualifies as the “Manichean or compartmentalized structure of colonial society.” National and international dominant classes share identity markers that define inclusion such as whiteness and economic privilege, in opposition to the excluded racialized and impoverished subjects. The discourse of tropicality in Colombia has been key to characterize and create boundaries between the racialized spaces inhabited by the last group, and the normative spaces settled by Whites and urban Mestizas.

In the Pacific region, where more than 90 per cent of the population is Afro-descendant and 5 per cent is Indigenous, the consequences of the discourse of tropicality are evident. This is a racialized region made up by the coasts of the departments of Cauca, Chocó, and Valle del Cauca, where forced displacement is more intense, as shown in map 1 and table 1. Afro-descendants, Indigenous people, and Mestiza campesinas have been displaced from their traditional territories by paramilitaries, state armed forces, and guerrillas. Their territories have been used to advance economic projects, such as oil palm and extraction of natural resources, that do not represent their interest, but that favour national and international dominant classes.

According to Escobar, this displacement has racial motivations: “The end goal of the violence, as activists see it, is the disappearance of the ethnic groups of the Pacific as distinct cultures.” This situation is not exclusive to Chocó. Urabá (Antioquia and Chocó), Magdalena Medio (Antioquia, Bolívar, Cesar, and Santander), and Nariño are other regions where I witnessed how Indigenous, Afro-descendants, and Mestiza campesinas are under attack and being forcibly displaced from their traditional lands. Forced displacement is seen on the surface as a consequence of the armed conflict, but the real cause is a combination of racism and economic development. Oslender argues that “forced displacement is not the result of the armed conflict, but its objective,” where racialized subjects and entire regions have been dehumanized in a historical process of othering supported by the discourse of tropicality. Oslender echoes this geographical othering when addressing human rights violations in distant geographies, “in remote areas as in the Pacific coast. Who would go and check, after all?”

One question that we must ask is about the fate of those who resist being integrated, the “people” who resist becoming “population,” those whom the rational, modern state cannot entirely dominate with its biopower and power of discipline. Foucault points to the rational state invention to fill the void left by the dismissal of the sovereign’s right to kill: racism of state. “What is in fact racism? It is primarily a way of introducing a break into the domain of life that is under power’s control: the break between what must live and what must die.” Those who “must die,” according to the racist state in Colombia, seem to be the internally displaced: Indigenous people, Afro-Colombians, and Mestiza campesinas. As this article has already demonstrated, a disproportionate number of IDPs belong to “ethnic” groups, but I argue that the dispossession and displacement are themselves a process of racialization, of othering that divides those who must live from those who must die, either physically or symbolically.

According to Carlos Rosero, an Afro-Colombian activist, intellectual, and founder of the Black Communities Process (PCN), “The current wave of displacement is reminiscent of the times of slavery; the pain of family fragmentation, the impossibility of holding on to any territory, the pain and abuse...
suffered by women, the participation of men in an alien war, and the erosion of local authorities and autonomy.” Displacement haunts Indigenous peoples and Afro-descendants with painful collective memories of colonization, slavery, and genocide; but it also creates new experiences of modernization and racialization that will haunt IDPs in the future. The intention to attack these groups and destroy their culture is clearly stated by Fernando, an Indigenous Embera leader: “We had to leave because we wanted to stay alive, to defend my father, because he’s a Jaibaná. During those times the Jaibaná was persecuted by the leaders and the armed groups, because the Jaibaná represent a spiritual, human force within the community. So they were persecuted and killed with the objective of destroying the community.”

The Right to the City and the Right to Mobility

Forced displacement constitutes the source of a “new chaos” that obliges people from multiple ethnicities to interact in Colombian urban spaces. It brings to the city Indigenous people, Afro-Colombians, and Mestiza campesinas, who have been historically, although not completely, excluded from the city. This interaction can have some positive outcomes, but it is mainly a traumatic experience for IDPs from rural peripheral areas. They face cultural shock on their arrival in the city; they have to confront the racist stereotypes in the discourse of tropicality, and are discriminated for “being out of place,” “homeless,” “good for nothing,” “Indios” (Indians), “Negros” (Blacks), and “campesinos.” Fernando explains the difficult conditions that Embera IDPs faced when they arrived at the city: “We arrived directly to the streets, to the sidewalks in Pereira. We didn’t have anything, only the clothes that we were wearing, because everything stayed there, our house, our animals, our crops, our land, everything remained there.” Additionally, the social services provided by the state and other institutions such as churches and NGOs are not enough to facilitate the transition of IDPs into urban spaces.

Internally displaced Indigenous people, Afro-Colombians, and Mestiza campesinas are subjectified as Homo sacers condemned to bare life: “They constitute instead the originary exception in which human life is included in the political order in being exposed to an unconditional capacity to be killed.” Subjectification is the act of the sovereign; in this case, the inclusion in the political order comes as a consequence of the forced displacement caused by the actors of the armed conflict (including, of course, the state): “The production of bare life is the originary activity of the sovereign.” However, the situations that I describe are not totalizing; they are challenged and transformed in multiples ways. For example, because IDPs, and particularly those who are classified as part of an ethnic group, are seen as belonging to the tropics, and their presence in the city is always questioned. In response, these populations claim a right to mobility. There is a sense of belonging to a place and, on the other hand, a need/desire to survive and have other experiences such as education, work, and life in the city. Urban Mestizas and Whites enjoy this right to mobility without being questioned, while Indigenous people, Afro-Colombians, and Mestiza campesinas have to validate it continuously. Jessica, an Embera organizer, addresses this erroneous belief directly: “We’re in the city because we want to study, have some schooling because the job market … they don’t want to see us in the city, but they see it from a selfish point of view. It’s as if we don’t fit.”

Indigenous people, Afro-Colombians, and Mestiza campesinas also reclaim and practise the right to the city. There is a sense among these communities that the urban spaces where they have been forced to move are their new territories, a place to stay. In consequence, they want to participate in the construction of public policy and the transformation of the city. This is done mostly through grassroots organizations and the support of NGOs. A very important development in many cities of Colombia is the establishment of urban cabildos (a structure of Indigenous government in resguardos, which are legally recognized Indigenous territories), with more than 170 being formed in Colombian cities. These initiatives face resistance from traditional Indigenous leaders on resguardos because they are afraid of losing power, do not know how to manage this new political geography, and have legitimate concerns about retaliation from the armed actors that caused the forced displacement. These armed groups still have control over Indigenous territories and do not want to draw attention to their operations. The appearance of urban cabildos raises questions about the Indigenous territories that its members had to abandon. On the other hand, local urban authorities oppose these initiatives because they are afraid of the new challenges and responsibilities that an urban cabildo would bring upon them. We can also identify a latent anxiety about the borders of tropicality and the fear that “the tropics” are taking over the city. Interestingly, urban cabildos are using community houses as a representation of their traditional territories. These are spaces where they preserve their culture and sovereignty, such as cultural gatherings, political meetings, and Indigenous justice, even though there is tension between this attempt to practise sovereignty in the city and the ordinary justice system, which seeks to retain the borders of tropicality. The territorial jurisdiction of Indigenous justice is limited to rural resguardos, which are located precisely in the territories that the discourse of tropicality has marked as racialized.

Afro-Colombian communities are totally denied the possibility of having collective territories in urban spaces, a right
Afro-Colombian leaders maintain that their organizations made a strategic mistake in the 1990s when they undertook the issue of Afro-Colombian identity from an ethnic rights approach in the redaction of the new Colombian Constitution, rather than a civil rights approach.\(^4\) This strategy brought some success to Afro-Colombian communities as their collective territories were recognized, but it has forced them to frame their identity in terms similar to Indigenous nations when the realities of these two groups are not necessarily the same.\(^5\) Américo Portocarrero, a professor at Fundación Universitaria del Area Andina and Afro-Colombian organizer, addressed this subject during an interview in the city of Pereira.

When the possibilities of the New Constitution emerged, at the beginning of the 1990s, these organizations weren't strong. This is the reason why Black communities didn't have representatives in the New Constitution, contrary to Indigenous communities. The lack of Black representatives in the Constitution forced them to look for alternatives to address their problems, and they found an ally in the Indigenous, but this had a very serious consequence, because the needs of the Blacks are not the same needs of the Indigenous, due to historical and cultural differences. But because of this relation, they were framed in a category similar to Indigenous ethnicity. In consequence, problems that should have been addressed in the same way that the issue was addressed in the United States, in the frame of civil rights, ended up subordinated to an ethnic claim, which was the approach that Indigenous people always had in Colombia: respect for their ethnic identity, their territories or resguardos, their culture and language. We ended up demanding ethnic rights.

**Conclusion**

The right to mobility and the right to the city that Indigenous peoples, Afro-Colombians, and Mestiza campesinas are reasserting with their practices demand an analysis in which their lives are not simply framed as bare life and they are not reduced to *Homo sacer*.\(^6\) There is a clear exercise of agency that questions the conditions that have been imposed on them and resilience to struggle for a better life. This dynamic has been recognized by scholars in other contexts. According to Rygiel’s analysis of the “acts of citizenship” by undocumented immigrants in the Calal refugee camp, “The rights and ability of migrants [read IDPs] to settle and become members in a community … is a necessary step upon which to enact citizenship.”\(^7\) Ironically, the very act of exclusion, the forced displacement, is what creates the condition for inclusion in political life. The movement from the “tropics” to the city brings these populations into the realm of politics, where they are claiming a right to mobility and a right to the city, “citizenship created in motion—that is, by people on the move, who demand rights as political subjects, through acts of movement.”\(^8\) In spite of the discourse of tropicality, which has created a geographical divide and attached racist stereotypes to Indigenous peoples, Afro-Colombians, and Mestiza campesinas, the members of these communities are challenging these ideas with their practices. Race is difficult to contain within urban/rural borders, and race as a social construct that is in the making permanently, presents changes in space and time, challenging any static ideas of race in intersection with geography. I would like to conclude by sharing the words of Fernando, who speaks of the borders that Indigenous peoples, Afro-Colombians, and Mestiza campesinas are disrupting by practising their right to mobility, as well as the transformations that they are producing in the micro-geographies of daily life by acting out their right to the city.

In the neighbourhoods where we live, when we arrived for the first time, we were provoked a lot because we arrived at a very difficult neighbourhood to live in. But we have been very intelligent to gain their trust, because we didn't lose it when we were provoked. We went to the park to play, and they came in and said, “You're not from here, you're just a bunch of newcomers.” But we didn't react. Now, as a result, they don't say anything. They respect us. They say, “We see that you're a community, we see that you're organized, we see how you are.”

**Notes**

1. I would like to thank the guest editors, editors, and anonymous reviewers for their insightful comments and suggestions.
3. Indigenous people and Afro-Colombians are recognized by the Colombian state as ethnic groups and as such are given special status in the National Constitution, but they are also subjected to racial discrimination. Mestiza campesinas are not recognized officially as an ethnic group or a racial category, but one of the points that I will make in this article is that this group is not part of the normative population in Colombia, which is composed of Whites and urban Mestizas. Additionally, in rural spaces, the way of life of Mestiza campesinas has many similarities with...
that of Indigenous and Afro-Colombians, and, similarly to these two groups, they are also subjected to racism in urban spaces. This article uses *Mestiza campesina* and other feminine nouns as the normative nouns for both genders, male and female. Traditionally, Spanish uses the termination *o* to mark male gender, while it uses the termination *a* to indicate female gender. Masculine words have the capacity to represent both genders, while feminine words contain only the female gender. I decided to use feminine words as normative to challenge the imposition of patriarchy in the language, briefly defined by Gregory et al. as “a system of social structures and practices through which men dominate, oppress and exploit women”; and to accept Anzaldúa’s invitation to men to create new masculinities, for men to have “the courage to expose themselves to the woman inside them and to challenge the current masculinity.” Derek Gregory, Ron Johnston, Geraldine Pratt, Michael Watts, and Sara Whatmore, *The Dictionary of Human Geography*, 5th ed. (Oxford: Wiley-Blackwell, 2009), 522; Gloria Anzaldúa, *Borderlands/La Frontera: The New Mestiza* (San Francisco: Aunt Lute Book, 1987), 106.


10 Bare life is a life that is not worth living, one in which the biological dimension is more relevant than how life is lived. Moreover, if the lives of IDPs are reduced to bare life, they are disposable. For further information, see Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life* (Stanford: Stanford University Press, 1998).


14 Clayton and Bowd, “Geography, Tropicality and Postcolonialism,” 206.

15 Sandro Mezzadra and Neilson Brett, *Border as Method, or, the Multiplication of Labor* (Durham, NC: Duke University Press, 2013), 34.

16 The Viceroyalty of Nueva Granada was the colonial administration that included the territory that today is known as Colombia.


18 Most cities in Colombia are located in the Andean mountains over 1,000 masl. Bogotá and Popayán, where the most distinguished tropicalists were based, are both over 2,000 masl. These high altitudes were used to justify tropicality’s comparison between “temperate highlands” and “extreme and indolent tropical lowlands.” For further information, see Clayton and Bowd, “Geography, Tropicality and Postcolonialism”; Castro-Gómez, *La Hybris del Punto Cero*.


20 See Lefebvre, *Writing on Cities*; Goonewardena et al., *Space, Difference, Everyday Life*.


27 See Balibar, *Politics and the Other Scene*.


29 See Departamento Administrativo Nacional de Estadística, *La Visibilización Estadística de los Grupos Étnicos Colombianos*.

30 Raizal refers to a subcategory of Afro-descendants who inhabit the Colombian Islands in the Caribbean. *Roma* refers to Colombian descendants of Roma people.


32 For further information, see Frantz Fanon, *Black Skin, White Mask* (New York: Grove, 1967); Octavio Paz, *El Laberinto de la Soledad* (Mexico DF: Fondo de Cultura Económica, 1972); Anzaldúa, *Borderlands/La Frontera*.


34 See Departamento, *La Visibilización Estadística de los Grupos Étnicos Colombianos*.


37 Acción Social, "Desplazamiento Forzado en Colombia." 2010, 1.

38 See Acción Social, "Desplazamiento Forzado en Colombia."


41 See Centro Nacional de Memoria Histórica, *Una Nación Desplazada*.

42 See United Nations High Commissioner for Refugees, "UNHCR Country Operations Profile: Colombia."

43 For further information, see Departamento Administrativo Nacional de Estadística, *La Visibilización Estadística de los Grupos Étnicos Colombianos;* Consultoría para los Derechos Humanos y el Desplazamiento, "La Crisis Humanitaria en Colombia Persiste."

45. See Consultoría para los Derechos Humanos y el Desplazamiento, "La Crisis Humanitaria en Colombia Persiste."

46. Antioquia is the only non-racialized territory that is part of the five departments with the worst IDP crises in Colombia. I cannot expand on the dynamics of this department here, but I note that its incidents of forced displacement are taking place near other racialized departments, which indicates that they could be affecting mainly racialized communities. For further information about the Pacific Coast, see Escobar, "Displacement and Development in the Colombian Pacific"; Departamento Administrativo Nacional de Estadística, La Visibilización Estadística de los Grupos Étnicos Colombianos; Oslender, "Violence in Development." For further information, see Escobar, "Displacement and Development in the Colombian Pacific"; Escobar, El Final del Salvaje; David Harvey, "Neo-liberalism as Creative Destruction," Annals of the American Academy of Political and Social Science 610, no. 1 (2007): 21–44; Oslender, "Violence in Development"; Gutiérrez Cañas, "La Autodeterminación."

47. Drawing from Foucault's ideas, it can be argued that power is a field of interventions that seek to make populations more exploitative with the expansion of agricultural production and the general management of the economy for the benefit of the rational state. This process of modernization is supported by bio-power—power over population—and the benefit of the rational state. This process of modernization is not just outwards from the nation-state; it is also inward, covering territories within the nation that have not been completely subsumed by capitalism. Mezzadra and Neilson, Border as Method, 5–6. See James Sidaway, "Postcolonial Geographies: An Exploratory Essay," Progress in Human Geography 24 (2000): 591–612. See Francisco Ramírez Cuellar, The Profits of Extermination: How U.S. Corporate Power Is Destroying Colombia (Toronto: Common Courage, 2005). Escobar, "Displacement and Development in the Colombian Pacific"; Oslender, "Violence in Development."

48. Capital is continuously redrawing its territorial boundaries with "complex assemblages of power and law, which include but also transcend nation-states." In this case, the expansion is not just outwards from the nation-state; it is also inwards, covering territories within the nation that have not been completely subsumed by capitalism. Mezzadra and Neilson, Border as Method, 5–6; Sidaway, "Postcolonial Geographies."

49. For further information, see Escobar, "Displacement and Development in the Colombian Pacific"; Escobar, El Final del Salvaje.

50. For further information, see Gearóid Loningsigh, La Estrategia Integral del Paramilitarismo en el Magdalena Medio (Verlag Nicht Ermittelbar, 2002); Oslender, "Violence in Development"; Gutiérrez Cañas, "La Autodeterminación."

51. See Karl Marx, Capital 1 (Moscow: Foreign Languages Publishing House, 1959).
73 Escobar, “Displacement and Development in the Colom-
bian Pacific,” 160.
74 For further information, see Escobar, El Final del Salvaje;
Escobar, “Displacement and Development in the Colom-
bian Pacific.”
75 See Oslander, “Violence in Development,” 761.
76 See Oslander, “Violence in Development,” 755.
77 See Foucault, “Society Must be Defended,” 255.
78 Escobar, “Displacement and Development in the Colom-
bian Pacific,” 157.
79 See Centro Nacional de Memoria Histórica, Una Nación
Desplazada.
80 Agamben, Homo Sacer, 85.
81 Agamben, Homo Sacer, 83.
82 For further information, see Lefebvre, Writing on Cities;
Goonewardena et al., Space, Difference, Everyday Life.
83 For further information, see Transitory Article 55 of the
84 See Tianna Paschel, “The Beautiful Faces of My Black Peo-
ple: Race, Ethnicity and the Politics of Colombia’s 2005
85 For further information, see Juliet Hooker, “Indigenous
Inclusion/Black Exclusion: Race, Ethnicity and Multicul-
tural Citizenship in Latin America,” Journal of Latin Ameri-
can Studies 37 (2005): 285–310; Restrepo, Etnización de la
Negridad.
86 See Agamben, Homo Sacer.
87 Kim Rygiel, ”Bordering Solidarities: Migrant Activism and
the Politics of Movement and Camps at Calais,” Citizenship
88 Rygiel, ”Bordering Solidarities,” 5.

Julián Gutiérrez Castaño is a PhD candidate in human geography
and teaching assistant at York University. The author may be con-
tacted at juliangc@yorku.ca
Queer Credibility in the Homonation-State: Interrogating the Affective Impacts of Credibility Assessments on Racialized Sexual Minority Refugee Claimants

JEN RINALDI AND SHANTI FERNANDO

Abstract
This article critically appraises Canadian Immigration and Refugee Board decision-making that imposes burdens on diverse sexual orientation and gender identity and expression refugee claimants of colour to prove that they are queer according to homonationalist interpretations of queerness. This article examines decisions clustered around historical developments in the reception of racialized sexual minorities, including Canada (AG) v Ward, which made sexual minority refugee claims possible; Bill C-31, the immigration and refugee policy motivated by national security interests in the post-9/11 era; and 2017 guidelines designed to dispel misunderstandings about refugee claimants’ sexuality. Across this history, credibility assessments of refugee claims have undergone significant recalibrations, yet continue to reflect homonationalist values.

Résumé
Cet article évalue de façon critique la manière dont le processus de décision de la Commission de l'immigration et du statut de réfugié du Canada impose aux demandeurs d'asile d'orientations sexuelles et d'identités ou d'expressions de genre diverses le fardeau de prouver qu'ils sont queer en vertu d'interprétations homonationalistes. L'article examine des décisions regroupées autour de développements historiques dans la réception des minorités sexuelles racialisées, dont Canada (Procureur général) c. Ward, qui a rendu possible les demandes d'asile sur la base de l'appartenance à une minorité sexuelle; le Projet de loi C-31, politique d'immigration et d'asile motivée par des intérêts de sécurité nationale dans l'ère post-11-septembre; et les directives de 2017 conçues pour dissiper les malentendus concernant la sexualité des demandeurs d'asile. Bien qu'ayant subi des ajustements importants à travers l'histoire, l'évaluation de...
la crédibilité des demandes d’asile continue de refléter des valeurs homonationalistes.

1. Introduction

In this article we critically appraise Canadian Immigration and Refugee Board (IRB) decision-making that imposed burdens on diverse sexual orientation and gender identity and expression (SOGIE) refugee claimants of colour to prove that they are queer according to homonationalist interpretations of queerness. We interrogate legal discourses on “authentic queer refugeeness,” an attribute attached to persons who are socially, politically, and legally organized in ways that force them to conform to white Western ideals. Belying this identity are settler colonial, white supremacist interpretations of belonging to Canadian LGB community. Through an analysis of Canadian jurisprudence, we show that an undue burden is placed on queer refugee claimants of colour when homonationalist scripts inform IRB decision-making on the credibility of their claims.

Coined by Jasbir Puar, the term homonationalism refers to a nationally recognized version of homosexuality, predicated on “the segregation and disqualification of racial and sexual others from the national imaginary.” Homonationalism sits at the root of legal and political processes by which a nationalist agenda defines and imposes narrow definitions of queerness for its citizenry. The application of the construct of homonationalism to the history of Canada’s refugee system has a place in emergent socio‐legal scholarship. As David Murray argues, “The refugee apparatus is contributing to the production of a new permutation of homonationalism, a highly delimited and normative narrative of same‐sex sexual citizenship and national belonging, which now includes some migrant bodies, but excludes many others.” This permutation underscores the narratives queer refugee claimants must enact in order to qualify for refugee protection. Hegemonic SOGIE refugee narratives inform credibility assessments in IRB contexts. This means that claims to queerness that do not meet nationally recognized definitions of queerness are associated with fraud in IRB determinations. While this analysis could apply to the range of diverse SOGIE representation, our focus will be on sexuality or sexual orientation—gay, lesbian, and bisexual persons—with the acknowledgement that persons with diverse gender identities and expressions—trans*, genderqueer, and gender‐neutral folk—face complex and unique challenges in relation to racialization and refugeeness that are beyond the scope of this article. We explicitly acknowledge that gender identity and expression constitute a critical area of inquiry for future research and should be addressed and affirmed in refugee frameworks.

We extend our analysis by returning to Puar’s original application of homonationalism: to post-9/11 North American politics. For Puar, “during this historical juncture, there is a very specific production of terrorist bodies against properly queer subjects.” The incommensurability of these subject states rests on an envisioning of queerness informed by “conservative homonormative ideologies and queer liberalism.” Canada’s refugee system deals in queer exclusions, evidenced by IRB decision-making, especially in the post-9/11 era. Since the 2001 airplane hijackings and attacks on the US Pentagon and World Trade Center, nation-states including Canada have exhibited increasing suspicion toward racialized subjects—including and especially refugees—borne out in regulation, securitization, and policing. Homonationalism complicates constructions of refugeeness, and constructs of The Refugee are considerably distanced from the reality that refugees experience: refugees, and in particular sexuality minority refugees, are vulnerable and fleeing trauma, and should be supported rather than feared.

Through this lens of homonationalism, we examine decisions rendered by IRBS and on appeal, clustered around historical developments in the reception of racialized sexual minorities. Specifically, we first consider decisions following the establishment of sexual minorities as a special group entitled to protection from persecution under domestic refugee law, as determined in the 1993 decision Canada (AG) v Ward. Next, we analyze decisions following Bill C-31, the immigration and refugee policy motivated by national security interests in the post-9/11 era. Finally, we investigate decisions that were required to incorporate 2017 guidelines designed to dispel misunderstandings about diverse SOGIE refugee claimants. Across this history, credibility assessments of refugee claims have undergone significant recalibrations. In this article we evaluate whether and to what extent IRB discourses, so recalibrated in these three historical moments, consistently reflect homonationalist values. In particular, jurisprudence since the Ward decision has included patterns of credibility assessments that reflect narrowly conceived forms of queer liberation—gendered aesthetics, participating in LGB culture, disavowal of traditional cultural values—that may not be accessible or known to racialized refugees. The discursive analysis in this article highlights how IRBS act as gatekeepers and keep that gate shut on the basis of homonationalist standards of queer expression.

2. Connecting Homonationalism to Canadian Refugeeness

Puar’s concept of homonationalism entails biopolitical arrangements that uphold a nationally acceptable or respectable queer identity. Those sexual minorities who receive national recognition must express queerness in ways that signal a “turn toward life.” Put another way, “By regularizing
querness, [heteronationalist discourse] patrols the boundaries between queer subjects who are invited into life and queer populations who come into being through their perverse sexual-racial attributes and histories." For instance, they must avoid sex work, bathhouses, and an HIV/AIDS diagnosis. A properly queer subject must also turn toward the perpetuation of life by, as examples, seeking same-sex marriage, making use of reproductive technologies or adoption services to build families, and contributing to the revitalization of their communities. The problem is not the elements themselves, but that these elements become the only acceptable way of being queer. In other words, sexual citizenship tends to be more accessible to these expressions of querness, and closed off to subversive or subaltern expressions. The parameters to citizenship can be construed broadly in terms of national belonging, such that citizens are constituted as such by legal, political, and cultural practice. One comes to be a citizen—or more precisely in this context, one is welcomed into the nation—when normalized through the discourses of a polity. Sexual minorities are policed and produced in order to belong to a body politic, and are excluded from that body politic when they are too subversive. Sexual minority refugees are considered both subversive, as potential security threats, and liminal, given that they are in political and legal limbo. This makes their position all the more precarious, as they have the subjective construction of their refugeeeness coupled with homonationalist expectation.

How does the intersection of sexual and racial histories come to signify the perverse? Subtending the properly queer figure of homonationalist discourses are interlocking systems of oppression at the core of the Canadian state, in particular settler colonization and white supremacy. In Puar’s words, “The ascendancy of whiteness and the ascendancy of heteronorms are biopolitical comrades.” The queer liberation available through homonationalist biopolitics is available only to subjects with racial privilege. Those queer subjects too subversive, or even not queer enough, to achieve national belonging enact a queerness that falls outside the bounds of white liberal identity work. When considering Puar’s theorizing on homonationalism, Sara Ahmed argues, “Racism saturates everyday and institutional spaces,” which affectively renders an ethnic minority “out of place.”

Homonationalism, then, affects queer subjects, and in particular queer refugees, in two ways. First, when LGB membership is so heavily policed, those queer folk who live on the fringes of membership, or whose practices do not signal a turn toward life, are excluded or discounted. They are regarded and treated as not properly queer, or as an embarrassment to the queer community. To coin a phrase used by Sara Ahmed, they are “out of place,” insofar as they do not belong to Canadian queer communities. In the context of IRB decision-making, claimants who fail to enact acceptable forms of queerness are not granted refugee status, so they are excluded and excised from the body politic altogether. Second, sexual minority claimants come to perform particular versions of sexual identity in order to satisfy an Immigration and Refugee Board that has constructed Canadian refugeeeness along homonationalist lines. Their negotiation of legal process produces narrow forms of queerness. Therefore IRBs as homonationalist instruments produce the categories of sexual citizenship that qualify for state protection. As we go on to demonstrate, the failure of some claimants, and the success of others at the cost of having their identities policed, are racially inflected. As Lacroix has argued, “Refugeeness emerges then as a way of understanding the particular subjective experience [of refugees] in relation to existing refugee policies.” These policies derive from legal, political, and social frameworks that reflect sexual and racial bias.

Homonationalism also affects the nation-state in two directions. First, the nation is constituted by successful claimants, meaning that LGB representation stagnates in the national landscape. Canada’s concept of homosexuality, in other words, becomes a homogenous one. Second, homonationalist discourses trigger the narrative of the saviour state, where the emphasis in refugee determinations is not on how racialized queer folk are cast off but that any queer folk at all are brought in. Homonationalism, therefore, facilitates the narrative that Canada is an inclusive, tolerant, welcoming place for queer subjects, especially compared to non-white countries. Ahmed asks us to be wary of discourses that emphasize a nation’s sexual freedom, which “can be mobilized in the war on terror, and can be used to justify the extension of state racism.” Through homonationalist arrangements, the Canadian nation-state claims sexual liberation as a defining attribute, in opposition to non-white, non-Western states that are characterized as sexually repressive.

In what follows, we present analysis of selected cases where an IRB questioned a refugee claim on the basis of the credibility of the claimant’s sexual minority membership. The record we present cannot guarantee to feature persons of colour, given that this information is not explicitly identified in the text of IRB decisions and there is no systematized analysis of the jurisprudence on racial grounds. What we have done instead is examine decisions featuring refugee claimants whose countries of reference have predominantly non-white populations. These countries carry ethnic or cultural histories, values, and practices that contribute to more complex and diverse iterations of sexuality. Insofar as refugee claimants come from a country that is predominantly non-white, their enactments of sexuality may be incommensurate with Canada’s understanding of sexuality. So regardless of how claimants’ bodies are read, regardless of whether they are a visible black or brown
minority, they are racialized when their version of sexuality—a version that evolved from predominantly non-white cultural traditions—is ruled inauthentic.

We also present a mixed record on how the undue burden of sexual minority authentication operates as a norm in refugee law. Canada’s refugee system has mechanisms to catch when decisions reflect bias, as evidenced when IRB decisions are scrutinized at the Federal Court (FC) level. IRB decisions have been overturned for relying on stereotype, and the FC has explicitly stated that refugee status applications cannot be determined on the basis of stereotype. While appellate bodies have served as a check on the IRB, appeals are not a viable option for all sexual minority refugee claimants, nor should that be their recourse to access justice; they should simply not be failed at the IRB level. As noted in the literature, “While the Federal Court has made these issues jurisprudentially clear, the volume, [and] repetition … of this jurisprudence indicate the difficulty first-level decision makers continue to have adjudicating [LGB] asylum claims.” Further, initial decisions—even the ones overturned—do affective work. As long as stereotypes continue to creep in, they affect queer enactments and conceptualizations of the nation-state. As Ahmed articulates, “Words can indeed be affective; a mere proximity between words can make danger an essential quality of others.” In that spirit, one where we are interested in the affective implications of legal discourse, we explore select examples where we see that the success of a diverse SOGIE refugee claimant is predicated at least initially on imagined whiteness, or affinity for Canadian queer culture that presents as white and is made for white subjects. The first era we turn to is the Ward decision, which opened the door to queer refugee protection, but also launched the ascendance of queer credibility.

3. The Ward Decision: The Ascendance of Queer Credibility

Refugee law first recognized sexual minorities as members of a social group that could have a well-founded fear of persecution in 1990s-era jurisprudence. In the 1991 case Re N. (K.U.), the IRB granted asylum to a gay man who feared persecution for identifying as a homosexual in his country of reference, Bangladesh. Following this case, the identification of diverse SOGIE refugees as members of a social group was formalized in the obiter dictum of the 1993 Supreme Court of Canada’s decision Canada (AG) v Ward, which itself did not directly pertain to diverse SOGIE refugees. Through the course of his reasoning for a unanimous judgment, Justice Gerard La Forest took the opportunity to define social group under refugee law. The definition is threefold: (1) “groups defined by an innate, unchangeable characteristic”; (2) groups consisting in members who associate for reasons so fundamental to their human dignity that forcing them to forsake association is out of the question; and (3) groups that might have originally been based on voluntary membership but became historically permanent. As stipulated in the decision, “The first category would embrace individuals fearing persecution on such bases as gender, linguistic background and sexual orientation.”

Subsequent IRBs complied with the Ward ruling, adopting in their decisions the SCC’s definition of a social group. Ward paved the way for refugee claims based on sexual orientation, provided the claimant could prove membership. IRBs, then, incorporated into decisions on sexual minority refugee applications proof of social group membership. This additional expectation of claimants meant that a portion of claim determination turned on credibility—not just that the claimant was an authentic refugee, but that the claimant was authentically queer. The regime established for sexual minority refugee claims has posed complications for determining credibility. Nicholas Hersh argues that in the absence of formalized rules for what constitutes proof of social group membership, “adjudicators sometimes impose burdensome and unfair expectations on claimants to prove their sexual orientation when soliciting refugee status.” Homonationalist narratives underpin many of the most egregious expectations in credibility determinations. Specifically, Sharalyn Jordan and Chris Morrissey describe these trends: “Decisionmakers rely on their own background knowledge—often based on culturally constrained understandings of sexualities and genders—to assess the credibility of an applicant’s identity claim.”

Constrained IRB understandings of sexuality pose unique challenges for racialized persons. There are instances of IRB decision-makers assuming that queer folk modulate their appearance to match a specific aesthetic, most evident in butch lesbians or effeminate gay men. According to United Nations High Commissioner for Refugees Guidelines, “A person cannot be denied refugee status based on a requirement that they change or conceal their identity, opinions or characteristics in order to avoid persecution.” In other words, that refugee claimants did not enact recognizable forms of queerness in their country of reference cannot count as grounds for questioning the credibility of their sexuality. Nevertheless, there have been IRB decisions that have presumed claimants would modify their appearance to express familiar forms of queerness after living in Canada long enough. The presumption was that Canada is a safe place for queer expression—recognizable kinds of queer expression at that—so there should no longer be reason to conceal identity, opinions, or characteristics.

For example, in Herrera v Canada (Minister of Citizenship and Immigration), the FC overturned an IRB decision.
for exhibiting bias—or a “thoroughly discredited stereotype which should not have any bearing on the Board’s judgment of the Applicant’s credibility”—when rejecting a refugee application. The applicant, Oscar Marquez Herrera, claimed he was rejected by his family and employers, and subjected to physical and verbal violence in Mexico for being a gay man. The original reasoning for rejecting his refugee application included his lack of an “allure effémiée,” or effeminate appearance. The FC found the reasoning “particularly astonishing on the part of a decisionmaker who is in a position to adjudicate sensitive claims that could be expected to involve homosexuality.” The decision was sent back for redetermination before a different IRB on the grounds that the original board breached “both a principle of natural justice and procedural fairness” and made “unreasonable and erroneous findings of fact.”

Further, there are instances in the jurisprudence where claimants are expected to narratively distance themselves—her identity, values, and motivations—from their country of reference, and demonstrate that their liberation involves incorporation into Canadian queer cultures and contexts. In Dosmakova v Canada (Minister of Citizenship and Immigration), Sofya Dosmakova of Kazakhstan applied for refugee protection on the grounds of religion and sexual orientation. She explained she had begun a romantic relationship with a female friend at the age of fifty-six and consequently had encountered beatings and police intimidation. When asked in her IRB hearing about her sexuality, she testified that she felt “happiness and sexually satisfied … and had no regrets.” The board did not find this answer credible, because she should have felt inner turmoil about her sexuality while living in a country of reference that subjected her to persecution. In other words, Dosmakova should have felt alienated and ashamed in Kazakhstan if she really were a lesbian. Her application was originally rejected, until the FC remitted her application for redetermination by a different board.

These examples illustrate that there is a very specific set of behaviours that IRB has presumed reflect proper or authentic queerness. While Ward signalled a legal victory for sexual minority refugees, its strings attached—credibility jurisprudence—carried implications into post-9/11 securitization strategies. Constructions of refugeeeness, and their reliance on credibility determinations, were further reshaped through immigration and refugee policy. This fundamentally changed the Ward decision’s impact on sexual minority refugee claimants.

4. Legislative Reform in the 9/11 Turn: The Securitization of Refugees
The credibility of refugee claims came under renewed scrutiny in the post-9/11 world. In 2001, shortly before (though since interpreted through the lens of) the September 11 airplane hijackings and attacks on the US Pentagon and World Trade Center, Canada’s immigration and refugee system was overhauled with the passing of Bill C-11, the Immigration and Refugee Protection Act (IRPA). This policy, and the political discourse it generated, would come to represent a turn in the underlying premise of refugee acceptance, where refugees came to be regarded and treated as much greater security risks. Gradually a securitization agenda emerged in Canada, intensified following large-scale terrorist attacks on North American soil perpetrated by non-white persons. A securitization paradigm gave authorities further incentive to make policies against unwanted migrants much harsher: “Securitization as a process means that the spheres of internal and external security are merging after a period of polarization in which those two areas of activity had hardly anything in common. We have witnessed a change in perspective: states—and specifically their external security agencies, which traditionally worked against a foreign enemy—have identified new threats, such as terrorism, international criminality and unemployment, which coalesce in the image of the migrant.”

The IRPA was described and deployed as a “protection” act; it organized the government as a protector of Canadians from the potential threats of immigrants and refugees. Under article 3(2), policy objectives include “(g) to protect the health and safety of Canadians and to maintain the security of Canadian society; and (h) to promote international justice and security by denying access to Canadian territory to persons, including refugee claimants, who are security risks or serious criminals.”

While these policy developments operated separate from the Ward decision, and the identification of sexual minorities as a social group under refugee law as established in Ward remains intact, the IRPA has had an impact on the status of racialized sexual minority refugee claimants. Their credibility is questioned more vigorously, and this has changed how the precedent established through Ward operates. Therefore, relying on the Ward decision to protect sexual minorities ignores the fact that the 1993 decision occurred in a pre-9/11 context, and our national landscape since 9/11 has rendered the position of all racialized refugees, including sexual minorities, much more precarious.

Canada’s refugee apparatus saw its next significant reform following a federal election that resulted in a Conservative majority government. Bill C-31 was tabled in 2011, received royal assent in June 2012, and came into force as the Protecting Canada’s Immigration System Act in December 2012. The Immigration and Refugee Board of Canada has described this legislative reform as “one of the most significant transformations in its history.” Jason Kenney (at the time the
federal minister of citizenship, immigration and multiculturalism), along with his political party (the Conservative Party, holding a majority government at the time), claimed that the bill was meant to solve backlog due to fraudulent claims: “The system is clogged with false applications.”48

The law dramatically amended the Immigration and Refugee Protection Act and the Balanced Refugee Reform Act, for the purpose of “provid[ing] for the expediting of the processing of refugee protection claims.”49 As described, “The new regime entails a swath of measures that aim to ‘crack down’ [in ways that] seriously erode the protection imperative in domestic and international law.”50 In particular, the refugee claims process was expedited by introducing new qualification and appointment standards for IRB decision-makers, rendering the deportation process more efficient, and denying appeal measures to particular refugee categories. With compressed timelines for refugee status determination, pressure on sexual minority refugee claimants was increased to produce evidence of queer membership—evidence of relationships, cultural participation, and group affiliation claimants now lack time to develop.51 Jordan and Morrissey concur: “Under the new system applicants simply will not have time to connect with [LGB] communities or organizations.”52

Further, with legislative reform the figure of the refugee was set in even sharper relief against the figure of the criminal, or the threat to national security. Definitions of criminality as grounds for denying refugee status were expanded under the new legal measures, dropping the requirement that serious criminals must pose a public danger in order for their refugee claim to be denied. Bill C-31 additionally introduced mandatory detention and stricter rules for irregular entry (e.g., boat arrivals, safe country provisions) and the removal of permanent residents who lose their protected status.53 According to Kathryn Trevenen and Alexa Degagne, legislation organized in response to the spectre of the “bogus refugee” concretizes hegemonic racial divides and the national mythologies built along those divides: “The idea that there are hordes of (deceptive and greedy) ‘bogus refugees’ seeking to take advantage of the (generous and fair) Canadian immigration system works to justify increased surveillance, regulation, and refusal of refugee claimants. The ‘bogus refugee’ thus joins the ‘queue jumpers,’ ‘the terrorists,’ and the ‘dependents’—racialized figures, positioned as threatening, who wait at Canadian borders, looking for a gap in security or an excess of the mythological Canadian softheartedness.”54

These dividing lines drawn between the problematized racial figure and the nation-state exploring its limits of liberal tolerance “depend on complex processes of both queering and racializing to make the divisions between worthy citizens and excluded ‘others.’”55 While the security apparatuses developed in refugee law do not explicitly work to exclude racialized sexual minorities, they nevertheless reinforce the entrenched paradigms that subtend diverse Sogie credibility determinations.56 Legislation like Bill C-31 engenders a “problematic proximity” between refugees and fraud.57 In contexts saturated with racism, this proximity is exacerbated when the refugee claimant’s country of reference is racialized and associated with terrorist activity.

Claimant testimony entered as evidence may include knowledge of and involvement in queer culture (without the acknowledgement that queer culture is regionally specific), including Pride events and popular Canadian LGB bars, social establishments, and/or advocacy groups. The expectation of engagement in and knowledge of explicitly LGB spaces in Canada presupposes that these spaces are welcoming, accessible, and desirable for queers of colour. Further, the expectation of “giving back” through advocacy presumes the queer subject embraces, and has the wherewithal to enact, civic engagement. For example, the FC overturned the decision originally rendered in Essa v Canada (Minister of Citizenship and Immigration) for expecting the applicant to know and frequent Montreal’s gay neighbourhood, a presumption the FC deemed “stereotypical and unreasonable.”58 The applicant, Mohammad Essa, alleged that in his country of reference, Jordan, his uncle discovered him in a compromising situation with his male partner and beat him.59 His uncle also subsequently sought a fatwa in order to have Essa killed.60 The applicant admitted ignorance about LGB culture in Quebec, claiming he was discrete about his sexuality. In his own words, “To be honest with you the way I’m living my life here is not the way that the gay community here is.”60 The IRB concluded that he was not gay as a result of his “reticence … to explore behaviour that is often characteristic of the gay community.”62 The FC found this reasoning stereotypical and unreasonable, and there was no need to address this aspect of Essa’s credibility.63

Similarly, in Buwu v Canada (Minister of Citizenship and Immigration), a Nigerian refugee claimant from Zimbabwe was initially rejected for, among other reasons, lacking familiarity with Canadian lesbian establishments.64 Anesu Buwu claimed she was physically attacked by her parents and brother when she disclosed her sexuality, her father threatening to kill her as she escaped.65 Among other reasons, her credibility was questioned because “the claimant was not able to express … as to how she is living openly here in Canada.”66 On appeal, the original decision-making body was critiqued for relying on “personal and extrinsic knowledge that is never put to the Applicant.”67 These examples follow board decisions along lines of logic that expect claimants to distance themselves from their problematized countries.
of reference and immerse themselves in liberatory Canadian culture. Authentic queerness thus requires a disavowal of terrorist proximities.

In response to the issues raised in post-Ward, post-9/11 IRB decisions, there was an attempt to regulate board encounters with refugees in order to ensure the decision-making did not rely on stereotypes. Guidelines developed in 2017 to regulate refugee decision-making acknowledge that IRBs should allow for diverse expressions of queerness, and direct adjudicators to consider the harm experienced by those who do not comply with hegemonic SOGIE norms. These guidelines offer progress for sexual minority refugees, but their identification of the longstanding problem of entrenched prejudice signals a need for sustained vigilance in regulating the IRB encounter.

5. The Chairperson’s Guidelines: Regulating the IRB Encounter

In May 2017 the chairperson of the Immigration and Refugee Board issued guideline 9, “Proceedings before the IRB Involving Sexual Orientation and Gender Identity and Expression,” to address stereotype associated with diverse SOGIE refugee claimants. Its purpose as stated is “to promote greater understanding of cases involving [SOGIE] and the harm individuals may face due to their nonconformity with socially accepted SOGIE norms.” Under section 3.1, the guidelines acknowledge, “Depending on factors such as race, ethnicity, religion, faith or belief system, age, disability, health status, social class and education, individuals with diverse SOGIE recognize and act on their SOGIE differently.” This intersectional analysis also entails recognition that the harms experienced by diverse SOGIE refugees may be compounded and unique as the result of the confluence of racial or ethnic identity.

Decision-makers in refugee law are advised not to rely on stereotype associated with diverse SOGIE, including instances that have surfaced through the history of hearings: “Individuals with diverse SOGIE have feminized or masculinized appearances or mannerisms”; “Individuals with diverse SOGIE do not participate in cultural or religious customs or traditions”; “Individuals with diverse SOGIE would not voluntarily enter a heterosexual marriage or have children.” While evidence of community engagement is not discounted, the Chairperson’s Guidelines warn, “An individual with diverse SOGIE may not have participated in LGBTIQ+ culture, organizations or events in their country of reference, nor do so once in Canada.” Decision-makers are further advised to be “careful that the inconsistencies [in testimony] are not based on stereotype or inappropriate assumptions.”

The guidelines should be a promising development in refugee law. If the Ward decision had the problematic implication that sexual minority status would become a site of scrutiny in credibility assessments without concrete standards for assessment, and legislation in the 9/11 turn intensified credibility assessments and the driving narrative that refugee applicants are testing Canadian liberal tolerance with fraudulent claims, then the guidelines are designed to be a corrective to how credibility assessments are handled in diverse SOGIE cases. Subsequent decisions at the IRB level involving diverse SOGIE refugee claimants acknowledge that the Chairperson’s Guidelines must factor into decision-making. In this new era for sexual minority credibility assessments, the effectiveness of the guidelines should be measured according to whether they prevent homonationalist scripts. Their value has been that they redress decisions that, despite being undone, nevertheless contribute to constructions of the refugee, of the authentic queer, and of the overlap they share.

Consider the policy’s approach to vague testimony, under section 7.6.1: “Testimony about same-sex relationships that is vague and lacking in detail may support a negative credibility inference; however, decisionmakers should examine whether there are cultural, psychological or other barriers that may explain the manner in which the testimony is delivered.” In a 2017 X (Re) hearing, the IRB found a decision made by the Refugee Protection Division (RPD) applied legal reasoning that was not aligned with the Chairperson’s Guidelines. The case referenced involved a Sri Lankan citizen who applied for refugee status on the grounds that he “may be assaulted by members of extremist groups or the general public, or arrested by the police for being a homosexual.” According to the Board hearing his claim, “The RPD erred in its zeal to find weaknesses in the Appellant’s testimony,” because while the claimant’s answers were imprecise, “the RPD failed to give due consideration to the trauma experienced by the Appellant as a result of hiding and denying his sexual orientation for decades.” This analysis of the original decision was rooted in Nicholas Hersh’s observation that testimony delivered by sexual minority refugee claimants may be vague or partial as the result of stigma, trauma, and internalized homophobia. What has been bracketed out of the problem of vagueness, however, is the possibility that the queerness the claimant enacted was shaped by non-traumatic experiences in his country of reference. Interpretation of the cultural barrier in this decision was predicated on there being oppressive conditions in Sri Lanka. This observation is not meant to undermine the debilitating conditions faced by sexual minorities around the world, nor does it presume a refugee hearing should avoid engaging with those conditions—after all, the strength of a SOGIE claim is predicated on an inability or an unwillingness to return for fear of persecution. Our point here is, first, that the interpretation of cultural barriers offered in this case—particularly its attachment
to trauma—is insufficiently narrow if the issue at stake is whether the claimant is credibly gay. Further, the structuring of legal decision-making, regardless of its inevitability, does affective work to constitute the receiving nation-state as liberal, against a country of reference that is not.

The question of cultural variation plays out elsewhere in the jurisprudence. In another hearing titled X (Re) from 2017, this time involving a bisexual Nigerian man, his credibility was found suspect on a number of grounds. Among them, the rpd doubted that the claimant would be ignorant of details involving his same-sex partner, with whom he was having an eighteen-year-long affair—details such as his partner’s romantic preferences. On this count the IRB found that “the rpd looked at the issue through a ‘Western lens’ and did not have regard for the Appellant’s culture and background, according to which one would not openly communicate information regarding one’s sexuality.” But beyond this, the IRB examined the rpd determination that “despite the fact that the Appellant was an observant Muslim, he did not mention any ‘other fears or conflicts’ relating to his bisexuality.” For the rpd, the appellant “appears to be an observant Muslim,” because he took a religious pilgrimage to Saudi Arabia and his wife wore a hijab. On this information, the rpd concluded, “The claimant’s failure to address this apparent discrepancy between his public behaviour and religious beliefs and his alleged personal sexual behaviour” undermined his credibility. The IRB on appeal disregarded this reasoning: “While the rpd’s reasoning does not, of course, call upon any sort of derogatory stereotype regarding bisexuals, the view that someone who is ostensibly religious would either be less likely to engage in sexual activity with the same sex or would necessarily suffer from ‘fears or conflicts’ is nonetheless a generalization and should be avoided.”

These examples show that the guidelines are unearthing and undoing stereotypes that have long laced refugee credibility determinations. This is an improvement upon previous practice, but also a clear indication that Canadian refugee institutions are playing a game of catch-up with homonationalist discourses and still have work to do.

6. Conclusion

Cultural understandings of queerness common to Canada—a nation-state with a long settler colonial and white supremacist history—inform how the gatekeepers in refugee law evaluate the authenticity of the queerness of refugee claimants of colour, in instances related to personal appearance, community engagement, and relationship with country of reference. The stereotypes identified in appeals and judicial reviews sit at the crossroads of sexual and racial identity, which means that queer of colour especially struggle to enact stereotypically Canadian queerness, and their failure to do so leads to IRBs finding that their claims to queerness lack credibility.

Canada’s current legislative regime exacerbates the divide that Puar articulates, between the acceptable queer subject and the terrorist body. Long since Ward and despite the 2017 Chairperson’s Guidelines, IRB decision-making contexts have courted stereotype when processing (and rejecting) diverse sogie applications on the basis of negative credibility assessments. The turn toward national securitization intensifies the refugee system’s homonationalist paradigm. While much of the evidence of this intensification will be difficult to tease apart, given the nature of dog-whistle politicking, we hold that sexual minority claimants of colour are especially vulnerable to the impacts of an aggressively anti-terrorist, anti-fraud refugee apparatus, given the ways in which credibility determinations in IRB contexts have operated. The impacts have reverberated for racialized refugee claimants who may struggle to enact the queer expression common in Canada, and may face refoulement as a result. There are also grave implications for the national body politic itself, which through the deployment of homonationalist mechanisms fails to encompass and advance diverse queer representation and struggles to live up to its reputation as a place of tolerance.

We have explored these implications in order to highlight the need for further research into IRB analysis for both subjects who were the focus of our article—LGB folk—and persons with diverse gender identities and expressions. This research is part of the work that will contribute to sustained pressure on IRB adjudicators to adhere to the Chairperson’s Guidelines that seek to protect diverse sogie refugees from damaging stereotypes and to reduce the lag time between equity seeking politico-legal changes and deeper systemic change.

Notes

1 We use the term persons (or queers) of colour when referencing a population’s encounters in racialized reception contexts, in order to highlight when and how they encounter racialization. We prefer the term racialized persons, to highlight how race is a category historically constructed in reference to systems of power that inferiorize, criminalize, securitize, and exclude.

2 Refugeeness, or the construction and experience of the refugee, is a term used in Marie Lacroix, “Canadian Refugee Policy and the Social Construction of the Refugee Claimant Subjectivity: Understanding Refugeeness,” Journal of Refugee Studies 17, no. 2 (2004): 147–66. She means the term to capture the moment of crisis that is the refugee’s experience of being in legal limbo in terms of work, family, and the state.

3 The most comprehensive, though not exhaustive, acronym used in Canadian contexts, LGBTQQIA2, stands for lesbian,
gay, bisexual, transgender, queer, questioning, intersex, asexual, ally, and 2-spirit. The shorthand for sexualities is LGB, or the umbrella term queer. We use both terms interchangeably, along with terms found in legal scholarship: sexual minorities, and specifically refugees with diverse sexual orientations and gender identities and expressions (SOGIE). Homosexual and homosexuality will be used only when referencing historical legal language and some of the work around homonationalism (given the word is contained in the construct).

The inspiration for this article stemmed from news coverage of Seidu Mohammed. On Christmas Eve 2016, Mohammed crossed the US/Canada border, losing his fingers to frostbite in the process. He claimed asylum in Canada on the grounds that he could not return to Ghana, his country of origin, because of his bisexual orientation. After the Immigration and Refugee Board of Canada accepted his application for refugee protection, CBC News reported on Mohammed celebrating Pride in June 2017 and appreciating Canadian hospitality. Such feel-good stories have helped solidify Canada’s reputation as a safe haven for sexual minorities—a “saviour narrative” reputation we challenge by investigating what asylum seekers might actually face when making refugee claims. See “I’m Finally Home: Frostbitten Asylum Seeker Wins Case to Stay in Canada,” CBC News, May 18, 2017, http://www.cbc.ca/news/canada/manitoba/seidu-mohammed-asylum-seeker-frostbitten-refugee-manitoba-1.4121034.


Puar, Terrorist Assemblages, xiii.

Puar, Terrorist Assemblages, 19.

Canada (AG) v Ward, [1993] 2 SCR 689 [Ward].

Protecting Canada’s Immigration System Act, sc 2012, c 17 [PCISA].

Immigration and Refugee Board of Canada. Guideline 9—Proceedings before the IRB Involving Sexual Orientation and Gender Identity and Expression. Guidelines issued by the chairperson pursuant to paragraph 159(1)(h) of the Immigration and Refugee Protection Act [Chairperson’s Guidelines].

Puar, Terrorist Assemblages, 165.


Puar, Terrorist Assemblages, 148.


Ahmed, “Problematic Proximities.”

An objection to our argument—that homonationalism informs IRB credibility assessments—is that credibility assessments are necessary to ferret out fraudulent claims. As an example, CBC News investigators identify similarities among Nigerian refugee claimants filing sexual orientation claims in Canada. They interview Legal Aid Ontario representative Jawad Kassab, who worries that many claims are inauthentic, at the coaching of refugee lawyers. The Nigerian government passing anti-LGBTQ policy affords claimants an opportunity to seek refuge on sexual minority grounds, even if they are not queer. To quote Kassab, “There’s certain patterns that when you look at them … you begin to wonder about the plausibility and begin to suspect that maybe some of these claims are fabricated” (Anita Elash, Diana Swain, and Tara Carman, “60–70% of Nigerian Claims Made in Ontario since April Cited Persecution Based on Sexual Orientation,” CBC News, November 10, 2017, http://www.cbc.ca/news/canada/nigeria-refugee-homosexuality-immigration-1.4390144). In this article we will not re-produce the logics of IRB decisions by questioning the validity of claims. Instead, we are concerned with what suspicion of claims does—the work it does to produce narrow, race-inflected understandings of queerness. Indeed, the patterns emerging across Nigerian sexual minority claims point to the problem that claimants—whether they are actually queer or not—are performing a kind of queerness they have learned is acceptable to Immigration and Refugee Boards.


Lacroix, “Canadian Refugee Policy,” 163.

Kinsman and Gentile, Canadian War on Queers.


“Plausibility findings cannot be made on the basis of stereotypical attitudes or projected behaviours that is unsupported by the evidence” in Dosmakovà v Canada (Citizenship and Immigration), 2007 FC 1357 at para 12 [Dosmakova].


We showcase how homonationalism bears out in legal discourse following the 2001 catalyst that brought terrorism into public consciousness. The hearings selected as evidence in section 3 took place in the post-Ward era, but do
Refugee rights were first formally recognized under international law in a multilateral treaty, the 1951 Convention Relating to the Status of Refugees (July 28, 1951, UN Ts No 2545 (entered into force April 22, 1954). The definition provided in the convention is the cornerstone to Canadian refugee law, reiterated in the Immigration and Refugee Protection Act (RSC 2001, c 207, s 96). This definition requires that refugees have a well-founded fear of persecution based on their race, religion, nationality, membership to a particular social group, or political opinion; that they be outside their country of nationality and unable to return, or unwilling for fear of persecution.


Ward. Patrick Francis Ward feared persecution and thus sought refugee status in Canada, because he deserted an Irish terrorist organization after a crisis of conscience.

Ward, 739d–e.

Ward, 739g. Of note, socio-legal scholars critical of the Ward decision contest the location of sexual minorities in Justice La Forest's first category, wherein groups are defined by an innate or immutable characteristic. See Nicole LaViolette, "The Immutable Refugees: Sexual Orientation in Canada (A.G.) v. Ward," University of Toronto Faculty of Law Review 55, no. 1 (1997): 1–44; LaViolette argues that sexual orientation should qualify as a social group under refugee law for being a social identity that persecutors assume is socially and politically inferior. See also Sean Rehaag, "Patrolling the Borders of Sexual Orientation: Bisexual Refugee Claims in Canada," McGill Law Journal 53 (2008): 59–102; Rehaag illustrates how the SCC interpretation of sexual orientation has posed complications for bisexual refugee claimants.

LaViolette, "Immutable Refugees."


2005 FC 1233 at para.12.
2005 FC 1233 at paras 3–5.
2005 FC 1233 at para 7.
2005 FC 1233 at para 15.
Chairperson’s Guidelines, 7.6.1.  
X (Re), (2017) CanLII 142605 at para 19.  
Hersh, “Challenges to Assessing.”  
X (Re), (2017) CanLII 143151.  

Fernando and Rinaldi, “Seeking Equity.”

Jen Rinaldi is an assistant professor at the University of Ontario Institute of Technology. The author may be contacted at Jen.Rinaldi@uoit.ca.

Shanti Fernando is an associate professor at the University of Ontario Institute of Technology. The author may be contacted at Shanti.Fernando@uoit.ca.
Patrouille des frontières nationales et représentations racialisées : Analyse de commentaires en ligne sur les réfugiés syriens au Québec

MATHIEU FORCIER

Résumé
L’article analyse des commentaires publiés sur les pages de grands médias québécois sur Facebook en lien avec le plan canadien de réinstallation de réfugiés syriens en 2015. L’étude vise à sonder la configuration particulière de la normalisation de l’appartenance nationale des majorités ethniques blanches sous le mode de l’inquiétude. Cinq lieux communs associés au déni du racisme et à la présentation positive de soi sont identifiés dans le cadrage discursif négatif de l’arrivée des réfugiés syriens, soit le nombre, le fardeau financier, la responsabilité nationale, la culture et la sécurité. Les résultats montrent que l’exclusion racialisée peut être opérée sans recourir à un langage ouvertement raciste, notamment à travers la représentation du « peuple » comme victime des élites multiculturalistes.

Abstract
This article analyzes comments published on the Facebook pages of major Quebec media outlets about the Canadian resettlement plan for Syrian refugees in 2015. The study seeks to probe the particular configuration of the normalization of white ethnic majorities’ national belonging under the mode of worry. Five commonplace ideas are identified in the negative discursive framing of the arrival of Syrian refugees: numbers, financial burden, national responsibility, culture, and security. The results show that racialized exclusion can operate without recourse to openly racist language, notably through the representation of the “people” as a victim of multicultural elites.
Introduction

Au moment où les images du jeune Alan Kurdi font la une des journaux, le Canada est en pleine campagne électorale et cet événement s’impose comme enjeu clé. Le parti libéral remporte les élections avec la promesse d’accueillir 25 000 réfugiés d’ici le 1er janvier 2016. L’opinion publique est alors fortement polarisée. Au Québec, des regroupements anti et pro-réfugiés se forment, des bande-roles sont déployées sur la place publique et, au lendemain des attentats de Paris, une pétition intitulée « non à l’immigration de réfugiés syriens » récolte 50 000 signatures en deux jours. 60% des Québécois s’opposent alors au projet du gouvernement Trudeau et un sur cinq affirme vouloir fermer la porte à ces réfugiés. Les citoyens sont aussi particulièrement vocaux sur les médias sociaux. Il importe d’y porter attention de façon à mieux comprendre les dynamiques de racialisation du refuge au Canada et au Québec de façon plus spécifique. Ces médias sont un espace fructueux pour le racisme et les stratégies de racialisation risquent de différer de celles rencontrées hors-ligne. Ces dernières renvoient au processus de catégorisation sociale qui construit et naturalise l’Autre comme porteur de différences insurmontables.

Précisons que les compétences en matière d’immigration sont partagées entre les gouvernements canadien et québécois. On observe au Québec une croissance de la part de personnes qui estiment qu’il y a « trop d’immigrants ». En plus de la discrimination systémique, notamment sur le marché du travail, au niveau du discours et des perceptions, la société québécoise connaît une banalisation de l’islamophobie, notamment à travers une multitude de débats sur la laïcité. La problématisation sociale des musulmans est aussi visible dans différentes études et sondages d’opinion.

L’objectif est ici de sonder la normalisation de la représentation du territoire national comme devant être protégé face aux forces de la globalisation et en particulier les mobilités jugées « à risque ». La présente conjoncture est caractérisée par la « droitisation » de la politique où l’Autre racialisé est soumis au regard suspicieux des acteurs institutionnels et des membres de la société civile du fait de sa représentation comme source potentielle de problèmes, comme porteur de menaces culturelles, économiques ou sécuritaires. Ce climat de suspicion est tel que les discours sécuritaires, assimilationnistes et restrictifs à l’égard de l’immigration se sont normalisés au sein des partis mainstream.

L’association entre migrations et insécurité est désormais un thème qui appartient au courant dominant, ce qui est d’autant plus clair depuis le Brexit et l’élection de Trump. Les deux campagnes ont misé sur la peur de l’« immigration de masse », l’idée de reprise du contrôle des frontières et le ressentiment du peuple, des citoyens ordinaires (blancs) oublisés par les élites pro-globalisation et inquiets d’une perte relative de privilèges. Il s’agit alors de mettre en lumière les articulations entre nationalisme et racialisation dans le discours de citoyens s’exprimant dans l’espace public numérique. Les analyses critiques du discours demeurent encore principalement centrées sur les élites, que ce soit la classe politique ou les médias, ce qui tend à négliger le rôle toujours actif des citoyens « ordinaires », aujourd’hui plus que jamais perceptible par la culture du commentaire en ligne. Suivant notre cadre analytique inspiré des théories critiques du nationalisme, de la race et de la Blanchit, les médias sociaux sont vus comme de nouveaux sites de pouvoir où le discours est influencé par les inégalités racialisées et participe aussi à leur reproduction. Comme les discours top-down généralement étudiés, ceux qui sont construits par le bas peuvent aussi favoriser la stigmatisation et la discrimination.

Nationalisme et racisme sur Internet

Internet offre de nouveaux moyens d’expression de la xénophobie et du racisme, exacerbant la discrimination de catégories sociales déjà marginalisées. La littérature analysant les discours nationalistes et racistes en ligne est encore relativement récente et les études canadiennes sont d’ailleurs peu nombreuses. La recherche s’est beaucoup penchée sur le recours au web par les suprématistes blancs et les partis d’extrême-droite. Or, le focus sur les formes de racisme ouvert tend à perdre de vue les formes plus subtiles et plus en phase avec la norme culturelle dans l’espace public. Les médias sociaux et les sections commentaires ont fait exploser la visibilité des attitudes xénophobes et racistes, ouvrant ainsi un nouveau terrain de recherche. Globalement, la littérature montre qu’Internet est un espace où cohabitent des formes ouvertes et haineuses de racisme et des formes plus subtiles et socialement acceptables, notamment à travers les représentations de l’immigration comme menace pour l’identité nationale. Si les discours à tendances xéno-phobes et racistes sont davantage visibles et décompliqués en ligne, leur prévalence serait moindre sur des plateformes qui demandent aux utilisateurs de s’identifier publiquement.

Plusieurs études démontrent que les individus ont recours au déni du racisme et des privilèges liés à la blanchit dans les discussions en ligne tout en mettant de l’avant des postures exclusivistes ou discriminatoires. Des membres du groupe majoritaire peuvent éviter les accusations de racisme en s’en prenant au système ou aux élites plutôt qu’aux minorités de façon directe. De plus, les musulmans sont régulièrement les cibles privilégiées et les discours ne se limitent pas au langage haineux. Des représentations empreintes de peur et de suspicion construisent un Autre musulman mettant à risque la culture et les valeurs nationales, la cohésion sociale, l’égalité entre les hommes et les femmes, la sécurité nationale etc. Davantage de recherches sont nécessaires pour...
mieux suivre les nouveaux modes d’expression des opinions populaires. Comme le note Gavan Titley, « online communications and networked social media interactions provide key sites for the delineation of hierarchies of belonging, and the expansive rehearsal and contestation of racializing discourses, tropes and rationalities »26.

Cet article présente une analyse critique de discours sur les réfugiés syriens à travers les commentaires de lecteurs de médias québécois publiés sur Facebook. Il s’inscrit dans le cadre d’un projet de recherche sociologique dont l’objectif est de jeter un éclairage nouveau sur la stigmatisation de certaines catégories d’immigrants37 et certaines minorités racialisées. Les représentations racialisées de ces populations portent atteinte à la dignité de leurs membres, à leur reconnaissance comme membres égaux de la société et les déshumanisent en les réduisant à des catégories identitaires essentiellement légitimant des pratiques d’exclusion et de sous-discrimination sociale38. Comme le soulignent bien Hughey et Daniels, « given that the Internet is becoming the major means for the production of public opinion and the dominant consensus on ethnic and racial affairs, this matter is more than academic »29. L’analyse des discours sur la « nation » et ses Autres est nécessaire pour déstabiliser la reproduction de la domination sociale des majoritaires sur les minorités racialisées30.

**Repères théoriques**

La nation est ici conceptualisée comme une catégorie discursive héritée de la modernité coloniale et dont les formes d’articulation avec l’ethnicité et la race varient historiquement31. Le concept de « patrouille des frontières »32 est adopté pour désigner l’utilisation de marqueurs symboliques servant à décider qui est inclus/exclus des frontières33 de la communauté nationale en fixant les limites de l’incorporation de la différence. Suivant Stuart Hall, le discours est entendu comme un mode de représentation qui informe les perceptions et les pratiques et à travers lequel le pouvoir opère34. L’analyse suit son approche conjoncturelle en situant les discours dans la conjoncture contemporaine marquée par la globalisation néolibérale, la croissance des inégalités, les mouvements migratoires Sud-Nord et le rejet du multiculturalisme35. Dans un contexte où les sociétés occidentales sont représentées de façon hégémonique comme étant post-raciales, l’analyse de la racialisation doit être attentive aux mécanismes plus ou moins subtils36. Le recours aux arguments culturalistes et à la victimisation des « gens ordinaires » (blancs) est aujourd’hui central pour à la fois nier le racisme et reproduire des identités nationales racialisées37. Depuis le tournant du millénaire, ces débats focalisent particulièrement sur l’idée racialisée du musulman comme « Autre ingouvernable »38.

Nous analysons les dynamiques d’inclusion différentielle et sélective et la différenciation entre la « bonne » et la « mauvaise » diversité39. On entend par là l’inclusion d’une diversité perçue comme un atout pour la nation et l’exclusion concomitante d’une diversité racialisée comme étant culturellement incompatible, pesant sur les finances publiques et posant un risque pour la sécurité nationale40. L’anxiété, la peur et l’insécurité médiatisent de plus en plus l’inclusion différenciée, à travers ces pratiques discursives, les membres de la majorité ethnique blanche peuvent réaffirmer leur droit d’être inquiets pour leur nation et de fixer les limites de l’inclusion au sein de leur _chez soi_ (home) en s’exprimant sur le mode de l’« appartenance gouvernementale ». Plusieurs études québécoises montrent que les récents débats sociaux sur la « diversité » ont été largement dominés par la majorité ethnique, que les voix de membres des minorités ciblées – en particulier les femmes musulmanes – ont été, sinon discréditées, peu entendues et que ces débats ont servi à la reproduction des frontières du « Nous » national en répondant aux anxiétés identitaires des majoritaires43.

Suivant Ghassan Hage, les débats sur l’immigration et l’identité correspondent à des rituels nationalistes caractérisés par la culture de l’inquiétude, désormais la forme normale de l’expression d’appartenance nationale42. À travers ces pratiques discursives, les membres de la majorité ethnique blanche peuvent réaffirmer leur droit d’être inquiets pour leur nation et de fixer les limites de l’inclusion au sein de leur _chez soi_ (home) en s’exprimant sur le mode de l’« appartenance gouvernementale ». Plusieurs études québécoises montrent que les récents débats sociaux sur la « diversité » ont été largement dominés par la majorité ethnique, que les voix de membres des minorités ciblées – en particulier les femmes musulmanes – ont été, sinon discréditées, peu entendues et que ces débats ont servi à la reproduction des frontières du « Nous » national en répondant aux anxiétés identitaires des majoritaires43.

Sous l’effet de la restructuration néolibérale et de la peur de ne plus voir l’État prendre soin des siens, les majoritaires44 manifestent leur droit au statut de gestionnaires de l’espace national45. La construction des minorités comme objets de débats soumis à leur jugement est ici liée à volonté de restauration d’un sentiment de contrôle46. Cette approche permet de mettre en lumière l’ethnicité et la blanchité des majoritaires. Évidemment, la blanchité ne renvoie pas à l’existence d’une race blanche, mais bien à une construction sociale. Nous retenons la définition classique de Frankenberger: « First, whiteness is a position of structural advantage, of race privilege. Second, it is a “standpoint,” a place from which people look at ourselves, at others, and at society. Third, whiteness refers to a set of cultural practices that are usually unmarked and unnamed »47. La relation entre l’appartenance nationale et la blanchité n’est pas fixe et doit être étudiée empiriquement. Dans un contexte société où la race et le terme « blancs » sont évacués du discours public, la blanchité peut être observée à travers les différentes pratiques qui construisent les minorités racialisées comme déviant de la norme nationale48. Comme le note Garner, de la question « d’où viens-tu » aux contrôles d’identité policiers, le fait que le terme « immigrant » colle49 aux corps des minorités racialisées nous force à reconnaître que l’appartenance
à la communauté nationale est inégalement distribuée par l’articulation avec l’ethnicité et la race. D’ailleurs, dans le langage commun, la catégorie nationale « Québécois » est régulièrement ethnicisée et limitée au groupe majoritaire.

L’analyse vise ainsi à rendre compte du travail de patrouille des frontières nationales à l’endroit des réfugiés syriens en portant attention aux discours d’appartenance gouvernementale exprimés sur le mode du ressentiment et de l’entitlement.

**Méthodologie et données**

Le corpus d’analyse compte 1000 commentaires publiés sur les pages Facebook publiques de cinq grands médias québécois, soit TVA Nouvelles, le Journal de Montréal, La Presse, Radio-Canada et Le Devoir. Les quinze articles retenus ont été publiés entre septembre et décembre 2015, soit au moment où les débats politiques et la couverture médiatique sur les réfugiés syriens furent les plus intenses. Pour chaque média, trois articles ont été retenus, soit ceux qui ont généré le plus grand nombre de commentaires. Le nombre de commentaires est pondéré en fonction du volume pour chaque média. Conséquemment, l’échantillon est à majorité composé de commentaires associés à des médias de type sensationnaliste. Il a été construit en retenant les commentaires qui ont reçu le plus de « likes ». Les résultats présentés ici se concentrent sur les individus catégorisés comme membres du groupe majoritaire.

La méthode est inspirée de l’analyse critique de discours (CDA) et, plus spécifiquement, de l’approche discursive historique (DHA) de Ruth Wodak. Cela implique un positionnement épistémologique particulier: « CDA may be defined as fundamentally interested in analyzing opaque as well as transparent structural relationships of dominance, discrimination, power and control, as they are manifested in language ».

Cette approche a surtout été utilisée pour analyser le discours des élites, mais elle peut aussi être mise à profit pour étudier les discours des gens « ordinaires » sur une nouvelle plateforme discursive qui permet de mieux voir leur rôle actif au sein de l’ordre social inégalitaire.


**Analyse**

Les commentaires ont été classés comme étant positifs, négatifs ou mitigés et trois commentaires sur quatre sont négatifs. Cela ne renvoie pas nécessairement à une opposition catégorique à la réinstallation de réfugiés syriens au Canada, mais plutôt à un cadrage négatif de la situation. Concernant le profil positif, une part substantielle correspond à des commentaires dont le contenu témoigne d’une réaction à l’égard des commentaires jugés hostiles ou ignorants. Enfin, 8% des données sont mitigées et tendent à présenter l’accueil des réfugiés comme devant être conditionnelle à la préservation de la
sécurité physique, culturelle ou économique des nationaux. Cinq principaux topoi sont identifiés : nombre, fardeau économique, responsabilité nationale, culture et danger. Étant donné les relations souvent étroites entre eux, ces séparations sont strictement analytiques. Il s'agit alors de bien saisir leurs logiques et dynamiques propres pour mieux comprendre les différentes stratégies argumentatives dans la représentation des réfugiés et des frontières nationales.

**Topos du nombre**
Les références aux nombres de réfugiés ainsi qu'aux qualificatifs associés ont pour effet de délégitimer le plan gouvernemental. Les individus parlent alors en termes de « milliers », de « beaucoup », d’« énorme », de « masse », etc. et ont largement recours au terme « trop ». Dans certains discours mitigés, on lit par exemple que ce plan implique « trop » de réfugiés en « trop » peu de temps et qu’il dépasse donc la limite du raisonnable. Une pluralité d’énoncés verbe dans le catastrophisme et manifestent une crainte de menace pour le corps national. D’ailleurs, près d’un commentaire sur dix tend à dépeindre ces réfugiés comme faisant partie d’un afflux indésirable d’étrangers, ou pire, une invasion. L’arrivée de 25 000 personnes, représentant 0,7% de la population canadienne, apparaît alors comme étant la goutte qui fait déborder le vase. On comprend alors que le cadrage négatif du plan gouvernemental est indissociable de sentiments anti-immigration déjà présents.

Certains vont d’ailleurs jusqu’à affirmer que, coupée à l’immigration, l’arrivée de ces réfugiés aura pour conséquence une « expropriation » des majoritaires de « leur » pays. Par exemple :

[…] C’est rendu qu’on est plus chez nous dans notre propre pays…

Que l’expression d’une telle position se fasse dans un langage haineux, codé ou défensif, on voit bien que ceux qui s’inquiètent d’une « invasion » ayant pour effet de « déposséder » ou de réduire au statut de minorité la majorité ethnique blanche le font par la voie de l’autoreprésentation positive. D’une part, ils se positionnent comme étant ceux qui accueillent sur leur terre du territoire des étrangers qui n’y appartiennent pas légitimement, reproduisant la frontière entre Eux et Nous. D’autre part, le Nous est présenté comme étant trop hospitalier envers Eux, les accueillant en trop grand nombre et menaçant ainsi l’ordre normal63. La dimension spatiale est ici centrale. Comme le souligne bien Hage, la qualité racialisante de ces discours est indissociable de l’appartenance nationale gouvernementale et donc d’une inquiétude quant au maintien du rôle de gestionnaire du chez soi national : « Clearly, what motivates the production of categories such as ‘too many’ in this context is the wish to construct or preserve not just a ‘race’, an ‘ethnicity’ or a ‘culture’, but also an imagined privileged relation between the imagined ‘race’, ‘ethnicity’ or ‘culture’ and the national space conceived as its own »64.

**Topos du fardeau économique**
Un nombre important de commentaires représentent l’arrivée des réfugiés comme un fardeau pour les contribuables sous le mode du « qui va payer encore ? » (tva Nouvelles 1, 24 likes). Cet argument du fardeau est devenu un topos normal dans les débats occidentaux sur l’immigration. Il s’agit d’un des modes argumentatifs anti-immigration les plus sûrs, car il permet de situer la justification des postures restrictives à l’extérieur des considérations liées à la différence ethnique, raciale, religieuse, etc. Qui plus est, l’exclusion n’est pas présentée comme étant la résultante d’un manque de volonté, mais bien d’une impossibilité factuelle d’accueillir65.

La mobilisation d’arguments économiques participe à la patrouille des frontières en s’inscrivant dans la logique d’un nationalisme néolibéral différenciant les nationaux autonomes et productifs des Autres racialisés, dépendants, improductifs et profiteurs66. Les acteurs parlent de leur argent provenant de leurs taxes et impôts dépensés sans leur accord pour des « étrangers » non-méritants. Plusieurs anticipent des effets économiques négatifs et font référence au contexte économique saisi sous l’angle de la récession, de la croissance de la dette publique et des politiques d’austérité du gouvernement québécois. Nombreux sont ceux qui s’étonnent donc que l’État puisse allouer des ressources à l’accueil de réfugiés dans une période de compressions budgétaires. Par exemple :

Ridicule !!! c’est trop 25 000 personnes de plus d’un coup !!! voyons on arrête pas de se serrer la ceinture à cause de l’austérité des gouvernements pis y parlent de couper les plus démunis pis y veulent faire v’nir du monde qui vont ce ramasser sur le bs ???? chercher ferreur !!! (tva Nouvelles 3, 55 likes).

Économiquement comment on fait pour se payer 25000 réfugié …

On peut ainsi faire valoir qu’il serait économiquement irresponsible de dépenser de l’argent que nous n’avons pas afin de venir en aide à des étrangers. En niant ou en mitigeant l’importance des préjugés et des stéréotypes, les acteurs renvoient ainsi un ethos du raisonnable67. En mettant le focus
sur le contexte économique, les individus sont à même de pré-
senter leurs postures restrictives comme étant rationnellement
fondées sur le monde réel et donc étrangères au racisme88.

Avons-nous les capacités? C'est la première question que nous
devons poser ici. (La Presse 1, 3 likes).

[…] on a pu d'argent mais on accepté d'autre immigrant qui vont
eux aussi avoir probablement besoin de tout les service ci haut
mentionné je vais sûrement passé pour raciste mais non j'appelle
cà vivre avec les moyen disponible rien a voir avec le pays d'où il
viens!!! […] (tva Nouvelles 1, 242 likes).

Les réfugiés sont donc souvent déshumanisés en étant
réduits à une dépense monétaire, ce qui est particulièrement
frappant lorsque des personnes se questionnent à savoir quel
sera le « coût » de chaque réfugié. En utilisant des formules
du type « Je n'ai rien contre…, mais », « nous sommes tolé-
nants…, mais » ou encore « nous voudrions aider, mais », les
acteurs font référence à un contexte économique objectif
qui permet de légitimer des pratiques d'exclusion sans faire
appel à une rhétorique explicitement raciste. Il s'agit d'un cas
classique de déni par présentation de soi positive. Le peuple
québécois est représenté comme étant ouvert et généreux,
mais n'étant pas dans la mesure d'aider des étrangers dans le
contexte actuel sans porter atteinte à son propre bien-être. À
travers ce langage codé, on leur reproche ultimement d'abu-
sé de l'hospitalité nationale. Ils sont d'ailleurs régulièrement
accusés de chercher à profiter du système, notamment à traver-
s la figure péjorative du « BS »69.

Cette stigmatisation des réfugiés comme représentants de
la mauvaise diversité acquiert une signification particulière
dans le contexte local en fonction de l'image de l'immigrant
idéal promue par l'État. L'évolution des politiques d'immigra-
tion suit effectivement la restructuration néolibérale en visant
to maximiser l'immigration qualifiée et choisie par le privé,
conçue comme une opportunité de compétition au sein de la
globalisation tout en restreignant l'accès aux migrants jugés
« indésirables »70. Les discours faisant appel à des arguments
de nature économique sont donc largement caractéristiques
du nationalisme au sein de la conjoncture néolibérale où la
désirabilité des étrangers est notamment évaluée en fonction
de leur utilité et de leur autonomie individuelle71. L'analyse
montre que ces pratiques d'exclusion ne peuvent toutefois
être réduites à une stricte rationalité économique en raison
des articulations avec des sentiments de menace d'une autre
nature, notamment culturelle et sécuritaire.

**Topos de la responsabilité**

Environ le quart des commentaires fait appel au topos de la
responsabilité nationale. Nous faisons par-là référence à la

stratégie argumentative qui met de l'avant la responsabilité
des gouvernements à l'endroit de leur population. La logique
veut que le gouvernement doive d'abord prendre soin de son
peuple et donc resserrer les frontières72. Ce type de discours
est particulièrement marqué par le ressentiment de majori-
tés nationales blanches adoptant la perspective de victimes73.
Cette auto-victimisation concerne la revendication des pri-
vilèges quant à l'accès aux ressources et l'affirmation du droit
to un pouvoir symbolique privilégié en raison de l'apparte-
nance à l'« entitled nation »74.

Les autorités sont alors accusées de privilégier des étran-
gers et d'abandonner les « leurs ». Les deux commentaires les
plus populaires l'exemplifient:

accueillir des syriens et des réfugiés au canada ces complète-
ment ridicule que le gouvernement commence donc par s'occuper des
Canadiens avant!!!!!!! (tva Nouvelles 2, 1512 likes).

Il serait le temps que Le gouvernement Aide les sien avant D'aider
les autres (tva Nouvelles 1, 787 likes).

Il s'agit là d'une forme élémentaire de nationalisme
banal où sont discriminés les Autres mis en opposition
aux membres du « Nous » entendus comme membres de la
communauté nationale imaginée, que ce « Nous » désigne
l'ensemble de la communauté politique ou une certaine caté-
gorie sociale ethniquement délimitée75.

La majorité des commentaires adopte une stratégie d'atté-
nuation des traits négatifs du Nous76 suivant une formule
selon laquelle aider les Autres peut constituer un principe
digne, mais qui doit toujours rester secondaire par rapport
to celui de la solidarité nationale, c'est-à-dire le devoir moral
d' aider les siens. Même dans les appels à la fermeture des
frontières, la justification première affichée est celle de la
solidarité « entre nous ». Cela rejoint les travaux d'Ahmed
qui montrent que les discours racialisants de défense de la
nation opèrent à travers une logique de légitimation qui
n'affirment pas la haine de l'Autre, mais plutôt l'amour de
Soi77. On retrouve d'ailleurs à plusieurs reprises l'expression
« charité bien ordonnée commence par soi-même » et on sou-
ligne que l'on doit d'abord aider les « Québécois » ou encore
régler « nos problèmes » avant de régler ceux des « autres ».
D'ailleurs, encore ici, des commentaires ont recours à des
démêlent qui permettent de nier la dimension raciste de
l'exclusion. Par exemple, ce commentaire met l'accent sur la
victimisation des Québécois:

Je ne suis pas raciste, je suis pour venir en aide aux gens MAIS LÀ
en ce moment … Ici c'est nous qui avons besoin d'aide […] (tva
Nouvelles 1, 10 likes).
Ces discours affirmant « Nous sommes le peuple » et « Nous d’abord » sont d’ailleurs centraux dans le répertoire des nationalismes populistes de droite occidentaux. L’invo- cation du peuple peut s’avérer suffisante pour indiquer implicitement qu’il devrait occuper une position privilégiée au sein de la distribution des ressources et de l’attention étatique. Cela se voit dans l’opposition entre « nos Québécois d’ici, de chez nous » et les « immigrants », si bien que le fait de « venir d’ailleurs » apparaît incompatible avec l’identité québécoise et limite ainsi l’accès légitime aux ressources étatiques.

L’importance discursive de la territorialité est à saisir dans la logique de production de la nation où la différenciation entre les personnes qui se pensent natives et se voient comme familières et celles qui sont reconnues comme étrangères est fonctionnelle au sentiment d’être chez soi des premières. La limite est donc souvent floue entre la revendication du droit à la priorité et l’exclusivité en matière de distribution des ressources. L’élément central est le fait que les majoritaires définissent les conditions de l’entitlement en fonction de l’appartenance nationale. En fait, ces individus demandent que l’État commence par s’occuper des nationaux, mais il n’est pas clair à savoir s’il serait ultimement acceptable d’aider ces étrangers. La compétition pour les ressources de l’État est aussi une compétition pour ses soins et son attention et est paradigmatique de la culture de l’inquiétude caractéristique de la relation individu-société familiale auquel les réfugiés syriens ne sauraient s’appuyer. Il y a des sans abris québécois qui meurent de faim et de froid tout l’hiver !!! qu’est ce que le gouvernement fait pour tous ces gens québécois ????? (La Presse 2, 5 likes). Ce faisant, l’exclusion n’est pas présentée comme étant légitime en raison d’une quelconquehostilité provenant de la part des « nationaux ». Ce sont au contraire les réfugiés eux-mêmes qui sont rendus responsables en raison de leur refus postulé de faire des efforts d’intégration :

nous n’en voulons pas ils ne veulent pas s’intégrer à notre pays (Journal de Montréal 1, 4 likes).

Calvence on en a assez de même ont a pas les moyens et en plus ils veulent pas s’adapter?? (TVA Nouvelles 1, 139 likes).

Ces figures sont généralement précédées du déterminant possessif « nos », si bien que la nation est représentée comme un chez soi familial auquel les réfugiés syriens ne sauraient appartenir. On retrouve donc, d’un côté, nos gens dans le besoin, de chez nous, de notre peuple et, de l’autre, la pauvreté des autres, racialisées comme n’appartenant pas naturellement au territoire national. Les individus tendent effectivement à se représenter comme appartenant à l’entitled nation où le mérite quant à l’accès aux ressources est déterminé en fonction de la réponse à la question « que fais-tu »,

mais aussi et surtout à la question « qui es-tu ».

Cela va dans le sens de nombreuses études qui montrent que l’appui aux politiques de redistribution de l’État social est influencé par les perceptions racialisées à savoir qui bénéficie des ressources étatiques. D’ailleurs, nos analyses rejoignent aussi le constat que la solidarité est limitée par la perception du mérite en fonction de la nationalité, de la religion, de l’ethnici- et de la race et que le welfare chauvinism est structuré par les perceptions de menace culturelle à la nation.

**Topos de la culture**

Les commentaires associés à ce topos postulent souvent l’impossibilité ou le refus de l’intégration des réfugiés à la culture nationale, intégration d’ailleurs largement entendue comme assimilation à la norme majoritaire. Si les réfugiés ne sont pas nécessairement toujours catégorisés comme musulmans, il reste qu’ils sont souvent représentés à travers un prisme influencé par le climat d’islamophobie amiant. Il ont d’ailleurs tendance à être amalgamés avec les musulmans présents sur le territoire national et à être perçus comme aggravant le travail de gestion de la diversité. Par exemple : « Bravo, on a déjà de la misère à gérer ceux que l’on a déjà ! » (Journal de Montréal 1, 4 likes). D’une part, la faute est mise sur les différences culturelles objectives sélectionnées pour le marquage des frontières. En ce sens, les réfugiés seraient « en soi » si différents de la culture occidentale que leur intégration est présentée comme objectivement impossible. D’autre part, au niveau subjectif, si on reconnaît une agentivité aux réfugiés et aux musulmans plus largement, on met en cause leur volonté. Ce faisant, l’exclusion n’est pas présentée comme étant légitime en raison d’une quelconque hostilité provenant de la part des « nationaux ». Ce sont au contraire les réfugiés eux-mêmes qui sont rendus responsables en raison de leur refus postulé de faire des efforts d’intégration :

Un autre type de formulation consiste à présenter les réfugiés comme ingrants et ne respectant pas la culture de la terre d’accueil, s’appuyant sur le stéréotype racialisant du musulman intrusisugeant hostile à notre mode de vie libéral occiden- tal. Il s’agit là d’une forme de ressentiment blanc devenue commune au sein de plusieurs sociétés occidentales où les immigrants, réduits au statut d’invités, sont opposés aux...
« hôtes » nationaux qui défendent ce qui leur appartient98. Les Autres ne sont alors pas seulement accusés de vouloir maintenir leurs habitudes culturelles ou de vivre dans une société parallèle. Ils incorporent plutôt une menace culturelle. C’est là que s’exprime le plus clairement un nationalisme de type défensif au sens entendu par Hall (1993) où l’appartenance culturelle fonctionne comme un langage codé pour la race. On fait alors appel à la nécessité de défendre « nos valeurs », « nos mœurs » et « nos coutumes ». Ici, la dimension raciste de l’exclusion est donc discursive ment niée par la représentation de l’Autre comme abusant de notre hospitalité et de notre tolérance. Le déni opère alors à travers le mécanisme de présentation positive de soi et négative de l’Autre : « Nous » sommes trop tolérants envers ceux qui sont les « vrais » intolérants, les musulmans qui menacent la culture nationale.

La stratégie argumentative justifiant l’exclusion par l’adoption d’une posture défensive s’accompagne aussi de la rhétorique de l’islamisation de l’Occident liée à un régime de représentation racialisée inscrit dans des relations de pouvoirs globales. Les commentaires analysés puisent dans un savoir orientaliste où, par répétition d’images et de discours, des significations stigmatisantes « collent » aux corps d’individus cherchant refuge99. Le musulman est alors présenté comme irrationnel et fanatique. Il s’agit ici d’exam ples de la stratégie du racisme inversé où les réfugiés sont dépeints comme des islamistes radicaux anti-occidentaux :

Ce que l’on sait par contre, c’est que dans 20 ans. Ils seront plus nombreux que nous, diront leurs députés. Prendront le contrôle et feront disparaître notre culture. Ça, on le sait ! (TVA Nouvelles 3, 9 likes).

le canada peut meme pas faire vivre sont peuple quoi il vont faire avec 25000 syriens qui veut toute changer le mondes avec leur religion (Radio-Canada 1, 2 likes).

1ere vague du Tsunami islamiste qui rentre au Canada ... tout un cheval de Troie , qui vient de rentrer dans nos portes ...!!! (TVA Nouvelles 2, 232 likes).

Certs avancent aussi que les pays occidentaux ne devraient pas être responsables de ces réfugiés en arguant que ce sont les États arabes et musulmans qui devraient les prendre en charge. On retrouve ici la production de ce que Saïd appelait la division géographique imaginaire qui soutient la binarité Occident/Orient90. La représentation d’un bloc islamique homogène est ainsi fonctionnelle à la consolida tion d’une identité civilisationnelle occidentale.

La racialisation des réfugiés syriens comme menace culturelle est étroitement liée à la dénonciation des élites politiques, dites soumises devant les musulmans, que ce soit au nom du multiculturalisme canadien, à des fins électoralistes ou dans une visée fédéraliste anti-québécoise. Par exemple :

Le Parti Libéral est loutıl d’assimilation au multiculturalisme du Parti Libéral du Canada. Politique de racolage ethnique à des fins purement électorales. (Le Devoir 3, 4 likes).

Nos données supportent l’analyse de Bilge (2013) qui constate une légitimation de la figure du « white worrier » ; le « Nous » national racialement codé est posé en position de victime face à la menace de la « différence » culturelle de l’Autre promue par l’élite multiculturaliste déconnectée des inquiétudes de la majorité silencieuse. Cela rejoint aussi de nombreuses études qui montrent que les majoritaires peuvent adopter des stratégies discursives de patrouille des frontières entre « vrais » nationaux et étrangers en évitant la catégorisation raciste directe pour plutôt cibler les élites accusées de verser dans le « politiquement correct », de favoriser de façon indu les étrangers et de censurer les inquiétudes de la majorité (blanche)91.

Topos du danger
de l'ensemble des Syriens, une hiérarchie de la valeur des vies est établie. En effet, l'invocation du risque sécuritaire dans l'opposition à la réinstallation de personnes en situation d'insécurité en raison d'une guerre civile signifie que ce n'est pas la sécurité qui est la priorité, mais bien « notre » sécurité :

On a de l'intolérance car on a peur que sur les 25 000 à 125 000 réfugiés qu'il en aille une 50 aine qui pourrait faire ben du dommage. Protégeons nous avant de protéger les autres (Journal de Montréal 2, 6 likes).

Les réfugiés syriens sont aussi accusés par certains d'être partie prenante d'un plan d'invasion djihadiste. Ils sont aussi racialisés en étant dépeints comme imprégnés d'une culture guerrière, étrangère et hostile à la culture occidentale:

Les musulmans sont en guerre depuis la nuit des temps, en guerre entre eux, contre les femmes, contre tous ceux qui ne sont pas de la même religion qu'eux. […] En vivant ici, ils reproduisent ce qu'ils ont fui chez eux, la guerre et les conflits tout le temps. Est ce que c'est ce que nous voulons? […] (Le Devoir 1, 1 like).

Ça va tellement nous péter dans face... Vous arrêtez pas de brailler que les immigrants ne s'adaptent pas à nos règles de vie et soudain, vous voulez accueillir à bras grands ouverts 10 000 immigrants qui n'ont connu que la guerre et la violence. Par quel moyen vous croyez qu'ils vont revendiquer quoi que ce soit après ça? De la seule manière qu'ils ont appris: la violence. Ils ont beau être humains comme nous, ils n'ont pas en eux les concepts de démocratie, liberté et égalité; ils n'ont pas d'éducation et ils n'ont surtout pas les mêmes priorités que les Européens ou américains. (TVA Nouvelles 1, 52 likes).

La présentation négative des musulmans comme violents et belliqueux98 trouve son pendant dans la présentation positive de soi comme peuple pacifique. La dimension raciste est niée par la rhétorique de l'auto-défense: ce n'est pas que nous les détestons, c'est que nous voulons protéger les « nôtres » et « notre » quiétude. Les commentateurs s'en prennent donc aux commentateurs comme membres du groupe majoritaire est identifié par ceux-ci.

Les pratiques discursives analysées ici permettent de voir que les dynamiques d'inclusion/exclusion se déploient au sein d'une relation triangulaire. Au niveau des stratégies référentielles, trois catégories d'acteurs sont donc centrales. Il s'agit du « peuple », des « élites politiques » et des « étrangers ».

Conclusion
Les pratiques discursives analysés ici permettent de voir que les dynamiques d'inclusion/exclusion se déploient au sein d'une relation triangulaire. Au niveau des stratégies référentielles, trois catégories d'acteurs sont donc centrales. Il s'agit du « peuple », des « élites politiques » et des « étrangers ».

Pour la première, au-delà de l'utilisation récurrente du pronom « Nous », on retrouve les termes « Québécois » et, dans une moindre mesure, « Canadiens » auxquels sont parfois ajoutés des qualificatifs signalant une compréhension exclusive de ces identités, par exemple « d'origine », « de souche » et « vrais ». Dans la construction des frontières du Nous par les majoritaires ordinaires, les significations se rattachent à la nation, à l'ethnicité et à la blancheur et sont déduites du langage de la pratique100. En effet, les acteurs n'ont pas explicitement recours à ces catégories dans leurs pratiques discursives quotidiennes. Le groupe « canadien-français » n'est pas nommé en tant que tel, mais notre interprétation suggère que les références à « Nous les Québécois » tendent à signifier la majorité ethnique blanche, ce qui peut notamment être déduit des discours de préservation comme dans l'opposition entre les termes « Québécois » et « immigrants ». Rappelons que, suivant notre méthodologie, la blancheur et l'ethnicité des commentateurs reposent sur une déduction. La représentation du « Nous » comme accueillant et tolérant, mais inquiet en raison de sa fragilité culturelle et des menaces externes permet de légitimer les exclusions racialisées tout en niant sa dimension raciste. Rappelons toutefois que, suivant notre méthodologie, la catégorisation des commentateurs comme membres du groupe majoritaire est faite en fonction de leur nom et ne répond pas d'une auto-identification par ceux-ci.

Le second groupe identifié est celui des réfugiés syriens. Nombreux sont ceux qui adoptent les termes utilisés dans les discours médiatiques et politiques, en l'occurrence « les
réfugiés » ou « les Syriens ». Par contre, d’autres termes sont utilisés pour marquer leur altérité, notamment ceux d’« étrangers », de gens « d’ailleurs », de musulmans et d’immigrants. L’amalgame récurrent avec les immigrants signifie que les réfugiés syriens sont régulièrement vus comme étant destinés à demeurer à l’extérieur des frontières de la communauté nationale puisque la résidence sur le territoire ne garantirait pas l’appartenance et la reconnaissance comme membres de la communauté nationale. Au niveau des caractéristiques attribuées, si plusieurs reconnaissent que les membres de ce groupe cherchent refuge en raison de la guerre sévissant dans leur pays, les réfugiés syriens se voient qualifiés d’ingrats, de dangereux, de potentiels terroristes, d’islamistes radicaux, de barbares, de prémédernes, de lâches et de profiteurs des ressources et services étatiques. Ils sont aussi marqués par leur différence culturelle/civilisationnelle, c’est-à-dire qu’ils sont représentés comme provenant d’une région aux moeurs et valeurs très éloignés, sinon incompatibles avec la civilisation occidentale moderne. Les réfugiés syriens font alors souvent office de menace économique, culturelle et sécuritaire pour la nation québécoise. Nous avons pu voir qu’au-delà bien des stratégies d’intensification que de mitigation étaient employées. Si des discours hostiles et ouvertement racistes ou xénophobes sont bien présents, ils le sont toutefois moins que ce que l’on pourrait attendre à première vue de la part d’usagers des médias sociaux.

Les autorités politiques multiculturelles sont quant à elles présentées comme étant caractérisées par leur richesse, leur déconnexion du « vrai peuple » et leur soumission aux « immigrants » et aux musulmans. Les libéraux au pouvoir sont les principaux destinataires du ressentiment blanc. En regard des stratégies d’intensification ou de mitigation, les discours s’adressant aux élites politiques se démarquent souvent par leur forte hostilité, les individus n’étant pas gênés d’exprimer leur rejet de ceux qui sont vus comme des traitres. Cette hostilité exprimée peut d’ailleurs être plus grande à l’endroit des élites que des réfugiés. Cela rejoint une stratégie argumentative courante dans les discours nationalistes populistes de droite qui exploitent et exacerbent le ressentiment des classes moyennes et populaires où les références aux outsiders peuvent demeurer implicites en s’en prenant à la traitrise des élites déracinées\textsuperscript{104}. Il ne semble pas fortuit que l’immigration ait été un thème central des élections québécoises d’automne 2018 remportées par la Coalition Avenir Québec (CAQ). Le nouveau premier ministre François Legault a notamment soutenu que la capacité d’intégration du Québec était dépassée et que les Québécois étaient « tan-nés » de se faire donner des « leçons » par les libéraux qui les accuseraient d’être intolérants envers les immigrants et les minorités. Dans un contexte de pénurie de main d’œuvre, il a notamment annoncé une réduction l’immigration de plus de 20%, incluant la catégorie des réfugiés, et l’expulsion des immigrants qui échoueraient à des tests de français et de valeurs trois ans après leur établissement\textsuperscript{105}. Le ressentiment nationaliste exprimé sur les médias sociaux trouve donc une résonance avec le discours caquiste d’affirmation nationale qui martèle que les « Québécois » ont le droit de vouloir mieux contrôler leurs frontières.

**Notes**

1 Si la publication de cette photo a eu des échos partout à l’international, la mort du petit Alan est liée au Canada dans la mesure où la demande de parrainage de sa tante vivant au Canada a été rejetée par les autorités canadiennes. Ce refus aurait poussé les membres de la famille Kurdi, alors en Turquie, à entreprendre la traversée dangereuse en bateau. On apprendra plus tard que la demande refusée ne concernait pas le père d’Alan, mais bien son oncle. Il reste que ce refus aurait encouragé l’adoption d’une voie de migration dangereuse.


4 Louise Leduc, « Six Québécois sur dix disent non aux réfugiés », La Presse, 2015.

5 Nous préférons la définition proposée par Alana Lentin à celle classique de Robert Miles puisqu’elle ne se limite pas à la biologisation : « Racialization involves endowing the characteristics, appearances, traditions, and lifestyles attributed to groups of different “ others ” with negative signifiers that are deemed to be natural and insurmountable. […] It puts into words the very thing about a particular group that is said to disturb us and pose a threat to our way of life », Alana Lentin, *Racism and Ethnic Discrimination* (New York: Rosen Publishing Group, 2011).

6 Au cours des dernières années, le Québec accueillait environ 50 000 nouveaux résidents. Le total au niveau canadien est d’environ 300 000 et le gouvernement actuel s’est donné une cible de 350 000 pour 2021. En 2016, la part des immigrants au Québec dans l’ensemble du Canada était de 18 %
et donc inférieure au poids démographique de la province qui est lui de 23 %. Le Québec a la responsabilité exclusive de la sélection (excluant le regroupement familial et les réfugiés), de l'accueil et de l'intégration linguistique, culturelle et économique. Les immigrants économiques sont sélectionnés en fonction de critères tels que l'âge, la formation, l'expérience professionnelle, l'autonomie financière, les connaissances linguistiques, etc. En vertu de l'Accord Canada-Québec (1991), le Québec est tenu d'accueillir un nombre de personnes réfugiées correspondant à son poids démographique au sein du Canada.


10 Il devient alors de plus en plus difficile de départager franchement la droite conservatrice de celle radicale puisque les rhétoriques populistes de défense face aux menaces migratoires et musulmanes deviennent les lieux communs des politiques nationalistes. Voir Ferruh Yilmaz, « Right-Wing Hegemony and Immigration: How the Populist Far-Right Achieved Hegemony through the Immigration Debate in Europe », Current Sociology 60, no 3 (2012); Aristote Kallis, « Breaking the Taboos and “Mainstreaming” the Extreme: The Debates on Restricting Islamic Symbols in Europe », dans Right-Wing Populism in Europe: Politics and Discourse, dir. Ruth Wodak, Majid Khosravinik et Brigitte Mral (Londres: Bloomsbury Academic); Ulrike...


Par «majoritaire ordinaire», nous faisons référence aux Québécois d’ethnie canadienne-française de façon générale. Le terme «ordinaire» ne se veut donc pas péjoratif. D’ailleurs, l’auteur appartient lui-même à cette catégorie identitaire. Le choix de ce terme est justifié par le fait que la présente étude se distingue de celles qui analyse les discours des élites politiques et médiatiques.

La race et la blanchité sont des constructions sociales structurantes. Suivant Hage, la blanchité n’est donc pas une essence, mais bien une position fantasisée de domination culturelle héritée de la colonisation européenne. Comme le note Thobani, au Canada comme dans les autres sociétés de peuplement blanc, la blanchité correspond à l’identité nationale positivement racialisée et confère un sentiment de «managerial entitement» sur les non-blancs. Sunera Thobani, Exalted Subjects. Studies in the Making of Race and Nation in Canada (Toronto: University of Toronto Press, 2007).

C’est donc dire qu’il est question d’un espace où les majoritaires peuvent reproduire les frontières identitaires et le statu quo en ce qui a trait à la distribution inégale du pouvoir et des privilèges.


Nous retenons la définition du racisme formulée par Balibar qui, en le conceptualisant comme étant pluriel, permet de voir sa réduction au racisme biologique sert d’alibi aux nationalistes visant l’immigration: «Le racisme – véritable “phénomène total” – s’inscrit dans des pratiques (des formes de violence, de mépris, d’intolérance, d’humiliation, d’exploitation), dans des discours et des représentations qui sont autant d’élaborations intellectuelles du fantasme de prophylaxie ou de ségrégation (nécessité de purifier le corps social, de préserver l’identité du “soi”, du “nous”, de toute promiscuité, de tout métissage, de tout envahissement), et qui s’articulent autour des stigmates de l’altérité (nom, couleur de peau, pratiques religieuses)», Étienne Balibar, «Y a-t-il un “néo-racisme”?», dans Race, nation, classe. Les identités ambiguës, dir. Étienne Balibar et Immanuel Wallerstein (Paris: La Découverte, 1997).


24 Par exemple, Burke et Goodman relèvent que les opposants aux réfugiés disent ne pas être racistes, ne pas parler de race, et se posent en victimes en dénonçant le tabou ou le politiquement correct. Burke et Goodman, “Bring Back Hitler’s Gas Chambers”.


27 Le terme «immigrant» renvoie à toute personne résidant au Canada et étant né à l’étranger et inclus donc les réfugiés.


29 Hughey et Daniels, «Racist Comments at Online News Sites».


requiert d’être constamment démontré. Les premiers sont, par essence, nationaux alors que les minorités racialisées doivent s’efforcer de faire reconnaître leur appartenance en agissant nationalement.


50 Garner, Moral Economy of Whiteness, 142.


53 Ces médias ont été sélectionnés en fonction de leur importance au sein du paysage médiatique, mais aussi de façon à inclure des sources de différents formats journalistiques et orientations politiques.


55 Cette catégorisation s’appuie sur le nom des commentateurs. La très forte majorité des commentateurs semblent s’exprimer avec leur nom véritable et non pas un pseudonyme. En cas de doute, la catégorisation pouvait aussi prendre appui sur la photo de profil jointe au commentaire et sur des indicateurs dans les propos soutenus, par exemple une référence aux ancêtres ou une opposition entre « Nous » et « les immigrants ». Il s’agit évidemment donc d’une méthode faibille dépendante du type de données analysées. Une telle catégorisation repose aussi sur trois suppositions qui ne peuvent être vérifiées, soit que le commentaire est rédigé par une personne réelle et non un bot, que les informations comme le nom et la photo sont véridiques et que les noms interprétés comme signalant une identité ethnique canadienne-française signifient aussi que les personnes sont blanches/majoritaires.


58 Voir David Beer et Roger Burrows, « Sociology and, of and in Web 2.0: Some Initial Considerations », Sociological Research Online 12, no 5 (2007); Majid KhosraviNik,
   cation en connectant l’argument et la conclusion. Parmi les topoi prévaut dans les discours sur l’immigration, on
   retrouve l’utilité/inutilité, le danger/la menace, la responsabilité, le fardeau, l’économie, l’histoire, la culture, etc.
   Research in Discourse Studies, dir. Jan Renkema (Amster-


61 Hughey et Daniels, « Racist Comments at Online News Sites », 336.

62 Dans ce contexte, non seulement le langage raciste explicite est publiquement dénoncé, mais la race est invalidée pour
   expliquer la distribution inégale des positions et privilèges sociaux. Voir Van Dijk, « Discourse and Racism »; Augus-
   tinos et Every, « Language of “Race” and Prejudice »; Goldberg, Threat of Race; Simon Goodman, « Developing an
   Understanding of Race Talk », Social and Personality Psychology Compass 8, no 4 (2014): 147-55; Alana Lentin, 

63 Van Dijk, « Discourse and the Denial of Racism »; Halleh Ghorashi, « Racism and “the Ungrateful Other” in the
   Netherlands » dans, Dutch Racism, dir. Philomena Essed et I

64 Hage, Writings on Nationalism.


68 Augoustinos et Every, « The Language of “Race” and Preju-
   dice »; Goodman, « Developing an Understanding of Race Talk ».

69 Le terme as vient de l’ancien nom de l’aide sociale au
   Québec, soit le bien-être social. Les prestataires de l’aide
   sociale forment une catégorie de la population faisant
   l’objet d’une forme importante de méfiance au Québec, une


71 Au Canada, l’appui aux niveaux d’immigration élevés est indissociable du système de sélection et de la croyance
   partagée voulant que cette immigration ait un impact positif sur l’économie nationale. Voir Jeffrey G. Reitz, « Pro-
   immigration Canada. Social and Economic Roots of Popular Views », IRPP Study, no 20 (2011); Irene Bloemraad,
   « Understanding ” Canadian Exceptionalism ” in Immigration and Pluralism Policy », dans Migration Policy Institute 
   (Washington: Transatlantic Council on Immigration, 2012). Le support des Canadiens pour l’immigration en prove-
   nance des « pays pauvres » est comparable à celles des Euro-


73 Ware, « Towards a Sociology of Resentment »; Steve Fenton, « Resentment, Class and Social Sentiments about the

74 Garner, « Moral Economy of Whiteness ».

75 Michael Billig, Banal Nationalism (Londres: Sage, 1995); Wodak, « ”Us and Them” »; Wodak et al., Discursive Con-
   struction of National Identity.

76 Reisigl et Wodak, « The Discourse-Historical Approach (DHA) ».


79 Comme le note bien Hage, les pratiques nationalistes présu-
   pposent premièrement l’image d’un espace national, deuxiè-
   mement, l’image des nationalistes comme maîtres de cet
   espace et, troisièmement, l’image d’Autres ethno-raciaux
   comme simples objets au sein de ce territoire. L’articulation
   entre spatialité, entitément et solidarité sélective transpar-
   ait notamment dans le recours à des termes appuyant la
   logique d’appartenance gouvernementale où les majori-
   taires positionnent les minorités racialisées au sein de la
   hiérarchie des apparition.
80 Sara Ahmed, Strange Encounters. Embodied Others in Post-Coloniality (Londres: Routledge, 2000); Hall et Back, « In Conversation ».
84 Garner, Moral Economy of Whiteness, 82.
89 Ahmed, Strange Encounters.
92 Voir George Morgan et Scott Poynting, dir., Global Islamophobia: Muslims and Moral Panic in the West (Farnham: Ashgate, 2012).
93 Sherene Razack, Casting Out the Eviction of Muslims from Western Law and Politics (Toronto: University of Toronto Press, 2008); Goldberg, Threat of Race.
95 Notons que le gouvernement canadien a annoncé en novembre 2015 que, pour des raisons de sécurité, les hommes seuls ne seraient pas admis. Les femmes et les familles étaient alors présentées comme étant des réfugiés sécuritaires, ce qui contribuait à cadre les hommes célibataires comme étant des potentiels faux-réfugiés et terroristes. Peu avant cette annonce, le maire de Québec Régis Labeaume avait affirmé être disposé à accueillir des orphelins et des familles, mais pas des « gars de 20 ans frustrés ». Dans les commentaires, une telle position est souvent présentée comme étant raisonnable, appartenant au « gros bon sens ».


88 D’ailleurs, plusieurs justifient l’exclusion des réfugiés en arguant que la solution devrait passer par une intervention militaire en Syrie. Ce pays et le Moyen-Orient plus large sont alors souvent perçus comme étant des territoires de guerres de religions menées par les musulmans. Le portrait est alors celui d’une région dominée par des mœurs barbares. Suivant cela, une différenciation est opérée entre un Occident pacifique et moderne d’un côté et un Orient guerrier et pré-moderne de l’autre. En ce sens, si l’Occident a un rôle à jouer dans ce conflit, ce serait pour les Syriens « chez eux » afin qu’ils puissent ultimement se gouverner et prendre le contrôle de « leur » pays. L’argument est alors que, non seulement les réfugiés syriens représentent une menace sécuritaire, mais aussi que l’Occident a le fardeau de devoir aider ces Autres dans leur territoire d’appartenance.


104 Wodak, « The “Establishment”, the “Élites”, and the “People” ».

105 Notons que cette proposition va à l’encontre du droit canadien de l’immigration. D’une part, la catégorie des réfugiés est sous la responsabilité de l’État fédéral. D’autre part, la résidence permanente est délivrée par le Canada et non pas le Québec. Le statut de ces immigrants durant leurs trois premières années de résidence est donc pour le moins imprécis.

Mathieu Forcier est candidat au doctorat en sociologie à l’Université de Montréal. Il peut être contacté au mathieu.forcier@umontreal.ca
The “Worthy” Refugee: Cash as a Diagnostic of “Xeno-Racism” and “Bio-Legitimacy”

CLAYTON BOEYINK

Abstract
The refugee regime structure follows a “xeno-racist” colonial genealogy. In this context, refugee cash transfers represent a biopolitical diagnostic, indicating where refugees are worthy or have the “bio-legitimacy” to reside. This article offers a brief genealogy of different iterations of cash operations, which include cash for repatriation at the end of the Cold War, cash for urban Iraqi refugees in Jordan following the second Gulf War, and the Tanzania government’s recent decision to abruptly shut down a cash project in Nyarugusu refugee camp. Simply stated, where cash is allowed to flow, so too are refugees.

Introduction
Filippo Grandi, UN High Commissioner for Refugees (UNHCR), announced in 2017, “Our cash support—most in the form of multi-purpose grants—reached 2.5 million people in 2016, and for the first time exceeded in-kind assistance.” UNHCR has been a pioneer in institutionalizing humanitarian cash transfers, beginning with repatriation cash projects. These return operations include one-off or time-limited cash payments for refugees to purchase their needs upon return. In 2008 UNHCR experimented with its first “care and maintenance” cash operations for Iraqi refugees in Amman, Jordan. “Care and maintenance” for refugee situations refer to ongoing and indefinite support for food, shelter, and other needs. Traditionally this has been addressed through in-kind donations, but now cash is increasingly prioritized by humanitarian policymakers because it is generally more cost-efficient than in-kind aid amidst limited humanitarian funding. I argue refugee cash transfers are not a neutral technical humanitarian intervention, but rather a diagnostic of “xeno-racism” following a
colonial genealogy of mobility control where refugees are deemed worthy to reside. Sivanandan defines xeno-racism as “a racism that is not just directed at those with darker skins, from the former colonial territories, but at the newer categories of the displaced, the dispossessed and the uprooted, who are beating at Western Europe’s doors.” I extend this analysis to incorporate South-South refugee discriminations. To state it simply, where cash is allowed to flow, so too are refugees. This is not a criticism of the efficacy of cash transfers as an intervention per se. On the contrary, I have heard great praise for cash from refugee recipients in Nyarugusu refugee camp in Tanzania and consider cash transfers as a more efficient and dignified way to deliver aid.

Coordinated primarily by UNHCR, the international refugee regime governs protracted refugee situations through many different modes, including food distribution, education, legal protection, and health care. Cash has been chosen as the locus of this article as a racialized indicator for two primary reasons. First, as the quote from High Commissioner Grandi shows, UNHCR has prioritized cash transfers as an institution. More broadly, the 2016 World Humanitarian Summit in Istanbul, which included the most influential humanitarian donors and organizations, committed to furthering the use of cash in humanitarian settings. Second, research from the Cash Barometer project identifying humanitarian recipients’ attitudes toward cash around the world reveals that the vast majority of recipients favour receiving cash rather than in-kind goods. Agreement from funders, implementers, and recipients denotes that any instances where cash is not used in protracted refugee situations will increasingly be considered an anomaly in need of explanation.

I submit that the fundamental racialized explanation for the refugee cash shutdowns and exclusions in Africa today are the continuities from colonialism of the racially and economically motivated control of African migrations and mobilities. This article interrogates the cash exclusion question empirically by first tracing the historical genealogy of the advent refugee cash transfers for repatriation at the end of the Cold War in the early 1990s. The inclusion of cash for return for Cambodian and Afghan refugees but not for Eritreans demonstrates that the earliest cash transfers clearly reflect donors’ geo-strategic priorities of moving refugees for specific ideological benefits to Western powers. Next, we follow the rise of cash for care and maintenance operations beginning with Iraqi refugees in Amman, Jordan, to the present. Today we see African states blocking cash interventions as xeno-racist tools to keep Sub-Saharan African (SSA) refugees out of cities and in the “bio-legitimate” space of camps. In the case of Tanzania, cash has been blocked in cities and camps to signal to refugees they are not worthy to reside anywhere in the country.

The selected cases since the end of the Cold War offer a brief history of refugee cash utilizing a truncated and non-epochal version of Michel Foucault’s conceptualization of genealogy. He calls “to identify the accidents, the minute deviations—or conversely, the complete reversals—the errors, the false appraisals, and the faulty calculations that gave birth to those things that continue to exist and have value for us.” I examine the “accidents” such as the rise of cash in Jordan, but also the “complete reversals” of cash shutdowns and exclusions in Africa in order to excavate “the various systems of subjection.” The article draws from more than 200 interviews from fieldwork trips in Tanzania between February 2017 and May 2018, primarily with camp residents, the Tanzanian host community surrounding the camp, as well as UNHCR, World Food Programme (WFP), implementing partner NGOs, and Tanzanian government officials. Additional interviews with key individuals involved in cash transfers currently or in the past occurred in UNHCR headquarters in Geneva in April 2017, as well as through Skype. The majority of refugee households were sampled by research assistants living in the camp through snowball sampling. Before examining the empirical cases of refugees and cash, we will recount the colonial strategies of mobility control in Africa and introduce the concepts of bio-legitimacy and xeno-racism in the refugee regime today.

Xeno-Racism and Bio-Legitimacy

There have been attempts to “break the silence” on race in development practice and studies. White argues, “The silence on race is a determining silence that both masks and marks its centrality to the development project.” The call to examine race in development was effectively taken up in a special issue of Progress in Development Studies edited by Uma Kothari. Refugee studies have most notably grappled with racism in this journal, Refuge, in a special issue in 2001. This special issue utilized xeno-racism as a lens to analyze international migration policy in cases around the world. The present article re-examines xeno-racism as situated by Mark Duffield to demonstrate the racialized nature of cash-based interventions for “non-insured” refugee populations. Michel Foucault’s theorization of discourse and power forms the bedrock of “post-development” critique. In addition, his writings have inspired many migration and forced migration scholars, although his expansive oeuvre focuses little attention on these issues. Duffield argues that sustainable development is a bio-political technology with xenoracist and colonial genealogy in order to root “non-insured” populations in the South. Using Duffield’s stance as a point of departure, this article diverges from a bio-political analysis to demonstrate through the genealogical method that refugee cash transfers are a diagnostic of how donors and
host states judge where refugees have the “bio-legitimacy” to reside.

Foucault introduces bio-power and bio-politics in *The History of Sexuality*, describing epochal change from sovereign power to bio-power, which is “the ancient right to take life or let live … replaced by a power to foster life or disallow it to the point of death.”

Bio-power can be understood as “an anamnato-politics of the human body,” where government disciplines individuals’ bodies. Bio-politics is a “series of interventions and regulatory controls: a biopolitics of the population.”

Duffield critiques sustainable development using a bio-political analysis in two important ways that will be borrowed for this article. First, he links the colonial genealogy or “colonial present” of sustainable development today as a bio-political tool to foster self-reliance reminiscent of indirect rule during colonialism. I extend this analysis further by pointing to the colonial practices of controlling movements of colonial subjects. Second, Duffield argues that the use of sustainable development by the North is also a xenoracist bio-political apparatus to keep “non-insured” populations contained in the South. I contend that African states are rehabilitating these colonial xenoracist genealogies by disallowing cash for their non-insured refugee neighbours.

Near the end of the nineteenth century, colonial rule shifted from a violent and highly militarized direct form of rule to indirect rule where chiefs were backed as proxies to govern and exploit rural areas of the colonies. Mahmood Mamdani refers to this system as “decentralized despotism.” Duffield describes the bio-political nature of indirect rule, or Native Administration during the later stages of colonialism: “Within the limits of self-reproduction, the biopolitics of Native Administration aimed to initiate a process of controlled social change through incremental self-management that maintained social cohesion.”

He makes only brief mention of the colonial “concerns over the negative effects of uncontrolled urbanization on social cohesion.” I argue, however, that managing, controlling, and exploiting subjects’ movements was a primary concern of the colonial project, the genealogies of which continue today.

Tanzania is a quintessential example of colonial and post-colonial mobility controls and exploitations. First German and later British colonial regimes in ‘Tanganyika’ resisted accepting refugees fleeing conscripted labour by the Portuguese colonists in Mozambique by attempting to stop them at the border. They feared these migration flows because they did not want their own subjects to flee their own coercive labour tactics. Later the British colonists oscillated between recruited neighbouring Burundians to work in labour reserves, and blocking Burundian refugees fleeing conflict in order prevent spreading diseases and interfering with the simplistic colonial understanding of ethnicities and tribes at the borderlands. Across Africa, onerous taxes in rural areas also impelled movements of people within and across countries in order to pressure them to enter labour markets and cash economies.

Within labour systems in colonial Africa, the city became a contested domain that the colonists wanted to control. This was most pronounced in apartheid South Africa through influx control policies culminating in infamous pass laws and passbooks. The ruling party attempted to balance recruiting enough black Africans to supply labour, while limiting these numbers to ensure racial segregation. While not going to the same lengths as South Africa, the colonial regime in Tanganyika viewed Africans in Dar es Salaam “suspiciously” and blamed them for urban criminality. They instituted identification documents and rural repatriations, and even spread propaganda about the difficulties of living in the city.

After independence, Tanzania’s founding father, President Julius Nyerere, a renowned pan-Africanist, initially enacted progressive immigration and asylum policies. Over time these policies in Tanzania returned to a colonial genealogy of prejudices, restrictions, and exploitation toward refugees and internal urban migrants. Under Nyerere, refugees were given land to settle in sparsely inhabited peripheries of the country and produced cash crops to benefit the Tanzanian state. Chaulia elucidates these colonial continuities: “Arguably, development policies of a freely administered nationalistic government were quite different from crude extraction and transfer of wealth under the colonial yoke, but the utilitarian intentions of hosting immigrant labour were more or less consonant with those of the pre-independence era.”

Asylum policies have constricted even further today as the result of xenoracist policies under current Tanzanian President John Magufuli, which will be explored further below.

The other key point from Duffield is his critique of sustainable development as a xenoracist form of bio-political population containment in the South. Xeno-racism is a nationalistic project of exclusionary immigration practices. “It is racism in substance but xeno in form—a racism that is meted out to impoverish strangers even if they are white.” Xeno-racism is aimed at keeping the “other” out of the Global North. Duffield takes this a step further by claiming that wealthy nations (the “insured”) demonstrate xenoracism by engaging in bio-political aid projects to keep unwanted populations in the South (the “non-insured”) rooted where they are through sustainable development. Refugees are the quintessential example of the “non-insured,” as they have lost the protection of their citizenship and typically have limited rights under what Rutinwa calls “pseudo-asylum.” Conceptualizations of insured and non-insured are relative. Xeno-racism is not merely the North containing populations...
in the South but can also be internal South-South contain-
ment, as we see for refugees in Africa.

The current global refugee system resonates with Duffield's 
critique of aid promoting “self-reliance.” In 2006 UNHCR 
promoted a “self-reliance” policy whereby refugees could 
be less dependent on international donors through their 
own livelihoods. However, Duffield does not capture 
the entire picture of bio-political interventions for non-insured 
refugees by leaving out from his analysis the humanitarian 
care and maintenance aspect of international aid. Aid to 
refugees follows a hybrid logic of care that some refer to as 
the humanitarian-development nexus. Most refugee situa-
tions provide humanitarian interventions such as ongoing 
in-kind food aid or cash transfers alongside livelihoods or 
self-reliance programming. As protracted refugee situations 
are drawn out, donors reduce support. With global dis-
placement levels at an all-time high, the main humanitarian 
donors and organizations have made a major push for cash 
transfers to make more efficient uses of scarce humanitarian 
funding in place of in-kind aid.

Like Duffield, most scholars deploying bio-power in their 
analysis latch onto his phrasing to “foster life.” Didier Fassin 
points out that few scholars address how states’ use of bio-
power will also “disallow [life] to the point of death.” In 
other words, states create a sense of bio-legitimacy for who 
is worthy of care. This article does not deploy a bio-political 
analysis of subjectification, but rather supplements the work 
of Duffield in exploring the stakes of cash exclusion. Fassin 
explains this complementarity: “Talking of biologitcimacy 
rather than biopower is thus to emphasize the construc-
tion of the meaning and values of life instead of the exercise 
of forces and strategies to control it. Considering politics 
beyond governmentality is similarly to insist on the issues 
involved in the way human beings are treated and their lives 
are evaluated more than on the technologies at work in these 
processes. To use the Foucauldian metaphor, it is moving 
from the ‘rules of the game’ to its stakes. These perspectives 
are not contradictory, but complementary.”

Returning to Duffield’s work, another way of looking at 
bio-legitimacy is through “worthiness”: “The worthiness of 
developmental-life can be gauged in terms of defending 
free society. It provides a means of assessing, for example, 
how useful the life in question is for achieving metropoli-
tan social cohesion, overseas sustainable development, the 
resolution of internal wars, the reconstruction of fragile 
states.” We see this “worthiness” clearly in the following 
examination of refugee repatriation operations at the end 
of the Cold War. During this era Western powers, primar-
ily the United States and Europe, dominated the agenda of 
refugee management through border controls and domi-
nance of UNHCR.

The Role of Cash: Cash to Return vs. Cash to Remain
UNHCR’s first use of cash as an intervention was for repatria-
tion operations during the twilight of the Cold War between 
1990 and 1993 for Cambodian refugees from Thai camps and 
Afghan refugees in Pakistan. Concurrently to these return 
operations in Asia, Eritreans were returning home from 
Sudan, but received only a fraction of the support and no 
option for cash interventions. A comparison of these three 
repatriation operations illustrates the vast discrepancies of 
donor funding levels and decisions to include or exclude 
cash programming. These policies by the Western powers 
to obtain ideological capital in the fight against communism 
demarcated where donors deemed refugees worthy to reside. 
These moves echoed colonial manipulations of migrations 
and people movements for the benefit of the metropoles.

First, the Cambodian refugee situation was the result of 
decades of conflict since decolonization from the French. The 
Khmer Rouge, led by Pol Pot, was infamous for its 
“killing fields” that killed an estimated 1.5 to 3 million per-
son. This regime was toppled by Vietnamese communists 
supported by the Soviet Union in 1979. A communist coali-
tion was installed known as Cambodian People’s Party. The 
United States supported the counterweight, the Coalition 
Government of Democratic Kampuchea. The civil war and 
precipitating events before it created a massive refugee 
movement to Thailand. The war ended in 1991 and the West 
desired to repatriate 360,000 refugees before the scheduled 
1993 elections in order for them to vote and to secure power 
to an amenable regime. The expediency of return trumped 
humanitarian concerns of safe reintegration. UNHCR 
decided to offer $50 for each adult and $25 per child, which 
would allow for returnees to pay for rent or agricultural 
materiels. This option was chosen by 87 per cent of returnees.

Second, the exodus of refugees from Afghanistan began 
in 1979 with the Soviet invasion of the country. Most fled to 
Pakistan or Iran, and each country had nearly three million 
refugees until the end of the conflict in 1989. Alarmed by the 
Soviet Union extending its sphere of influence, the United 
States and United Kingdom mobilized substantial resources 
to UNHCR and WFP for humanitarian operations support-
ing Afghan refugees in Pakistan. This support also included 
substantial military aid channelled through the government 
of Pakistan. At the time of the Soviet withdrawal from 
Afghanistan in 1989, international donor spending, particu-
larly that of the United States, had pared down food aid to 
Afghan refugees in Pakistan. Concurrently, and as a result 
of international donor fatigue, the generosity by the Paki-
stani state had largely dried up as a result of “asylum fatigue.” The 
repatriation operation in Pakistan, called encashment, 
provided 3,300 Pakistani rupees (US$100) in exchange
for refugees’ ration cards to be turned in and deregistered. The money was to be used to pay for transportation costs of return.\(^5\) The cash component of the repatriation project was designed with the explicit goal to get international donors off the financial hook of indefinite funding care and maintenance.\(^5\)

Third, Eritrea formally gained independence in 1993 after a unanimous referendum following an armed struggle against Ethiopia that had been waged since 1961. By the end of the war there were a reported 600,000 refugees residing primarily in eastern Sudan,\(^6\) and like Cambodian refugees in Thailand, many were eager to return.\(^7\) Their enthusiasm was met by a tepid response from Western donors because they did not match the ideological and political importance of Cambodia or Afghanistan.\(^8\) As a result the lack of funding and absence of a cash-based return indicate Eritrean refugees lacked the bio-legitimacy to be assisted home. By 1992 those with the financial means—around 50,000—had spontaneously returned to Eritrea.\(^9\) Following military victory, the Eritrean government planned for the repatriation of 250,000 refugees between 1992 and 1993. The Eritreans appealed for $200 million on the basis of similar repatriation programs such as the Cambodian caseload. UNHCR balked and proposed a mere $31 million.\(^10\) In June 1993 the international community managed to raise only US$1.7 million for rehabilitation projects. No cash was offered to returnees, but rather in-kind items such as food and agricultural inputs were provided.\(^11\) Merely 25,000 of the 250,000 proposed returnees were resettled by 1995. Between 1991 and 1997, 157,345 Eritreans returned spontaneously from Sudan without UNHCR assistance.\(^12\) Kibreab judges the repatriation project in unequivocal terms: “It is only possible to conclude with the depressing observation that the international community has failed the Eritrean people. It seems completely ludicrous that donors should choose to allocate funds in such a way as to keep thousands of refugees in settlements rather than help them rebuild their homeland. Yet this is what has happened.”\(^13\)

Cash for repatriation projects continued into the mid-2000s and informed UNHCR’s approach to cash for sustaining care and maintenance programs around the world.\(^14\) UNHCR’s first use of cash for care and maintenance programming was inaugurated in 2008 for the Iraqi refugee caseload in Jordan. This program was more stumbled upon by the country staff on the ground than by UNHCR’s organizational commitment to cash interventions, according to a UNHCR employee working on the project.\(^15\) The next section highlights the organizational history of how and why refugee cash interventions rose to prominence globally in ongoing care and maintenance operations, but the same is not afforded to non-Syrian, SSA urban refugees in Africa.

**Cash in Amman**

The state of Iraq has had a tumultuous existence since the Saddam Hussein regime invaded Kuwait in 1990, which precipitated a counter-invasion from US-led forces. The second US invasion in 2003 precipitated the fall of Saddam Hussein and descent into sectarian violence. By 2007 over two million Iraqis had been displaced to nearby Middle Eastern countries.\(^6\) In Jordan the government estimated 450,000–500,000 Iraqi refugees resided in the country, although this figure is most likely inflated.\(^6\) In 2008 UNHCR’s first full-scale use of cash in care and maintenance operations was introduced in Jordan. This cash intervention developed as a result of the urban nature of displacement, and the high level of strategic importance of the refugee situation to US and European donors similar to cash for repatriation operations recounted above.

The cash program in Jordan was equally novel in its design and inception. One of the main reasons for the creation of the cash program in Jordan, and why it was so much larger than for the other host countries such as Syria was because Jordan is a middle-income country that did not want the presence of WFP because it did not want to be seen as a “poor country.”\(^6\) WFP at the time was bound to use vouchers instead of unconditional cash.\(^6\) This gave flexibility to the UNHCR. One of the UNHCR officers overseeing the cash program said, “We were making it up as we went along.”\(^7\) The Iraqi caseload was primarily urban. More than 80 per cent originated from Baghdad, and 75–90 per cent were displaced to the region’s capitals.\(^7\) Moreover, this refugee population in Jordan has more middle-class, wealthy, and educated people than most refugee contexts.\(^7\) UNHCR officials “saw in-kind assistance made no sense. It didn’t make sense to have people come to UNHCR and get huge bags of grain.”\(^7\) Recipients could access funds throughout the city through ATMs using iris scans.\(^7\) These innovations were possible largely because UNHCR was new to the region and could rapidly improvise to fit the situation.\(^7\)

Finally, in order to institute a cash program at the scale of operations in Jordan, funding had to be large and sustained. Amman has a higher cost of living compared to other cities in which UNHCR has operated. The program in Jordan gave €110 per person, per month.\(^7\) While cost efficiency was driven down from 23 per cent for in-kind donations to 2.3 per cent for cash, this was still a costly operation.\(^7\) This funding was made possible because Iraq—like Cambodia during the end of the Cold War—was of significant global strategic importance to the United States and other Western powers: “Needless to say, the states that have been directly involved in this crisis, by virtue of the troops which they have deployed in Iraq, have a very significant interest in addressing the refugee situation, not least by providing high levels of funding.
and resettlement places.”

**Urban Refugee Cash in Africa**

UNHCR’s handling of the urban caseload informed the organization’s broader urban refugee policy and inspired the expansion of cash. The Jordan case has not been expanded to urban refugee caseloads in Africa, however. In 2009 UNHCR released an update to its urban refugee policy created in 1997. In the document it states, “In many cities where refugees are unable to establish livelihoods and meet their own needs, UNHCR has provided them with regular sums of money, usually by means of cash payments and sometimes through the distribution of ATM cards.” Why then are there so few urban cash transfer programs despite large populations of refugees in certain African cities? Moreover, for the urban cash programs that exist in Sudan and Egypt, why do they include Syrian rather than African refugees? I conclude that African refugee caseloads, like the Eritrean case above, do not have the geopolitical importance in the current war on terror era. As such, host countries have greater power as xeno-racist gatekeepers to manage the non-insured refugee populations. Moreover, while many post-colonial states deracialized through independence, they are still structurally under “decentralized despotism.” This entails a colonial genealogy of the “bifurcated state,” which rules the rural and urban separately. The consequences of this bifurcation are xeno-racist protection of urban sites from the non-insured refugees.

It has long been known that large numbers of refugees live in major African cities. Today hundreds of thousands of refugees, both registered and unregistered, reside in cities such as Nairobi, Dar es Salaam, Addis Ababa, and Johannesburg. Loren Landau argues against parallel aid systems such as cash transfers in cities because the majority of urban displaced in Africa are “more robust and resilient as the truly vulnerable are.” While this is largely true, others argue that those with significant vulnerabilities also reside in urban centres such as Nairobi or Kampala. It would be feasible to target vulnerable populations in African cities in similar ways to Jordan, especially with the proliferation of mobile money in Africa such as Safaricom’s M-Pesa. African states have pushed back on allowing refugees from neighbouring states to live in cities. However, countries hosting Syrian refugees have deemed them a worthy and bio-legitimate urban population.

To illustrate, most major refugee-hosting states in Africa have instituted large-scale cash transfer programs in refugee camps and settlements. No African countries, however, apart from Egypt, Sudan, and Niger have introduced cash for urban refugees. These are available mostly for Syrian refugees. Egypt hosts an estimated 500,000 Syrians, around 130,000 of whom are registered. Egypt is the only African country that is part of Regional Refugee and Resilience Response Plan (3RP) to coordinate care for Syrian refugees. As part of 3RP, by 2016 UNHCR and WFP was providing nearly 42,000 Syrian refugees in Cairo with cash assistance. There is a separate small program by Caritas Egypt, which provides a small number of cash grants to “extremely vulnerable” households, and only bimonthly for six months. One study found that only 13 per cent of Sudanese households received this assistance. SSA refugees such as Sudanese, Ethiopians, Somalis, Eritreans, and others have been displaced to Egypt for decades. They constantly face xenophobic discrimination and have not been included in urban cash programs. By following the cash, this shows that donors and host states deem Syrian refugees worthy only to live in cities with cash assistance.

One humanitarian cash researcher says that UNHCR in Africa has “vanishingly tiny budgets.” As such, urban aid programs are some of the first items to be cut in a budget. In 2017 the appeal for 24.2 people of concern in Africa was $2.925 billion, but met a funding gap of 53 per cent of this amount. In comparison, the 3RP in 2017, which funds the cash transfers for Syrian refugees in Cairo, requested 55.58 billion for a refugee population of 5.3 million refugees. 3RP had a smaller funding gap of 63 per cent. This demonstrates a funding ambivalence toward SSA refugees reminiscent of Eritrean repatriates in the 1990s. However, in situations with donor apathy toward SSA refugees such as Sudan and Egypt, refugee operations, it opens the space for historic xeno-racist processes to be accentuated in refugee policies and interventions such as cash transfers.

Social exclusion for black Africans in Egypt and Sudan has a long history at the intersection of Arab expansion and slave trade in Africa. Unfortunately for the sake of brevity, this article cannot expound upon the history. However, works from Trout Powell trace the complex racial genealogies from colonialism, which recount how African states such as Egypt and Sudan became “colonized colonizers.” Arbitration has been a central cause of wars for decades, in Sudan in particular. With low funding and involvement from the international community, xeno-racist exclusion for black Africans is revealed in refugee cash transfer programming. As a result, SSA refugees must struggle unassisted or even persecuted in cities or live in camps—the only biologically legitimate place for them. Cash-based interventions have accrued to host states’ desires to keep refugees confined to the peripheries of their countries. The final section returns to the contemporary Tanzanian refugee situation where cash has been shut down even in refugee camps, which signals that refugees are no longer welcome anywhere in the country.
Cash Shutdown in Tanzania

The Nyarugusu refugee camp was created in 1996 in response to the first war in the Democratic Republic of Congo. Until 2015 Nyarugusu was the last remaining refugee camp in Tanzania. In 2015 Burundi's President Pierre Nkurunziza stayed in power past his constitutionally mandated second term, which led to a political crisis followed by widespread government repression. Thousands fled to Tanzania and neighbouring countries, and Nyarugusu doubled in size to nearly 150,000. Two former camps, Mtendeli and Nduta, were revived to accommodate this population boom. There are around 275,000 Burundian refugees documented in Tanzania.

The most recent arrival of Burundian refugees follows cycles of displacement from the Burundian genocide in 1972 and the civil war from 1993 to 2005. In addition to Burundian refugees, Tanzania in the 1990s received hundreds of thousands of Rwandan and Congolese refugees. This influx led to the encampment policy enacted under the 1998 Refugees Act, which is still in effect. This law stipulates that refugees may not travel more than four kilometres outside camps and cannot seek work for wages except inside the camp. In Tanzania, Burundians are often pejoratively referred to as criminals. By 2005, there was a clamour in Tanzania for refugees to be repatriated. President Jakaya Kikwete ran for election partially on a platform to make Tanzania “refugee-free” by 2010. At the end of 2012, the remaining Burundian refugees living in Mtabila refugee camp—nearly 40,000—were forced to repatriate to Burundi against their wishes. The shrinking space of asylum is bringing up these fears of violent return under the current president, John Magufuli. A Burundian man in Nyarugusu voiced this anxiety: “In 2012 we were forced to go back to Burundi. We lived there three years and were forced to come back to Tanzania. The same will probably happen again. What I saw, they stole things from refugees and burned houses. They cut down crops and burned the rest. Refugees could not carry all of their property. Those who were forced last, they were forced even by weapon. This could happen again.”

Tanzania began a pilot cash program in December 2016 targeting 10,000 vulnerable refugees. Each household member received 20,000 TSh ($9) per month. The program was set to reach 80,000 recipients, with plans to expand to Mtendeli and Nduta, but it was cancelled by the government after reaching only 30,000 individuals. On 20 July Tanzanian President Magufuli met Burundi’s President Nkurunziza at the border in Ngara. President Magufuli sided with President Nkurunziza and delivered a speech claiming Burundi was safe to return to, despite UN investigations reporting serious human rights abuses. President Magufuli made a thinly veiled reference to the WFP cash program: “We all know that there are people who benefit when Burundians flee their country in droves. There are organizations raking in money in the name of helping refugees. I’m aware that there are people who lured Burundians into refugee camps in Tanzania, telling them that they would be given Sh10,000 each daily. If they have that kind of money, they should pay them once they are back home.”

Two weeks after this speech, on August 4, WFP announced that the government had abruptly decided to shut down the cash program, and the final distribution was cancelled. The decision came so suddenly from the central government it was claimed the camp commandant under the Ministry of Home Affairs responsible for administration and security of the camp found out the same day as the refugees.

Other sudden shutdowns have been increasing under President Magufuli. Prior to the cash shutdown, in January 2017, prima facie status was revoked for Burundians, and asylum seekers have been turned away at the borders. On February 9, 2018, President Magufuli unexpectedly pulled out of the Comprehensive Refugee Response Framework (CRRF), citing lack of support from the international community. The CRRF is a voluntary pilot project to re-evaluate national refugee policy in consultation with UNHCR and other stakeholders in exchange for increased international financial support. This decision left UNHCR staff and Tanzanian government bureaucrats dumbfounded. Most recently, in mid-July 2018, Tanzanian officials in the camps made announcements reiterating that Burundian refugees must return home. Additionally, market days were limited to once a week, and draconian restrictions on businesses in camps were enacted whereby only small petty-businesses could operate. At the time of writing, Tanzanian authorities were destroying market stalls inside Nduta refugee camp. Camp residents increasingly rely on livelihoods to survive, as a lack of international funding has decreased rations in the camp. This shrinking space of asylum and commerce puts into question if “voluntary returns” to Burundi are actually voluntary.

The recent Burundian influx and subsequent cancellation of cash is further evidence that where cash is allowed, refugees are allowed. Tanzania is not alone in using cash shutdowns to signal if refugees are worthy to reside on their soil. Somalis in Kenya, like Burundians in Tanzania, have been vilified and collectively punished by the state in Kenya since independence. In 2015 immediately following the Al-Shabaab attack on Garissa University College, which killed nearly 150 students, the government of Kenya shut down all Somali remittance companies, popularly known as hawalas, for two and a half months. These actions temporarily devastated Somali refugee economies in Nairobi.
Conclusion
In the cases of refugee cash operations presented, one can see how donors and hosts calculate the worth of refugees. Worth is a bio-legitimacy determined by the position of a refugee population in the global geopolitical hierarchy. Xeno-racism represents moves by states to prevent unworthy refugees from entering through immigration control or containing refugee populations. These determinations of the bio-legitimacy of refugee populations is a remnant of a racial colonial system or "colonial present," manifest dictating the movements of non-insured peoples. Colonial lineages are not only imposed from the North, for xeno-racist "colonized colonizers" also exist in South-South relations.

Cambodians’ worth to donors derived from a population to be mined for votes to install a new regime favourable to the West. Afghans’ worth was initially tied to countering Soviet influence, but this transitioned to moving the Afghan caseload off ongoing aid obligations. Eritreans garnered very little worth in donors’ eyes, and this was reflected in inadequate funding and no cash program. The cash programs for Iraqis in Amman and Syrians in Cairo demonstrate the high strategic importance to donors due to the war on terror and military involvement in these situations. Conceptualization of insured and non-insured can also be applied to Africa. Host states in Africa contest the legitimacy of refugees outside of camps in cities. After hosting these populations for decades, Burundians have very little bio-legitimacy to host states. In all these instances, allowing or blocking cash is a way to signal refugees’ worth.

Notes
1 This author is generously funded through the Leverhulme Trust Perfect Storm Scholarship.
7 Overseas Development Institute, Doing Cash Differently.
10 Foucault, “Nietzsche, Genealogy, History,” 83.
11 All interviewees have been told the purpose of the interviews and promised protection of their data, as well as their anonymity. All participants verbally consented to participate. Understanding the power imbalance between me and the refugee population in Tanzania, I underwent a School of Social and Political Science Ethics Review at the University of Edinburgh to understand and mitigate ethical issues.
20 Duffield, “Getting Savages”; Duffield, “Racism, Migration, and Development.”
22 Foucault, History of Sexuality, 138.
23 Foucault, History of Sexuality, 139.
24 Duffield, “Getting Savages.”
25 Duffield, “Racism, Migration, and Development.”
26 Mahmood Mamdani, Citizen and Subject (Kampala: Fountain Publishers, 1996).
27 Duffield, “Getting Savages,” 150.
28 Duffield, “Getting Savages,” 149.
29 Tanganyika is the name of mainland of modern Tanzania.
The name Tanzania came in 1964 when independent Tanganyika joined in a republic with People’s Republic of Zanzibar and Pemba, two islands off the coast.
31 Chaulia, “Politics of Refugee Hosting.”
37 Chaulia, “Politics of Refugee Hosting,” 156.
38 Sivanandan, “Poverty Is the New Black,” 2.
39 Duffield, “Getting the Savages”; Duffield, “Racism, Migration and Development.”
41 UNHCR, Handbook for Self-Reliance (Geneva: UNHCR, 2005); Easton-Calabria and Omata, “Panacea for the Refugee Crisis?”
44 Overseas Development Institute, Doing Cash Differently.
45 Fassin, “Another Politics of Life,” 52.
46 Fassin, “Another Politics of Life,” 52.
47 Duffield, “Racism, Migration and Development,” 76.
50 Eastmond and Öjendal, “Revisiting a ‘Repatriation Success,’” 43.
52 Marsden, “Afghans in Pakistan,” 299.
55 UNHCR, Repatriation under Conflict, para. 68.
60 Kibreab, “Left in Limbo,” 58.
63 Kibreab, “Left in Limbo,” 64.
64 Troger and Tennant, Use of Cash Grants.
69 Interview with UNHCR employee.
Interview with UNHCR employee.
Crisp et al., *Surviving the City*, 9.
Interview with UNHCR employee.
Crisp et al., *Surviving the City*, 43.
To compare, Tanzania cmi in Nyarugusu refugee camp gave 20,000 Tanzanian shillings (about 7 euros) per person.
Ibid.
Crisp et al., *Surviving the City*, 9.
Crisp et al., *Surviving the City*, 3.
Crisp et al., *Surviving the City*; Jeff Crisp, “Finding Space for ...html.
Interview with a humanitarian researcher, February 2, 2018.
Interview with Burundian man in Nyarugusu camp, August 22, 2017.
Interview with refugee present at meeting between UNHCR, WFP, and Camp Commandant, Nyarugusu camp, August 12, 2017.
Interview with UNHCR employee, Dar es Salaam, February 19, 2018.
Interview with Burundian man in Nyarugusu camp via Skype, March 31, 2019.
Thijs Van Laer, “‘There Is Pressure on Us,’” Burundian Refugees in Tanzania Pushed to Return,”...


112 Boeyink, “After Garissa.”

113 Duffield, “Getting the Savages.”

114 Troutt Powell, *Different Shade of Colonialism*.

Clayton Boeyink is a PhD candidate in international development at the University of Edinburgh and is a member of the Centre for African Studies. His research focuses on the politics and practices of refugee self-reliance in East Africa generally, and cash transfers and illicit labour systems and markets in and out of camps specifically. He can be reached at clayton.boeyink@ed.ac.uk.
A Double Punishment: Post-secondary Access for Racialized Migrant Youth with Precarious Status in Toronto, Canada

PALOMA E. VILLEGAS AND TANYA ABERMAN

Abstract
This article examines how the immigration and schooling systems in Canada intersect to deny access to migrant youth with precarious status throughout educational trajectories. While there are access policies at the primary and secondary school level, barriers increase in post-secondary education. We argue that such students transitioning to university experience a “double punishment” through racialized exclusion in the education and immigration systems. Our research draws from semi-structured interviews with migrant youth and our experience organizing an access program at York University that targets precarious status students for inclusion. We propose that Canadian universities and policymakers learn from such access programs to increase equitable inclusion at other institutions.

Introduction
The introduction of multiculturalism policies and the end of race-based immigration exclusion in the 1960s and 1970s produced a “colour-blind” ideology for Canadians, who imagine the country and its systems (including immigration and schooling) as meritocratic and
generous. Yet, while racist exclusion has become more implicit, it continues to underlie many state policies and contribute to the illegализation of migrants. Options for permanent residence have been shaped, and frequently reshaped, to offer permanent residence to certain migrants only. Those who do not or cannot meet the demands established for this type of inclusion—specific skills, education, wealth, networks, or evidence of persecution legible to the Eurocentric refugee determination system—are left with few options but to seek precarious forms of status, such as temporary work permits, making refugee claims, or remain with no status at all. We use the term *precarious immigration status* to refer to the legal status of all non-permanent residents, for whom the ability to remain in the country is uncertain and depends on an assemblage of individuals, institutions, and discretionary decision-making.

Schooling for precarious status children has increasingly been seen as a right in North America. In the United States the 1982 Supreme Court decision *Plyler v Doe* guarantees schooling for any resident child across the country. In Canada, where education is under provincial jurisdiction, the inclusion of migrant children fluctuates between provinces. In Ontario the provincial Education Act allows students with precarious status to access schooling at the primary and secondary level unless they are deemed to be visitors/tourists. Yet, despite the inclusionary mandates, schools often remain racialized reception sites, where race-based assumptions and Western-centric curriculum further marginalize students with precarious status.

Students who are able to navigate the school system and successfully graduate face pressure to transition to post-secondary schooling to become “good” members of society; yet they face an uneven terrain of access. In the United States, admission to post-secondary depends on state-specific access, tuition, and financial aid policies. While at least twenty states have policies that permit undocumented students to pursue post-secondary education while paying domestic fees, since the 2016 presidential election, students’ sense of belonging and safety on campuses has been affected, despite the declaration of “sanctuary” campuses across the country. In Canada, access to post-secondary education depends on state-specific access, tuition, and financial aid policies. While at least twenty states have policies that permit undocumented students to pursue post-secondary education while paying domestic fees, since the 2016 presidential election, students’ sense of belonging and safety on campuses has been affected, despite the declaration of “sanctuary” campuses across the country. In Canada, access to post-secondary education for precarious status students has not been directly addressed through policy in any province. This significant policy gap invisibilizes precarious status students and the barriers they face to accessing post-secondary education, and produces ad hoc access dependant on particular institutions and their administrators.

This article has two interrelated goals. First, we examine the racist immigration and schooling institutions that produce social exclusion for racialized migrants with precarious status in Canada. Second, we investigate post-secondary access for students with precarious status, highlighting an initiative at York University in Toronto that increased access and inclusion specifically for this population for the first time in Canada. This access program was designed to offer two complementary pathways into the university for students with precarious status: a bridging course for students who felt they needed additional support and preparation to start university, and administrative changes to permit the direct admission of students who did not need bridging. We draw on interviews conducted with students who were part of the first bridging course to explore their experiences of racialized exclusion. We then call for increased access at more post-secondary institutions in Canada.

We argue that the ways race intersects with the immigration system, as well as equitable access to primary and secondary education, leads to a “double punishment” for migrant youth with precarious status. As the result of multi-layered racialized exclusion that these students face, they are too frequently barred access to post-secondary education. Our research contributes to continuing debates about the social inclusion of migrants with precarious status, their participation as members of communities despite their legal status, and, heeding the call of Sáenz and Manges Douglas for racializing migration studies, the racialization of migrants with precarious status in Canada. Finally, we approach this discussion as researchers, and also as activists who have been directly involved in numerous efforts to increase access to education for migrant youth with precarious status. We were also both directly involved in the development and implementation of the access program at York University; therefore we bring our first-hand experience and perspectives to this article.

**Legal Status and Race: A Double Punishment for Post-secondary Students**

Our analysis draws on the concept of “double punishment” to think through the experiences of post-secondary students with precarious status. “Double punishment” refers to how migrants with precarious status experience overlapping forms of exclusion and criminalization because of their status. We use “double punishment” in this article to explore encounters with two systems, immigration and schooling, and how such systems are organized through the interlocking of status and race/racism.

In undertaking this analysis we draw on critical race theory (CRT), which centres race to understand social exclusion and inequality in contemporary society. Initially emerging from legal scholarship, CRT is widely used in the social sciences and seeks to understand the relationships between power, race, and racialization (the process of identifying/categorizing individuals through the rubric of race). CRT examines
how race interlocks with other facets of social exclusion, with an interest in developing transformative practices.\textsuperscript{14} In terms of schooling, CRT examines how students experience rewards and punishments in schooling communities and outside them as the result of their racialization.\textsuperscript{15}

In migration/refugee studies, scholars use the language of racialized or racializing “illegality.”\textsuperscript{16} “Migrant illegality” is a racializing process of identifying individuals as “illegal” due to their specific documents, lack thereof, or assumptions of how migrants look or behave.\textsuperscript{17} It goes beyond a documented/undocumented binary to examine categories of precarious status including temporary migrant workers, refugee claimants, undocumented/non-status migrants, and other forms of immigration limbo. Garcia refers to racializing “illegality” as “the active and ongoing process of a larger system that conflates race, legal status, nativity, and generation status.”\textsuperscript{18} This includes structural disadvantages like deportability (the fear, spectacle, and reality of deportation),\textsuperscript{19} labour market exploitation, and other barriers that migrants with precarious status experience once inside a nation-state.

Given this framework, we identify two areas to frame our analysis: immigration status as a “master status,” and the importance of intersectionality. U.S. immigration scholars working on the intersection of status and post-secondary schooling have proposed that being undocumented is a “master status,” an axis of marginalization that is more salient than others or eclipses them.\textsuperscript{20} We focus on research in the United States because there is little in other contexts beyond K–12 access.\textsuperscript{21} As a juridical status, precarious immigration status organizes students’ eligibility, willingness to apply to university, and the possibility of deportation.\textsuperscript{22} While understanding the centrality of immigration status in migrants’ lives (i.e., a master status through which other forms of marginalization are filtered), other scholars argue that an intersectional lens allows scholars to engage in a more nuanced analysis of how forms of oppression are co-constituted.\textsuperscript{23}

Immigration status interlocks with social class to affect students’ access to financial resources. Students may face responsibilities in contributing to their household income and experience precarious working conditions, affecting their ability to pay tuition, particularly given rising student fees.\textsuperscript{24} These barriers cannot be disentangled from the fact that migrants with precarious status often come from racialized groups that, regardless of legal status, face wage gaps and are overrepresented in precarious employment.\textsuperscript{25} Therefore, racialized students with precarious status face a double punishment when unable to earn enough to support themselves, their families, and their studies.

Social capital is another example of how social class interlocks with immigration status. Social capital refers to “the aggregate of the actual or potential resources which are linked to possession of a durable network of more or less institutionalized relationships of mutual acquaintance or recognition.”\textsuperscript{26} Marginalized students, including racialized and working-class groups, tend to have less access to resources and networks than their white and middle-class counterparts.\textsuperscript{27} Undocumented or precarious status students have even less access, including limited information about relevant immigration policies or university application processes.\textsuperscript{28} Their parents may not know how to navigate the system, and teachers might not be knowledgeable or willing to assist.\textsuperscript{29} While students are resilient and, as Enríquez argues, “patch together the resources provided by their social networks,” including other undocumented peers, this limitation affects students’ educational outcomes.\textsuperscript{30}

Research about undocumented migrant university access has focused on Mexican and Latinx\textsuperscript{31} students in the United States, invisibilizing the experiences of other racialized migrants. However, some research has been done with Black and Asian students. Palmer discusses UndocuBlack migrants, who may “pass” as citizens in some contexts, but face heightened police violence, given anti-Black racism and a “connection between privatized prisons and detention centers, and the criminalization of Blackness, as leading from criminal convictions to immigration consequences.”\textsuperscript{32} Alternatively, Dao addresses the invisibility of Asian Americans and Pacific Islanders with precarious status, who have to navigate a variety of racial discourses, including those of “model minority,” “yellow peril,” Islamophobia, and how they connect to illegalization.\textsuperscript{33}

These interlocking factors (race, status, and social class) affect the experiences of undocumented/precarious status students when they stop out (take a break from school with the goal of returning) or are pushed out (institutional and systemic practices that lead to student disengagement and “push” students out of schools while framing the issue as an individual or family problem of “dropping out”).\textsuperscript{34} It is estimated that 49 per cent of undocumented migrants in the United States do not finish high school.\textsuperscript{35} The result is that undocumented/precarious status migrants access post-secondary education at lower rates than their citizen, permanent resident, and white counterparts.\textsuperscript{36} Statistics for other countries are unknown.

Students may also be pushed out of post-secondary schooling because they have a limited sense of belonging to schools and their communities. For example, undocumented/precarious status university students may have limited access to campus resources for lack of documentation, limited eligibility, or fear of detection. They also face institutional limitations, particularly when institutional representatives are not knowledgeable of their specific needs.\textsuperscript{37} Another example is campus and community climate. Undocumented/
precarious status migrants face what is already a racialized
and often explicitly racist campus context.\textsuperscript{38} Clark-Ibáñez,
García-Alverdin, and Alva refer to such a climate as “white
space,” a “hyper hate community climate” that maintains
white privilege through “multiple levels of hostility toward
immigrants,” including acts of violence from hate groups
and micro-aggressions from the schooling community.\textsuperscript{39}
Students sometimes negotiate negative climates by
desegregating their immigration status and emphasizing their
student identity.\textsuperscript{40} However, institutional barriers and a nega-
tive campus climate can lead students to “stop out” (leave
school with the intention of returning) at higher rates than
other students, again demonstrating a double punishment.\textsuperscript{41}

The Canadian Immigration and Schooling Systems:
Two Examples of Racial Exclusion
Immigration policies and practices in Canada occur within
a white supremacist, settler-colonial context, where the pres-
ence and contributions of racialized migrants have been per-
vasive excluded.\textsuperscript{42} For example, in the late 1980s and early
1990s Chinese migration was controlled through a head tax,
Japanese migration was controlled through a “gentlemen’s
agreement” between governments, and Indian migrants
were completely excluded by imposing a continuous journey
 provision that demanded that ships sail directly to Canada
without layoffs.\textsuperscript{43} In the mid-1990s, Caribbean caregivers
were excluded from permanent residence on the pretext that
their physical constitution could not handle the Canadian
cold, and Jewish migrants were limited through a none-
is-too-many approach that resulted in a ship full of Jewish
refugees, \textit{ms St. Louis}, being rerouted back to Europe during
the Second World War.\textsuperscript{44}

However, with the evolution of immigration and multi-
culturalism policies, overtly racist criteria for permanent
residence were no longer tolerated; instead subtler forms of
racialized exclusion were integrated into admission policies
for refugee claimants, migrant workers, family class migrants,
and permanent residents.\textsuperscript{45} Reforms saw the overhaul of the
refugee determination system and reinforcement of “bogus
refugee discourses; increased precarization of temporary
foreign workers; increased suspicions of family-class appli-
cations, including marriage sponsorship; and changes to
the skilled immigration program that limited permanent
residence along business models.\textsuperscript{46} As a result, immigration
policies have increasingly favoured temporary rather than
permanent residents, producing an increased number of
pathways that result in precarious status.

From initial attempts to register for primary or second-
ary school, to applications for admission to post-secondary
institutions, the intersection between racialization and
immigration status has important impacts on the schooling
experiences of migrant youth. In the province of Ontario, the
Education Act states that all youth under the age of eighteen
(other than tourists or visitors) have access to schooling.\textsuperscript{47}
Furthermore, school boards in Toronto, the province’s larg-
est city, have adopted access policies. However, admission to
primary and secondary institutions remains exclusionary.\textsuperscript{48}
Youth and their families are continuously asked by admin-
istrators to produce evidence of their immigration status,
including their lack of status, though their statuses are fre-
quently misunderstood or challenged.\textsuperscript{49}

Once migrant students with precarious status are admit-
ted to schools, they face exclusions related to being an immi-
grant, their status, and racialization. Immigrant and racial-
ized students are asked to complete Eurocentric curricula,
which frequently devalue their knowledge, culture, and
histories, affecting their learning outcomes and academic
pursuits.\textsuperscript{50} They are streamed into non-academic trades and
criminalized through police programs in schools, and they
suffer higher rates of push-out.\textsuperscript{51} Parents and communities
are often also stigmatized as “deficient” and lacking interest
in student success.\textsuperscript{52} The barriers are thereby individualized,
with the blame placed on students and their communities
rather than the school system that excludes them. Moreover,
the lack of secure status affects students’ ability to participate
fully in non-academic programming, as the lack of health
insurance or a social insurance number may limit access to
extracurricular activities.\textsuperscript{53} Linking marginalization within
the school system to racist and exclusionary immigration
policies leads to a “double punishment” for youth with pre-
carious status, which is always underpinned with the violent
threat of deportation.

Access to Post-secondary Schooling for Students
with Precarious Status in Canada
Little research has been done on the unique experiences of
migrant post-secondary students in Canada (outside of the
experiences of international students).\textsuperscript{54} One reason is that
access to universities for youth with precarious status has
been piecemeal and not very visible. Furthermore, migrants
with precarious status are provided with limited guidance or
misinformation,\textsuperscript{55} particularly regarding paying international
vs. domestic fees, eligibility for residency and work permits,
and protection from deportation. The racialized and racist
context that many these students also face before and after
entering university further augments their precarious. In schol-
larly research, and from our own community work, we have
found that these factors lead some high school students to lose
hope and let their grades fall in their senior year of high school
once they learn they cannot continue to college or university.\textsuperscript{56}
The regulatory framework that organizes entry to post-
secondary schooling for students with precarious status
involves the interplay between federal immigration and provincial education policies. Federally, the Immigration and Refugee Protection Act controls migrants’ ability to study in Canada by requiring them to apply for study permits, which then legitimizes the charging of international fees. In Ontario, the Ministry of Advanced Education and Skills Development is responsible for post-secondary institutions and provides funding for each permanent resident/citizen student, which accounts for the difference between domestic and international fees. The ministry will not fund precarious status students, therefore, they are usually charged international fees.

Nonetheless, after a post-secondary institution has received permission to grant degrees, they have freedom to organize their enrolment and other matters independently. While it is encouraging that universities have some power, one concern is that federal policy and provincial funding often make institutions hesitant to explore options vis-à-vis access.

**Methods**

Research for this article came as a result of the authors’ extended advocacy and work to increase access to post-secondary education for students with precarious status in Toronto, Canada, as well as their involvement in a pilot project at York University, which is the first of its kind in Canada. Approaching this topic from both an academic and community-centred perspective, we draw on research conducted by Villegas with some of the first students to participate in the pilot bridging course. The project took place in the summer and fall of 2017, after Villegas taught two iterations of the course. Given that participants took the course to transition to York University, research project recruitment did not begin until students were informed they had passed the course, so potential participants did not feel coerced to participate. Informed consent was obtained in a two-step process. First, after reviewing the consent form, participants chose a pseudonym and used that pseudonym to sign it. Second, verbal consent was obtained at the beginning of the audiotaping (or beginning of the interview when the participant opted to not have it audiotaped).

Data include semi-structured interviews with eleven participants and students, as well as assignments including reading reflections, papers, and creative projects. All interviews but one were held in English (the latter was held in Spanish and translated to English by Villegas). Participants can be divided into two groups: those who had graduated from an Ontario high school (n = 4) and those who graduated from high school and may have had some post-secondary training in their country of origin (n = 7). Participants came from Latin America, the Caribbean, and Africa (countries are not specified, to maintain confidentiality). Their legal status varied from refugee claimants (those waiting for their application for protection to be heard) to no status (those with expired visas or refused refugee claimants), with some of the latter looking for avenues for regularization through Humanitarian and Compassionate applications (see table 1). Names used are pseudonyms chosen by participants. Course assignments were linked to participant pseudonyms, and any identifying information was removed. Data were analyzed using open coding, organized according to themes, involving both deductive and inductive analysis.

<table>
<thead>
<tr>
<th>Pseudonym</th>
<th>Age</th>
<th>Gender</th>
<th>Region of origin</th>
<th>Years in Canada</th>
<th>Status</th>
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<tbody>
<tr>
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<td>27</td>
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<td>Africa</td>
<td>4.5</td>
<td>Refugee claimant</td>
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<tr>
<td>Djemba</td>
<td>26</td>
<td>M</td>
<td>Africa</td>
<td>5</td>
<td>Refugee claimant</td>
</tr>
<tr>
<td>Joey</td>
<td>22</td>
<td>F</td>
<td>Latin America</td>
<td>5</td>
<td>Refugee claimant</td>
</tr>
<tr>
<td>Rayan</td>
<td>28</td>
<td>M</td>
<td>Caribbean</td>
<td>5</td>
<td>Refugee claimant</td>
</tr>
<tr>
<td>Laura</td>
<td>28</td>
<td>F</td>
<td>Latin America</td>
<td>6</td>
<td>Refugee claimant</td>
</tr>
<tr>
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<td>23</td>
<td>M</td>
<td>Africa</td>
<td>6</td>
<td>Non-status, transitioning to permanent residence</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td>Non-status</td>
</tr>
<tr>
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<td>F</td>
<td>Latin America</td>
<td>11</td>
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<tr>
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</tr>
<tr>
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<td>F</td>
<td>Latin America</td>
<td>12</td>
<td>Non-status</td>
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<tr>
<td>Lauren</td>
<td>22</td>
<td>F</td>
<td>Caribbean</td>
<td>13</td>
<td>Non-status</td>
</tr>
</tbody>
</table>
themes for this article include barriers experienced accessing post-secondary schooling and reflections about how racialization and racism affects residents of Canada.

We also draw directly on Aberman’s experience as a service provider within the settlement sector, working closely with a diverse group of newcomer and precarious status youth in Toronto over the past five years. Working in solidarity with the youth as they identified access to education as a primary concern has incited an awareness of the issues faced. Aberman has also been the coordinator of the pilot project at York University, responsible for supporting the development and implementation of administrative changes to admit students with precarious status and for student recruitment and engagement.

Bridging Program

In January 2017 a pilot program was inaugurated at York University in partnership with the FCJ Refugee Centre, which was made possible through funding from the City of Toronto. For the first time in Canada, this program sought to specifically support the transition of students with precarious status to university studies. Taking into consideration the differing needs of the potential students, two pathways were created: a direct-entry path for students who were academically and mentally ready to begin an undergraduate degree, and a bridging course for those who felt they needed further preparation or additional support. The bridging course content focused on critical migration studies with the goal of making connections between assignments, texts, and students’ lived experiences. Through the course, students were able to conceptualize the systemic power relations that contribute to global migration and inequities between migrants. In addition, the course enabled creation of safe(r) space where students have been able to connect with others facing similar obstacles and identify common challenges. Such spaces are frequently lacking for populations with precarious status. Both entry pathways also included support throughout the application process, major, and course selection.

The course itself was the culmination of community-based strategies to counteract the exclusion of migrant youth with precarious status from post-secondary schooling. For example, a precursor to the bridging program was a community-based program titled Uprooted University. Uprooted U was influenced by similar projects in the United States, including Freedom University, in Georgia. Scholars have identified such projects as working to produce a “transformational solidarity” that prioritizes making connections between students’ lived experiences and educational curriculum and working in solidarity across interlocking forms of oppression. Similarly, Muñoz, Espino, and Antrop-Gonzalez, drawing from Solórzano and Delgado Bernal, use the concept of transformational resistance, which “provide[s] an intentional space in which students are able to question and grapple with issues of oppression in order to work toward developing a more just community.” Such projects purposefully involve conversations about how interlocking forms of oppression affect students’ lived experience (i.e., through interlocking forms of punishment). The projects may not fill the gaps to access experienced by students with precarious status, but they can extend student networks and social capital to facilitate enrolment. Many of the youth who participated in the Uprooted U program were among the first to register for the bridging program at York University.

Recruitment for both pathways, bridging and direct-entry, was initially contained to trusted networks and word of mouth. While efforts were made to reach as many potential students as possible, the safety of the students was paramount. Migrant Youth with precarious status face layers of criminalization and deportability, which can manifest in uncomfortable or potentially violent interactions with citizens who do not accept their presence, or detention or deportation by immigration officials. All possibilities needed to be considered throughout this pilot program. Despite the limited reach of the recruitment, we were able to fill the bridging courses quite quickly and had several graduating high school students apply for direct entry.

During the interviews with the bridging students, participants identified legal status, limited information, and experiences of racialization as key factors that affected their access to post-secondary schooling. And participants linked their precarious immigration status with the international fee rates imposed on them. Domestic tuition fees are reserved for citizens, permanent residents, and convention refugees, while other students are considered temporary international students who must pay significantly higher fees. These fees make higher education impossible for many students with precarious status.

For instance, Zoe, a non-status woman who graduated from high school in her country of origin, explained feeling “stuck” as a result of the high fees: “I couldn't possibly do university courses because as an international student it's like three times the domestic rate. I don't have that kind of money.”

The high fees led some students to “stop out,” to pause their education, in order to accumulate money or await a change of status. Djemba, a refugee claimant who graduated from high school in his country of origin, described his own experience of “stopping out,” despite being accepted to several post-secondary institutions: “I didn't know that I had to pay that fee, so once the letters came and my fee was like 16,000 per year, I just declined. I just couldn't do it.” Djemba
realized that he had to put his dreams of higher education on hold until his status changed, as he was unlikely to earn enough money for the fees. Moreover, for Djemba, limited access to resources and networks (social capital) manifested through lack of information, or misinformation, about university access and funding opportunities.

Despite having some support from her high school teacher, Joey, a refugee claimant who graduated from high school in Canada, also had to “stop out” and forgo acceptance to a local college: “I didn’t know fully that I had to pay international student [fees] as refugee claimant … I didn’t find out until … the deadline to pay the fee for the first year was due. So, I had to drop out of that and the scholarship my teacher had gotten for me.”

Finally, Gabriella, a refugee claimant who completed high school in her country of origin, wondered whether there were scholarships for students with precarious status to avoid piecing together precarious, deskilling jobs to pay her fees: “[Now] I’m trying to ask, ‘Do you know any scholarships I can apply to?’ At least just even have like one course going, and so we don’t end up working all those odd jobs, and all those jobs that are not related to our fields all the time. So, we’re hoping that we can get scholarships.”

While there are very few scholarships or bursaries for students with precarious status, awareness of them might have enabled Gabriella to pursue her studies sooner. The low levels of social capital left these participants without networks to provide them with the information or institutional support they needed, further hindering their efforts to access post-secondary education.

Participants’ lived experiences of racialization and racism manifested during interviews. For instance, Thomas Jefferson, who graduated from high school in Canada, reflected on how he might be viewed as a Black male in university: “As long as I don’t think about that [the effects of racism]. But at the same time, you have to, ‘cause you are a Black man walking around an educational institution. Some people might think you should not be here, you should be in college or even the trades. You know? That’s not where I belong so, it’s that part of it and general safety.” His comment alludes to a “white space” discussed by Clark-Ibáñez, Garcia-Alverdin, and Alva that, although not explicitly a “hyper hate community climate,” still excludes racialized students/migrants.68

While Thomas Jefferson was discussing the racism he may face in university spaces in the future, these fears could have been based on past experiences.

Participants also discussed the racism they experienced within the education system and the ways that racism leads to dehumanization.69 As Barbara, a non-status woman who graduated from high school in Canada, explained, “In high school, during my culinary class, the … teacher would have a small poster on the wall with the silhouette of a student wearing sagging pants while showing his boxers, as was popular at the time, with a meme-like caption calling them Neanderthals. I’m pretty sure he, and everyone else who disliked the fashion, thought it was witty.”

Since the fashion described was worn primarily by racialized males at the time, for Barbara that comparison of her racialized peers to prehistoric, unevolved people was a way to publicly dehumanize them. Barbara went on to explain the connection she saw between the racism she experienced and her precarious position as a refugee claimant. Her explanation reflected the silencing often faced by newcomers with precarious status: “I feel that a reason why immigrants, especially refugees, are hesitant to talk about discrimination in Canada is because they feel that they have to be grateful, and complaining goes against that. They feel like they always have to praise Canada or otherwise they will be faced with criticism, particularly from people who don’t want refugees to stay. It’s always felt to me like they have to suck up to Canada, regardless of how they really feel.”

Maria, a non-status woman who graduated from high school in her country of origin, further articulated a personal sense of dehumanization that emerged through a lack of status: “It always feels like a disadvantage not to have status, is almost like you are a little bit subhuman (if that is even a word). If I say the wrong thing, what consequences can this bring to our family?”

The “subhuman” also connects to the discourses of racialized bodies as less evolved or worthy of progress to which Barbara references through the image of the Neanderthal. As Francisco Villegas argues, “Through the discursive dehumanization of undocumented migrants … it is possible to facilitate the production of ‘illegality’ that constructs migrants as disposable. Such dehumanizing practices devalue the worth of migrants’ lives and allow for the possibility of collective violence.”70 In her description, Barbara explained that this violence can lead to the censoring of migrants’ critiques, particularly when they do not align with the gratitude immigrants are expected to project towards to the nation, even in the face of ongoing racism.

Interviews ended by asking participants whether the bridging program should continue. Each participant responded with a resounding yes, but for different reasons. For instance, Zoe discussed the course’s role as a bridge: “Specialy if somebody has been away from schooling for awhile, it’s a very effective way to ease back into it, as opposed to just jumping in…. It’s actually overwhelming. Especially if you have no experience with the Canadian schooling system.”

Other participants identified the program’s individual value, as well as the community need. Gabriella mentioned, “I believe that it gives a lot of hope for those that are losing
There is no indication that the immigration policies that favour precarious temporary migrants over permanent residents will change any time soon, therefore the “double punishment” faced by students with precarious status is an ongoing inequity. The racialized pathways to precarious status continue to exclude migrants in ever-evolving ways that are designed to fall within Canada’s multicultural fabrication. Within this context, for migrant youth, schools become a necessary site of participation, yet one that relies on a racialized, status-dependant reception. In this article we examined the racialized system of immigration and schooling institutions that produce social exclusion for migrants with precarious status in Canada. We argued that the ways racism intersects with the immigration system, as well as equitable access to education, leads to a “double punishment” for precarious status students.

This punishment intensifies at the entrance to post-secondary education. While migrant youth with precarious status had been all but bared from accessing college or university in Ontario, a new initiative at York University is addressing this exclusion through a bridging program and a process for admission to undergraduate degrees. Students who have seized these opportunities have described the life-changing possibilities for which they are now striving. While there are still many challenges to overcome, particularly exclusions related to racialized and immigration status within education systems, lessons can be learned from the United States, where there has been greater access to post-secondary education for students with precarious status. These lessons can apply to Canadian projects, as they have with the one discussed in this article. Universities and colleges across Canada can also adopt inclusionary practices to counter their presence as racialized and immigration status centred sites, to reduce the barriers that prevent certain students from following their dreams.

**Conclusion**

There is no indication that the immigration policies that favour precarious temporary migrants over permanent residents will change any time soon, therefore the “double punishment” faced by students with precarious status is an ongoing inequity. The racialized pathways to precarious status continue to exclude migrants in ever-evolving ways that are designed to fall within Canada’s multicultural fabrication. Within this context, for migrant youth, schools become a necessary site of participation, yet one that relies on a racialized, status-dependant reception. In this article we examined the racialized system of immigration and schooling institutions that produce social exclusion for migrants with precarious status in Canada. We argued that the ways racism intersects with the immigration system, as well as equitable access to education, leads to a “double punishment” for precarious status students.

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**Notes**

1. We would like to thank the Bridging students for participating in the course and learning with us through this process, and Yvette Munro for her commitment and vision in making the project a reality. We would also like to thank the anonymous reviewers for their generous comments.


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46 Naomi Alboim and Karen Cohl, “Shaping the Future: Can-


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53 FCJ Youth Network, Uprooted Education.


56 FCJ Youth Network, Uprooted Education; Aberman and Ackerman, “Isn’t the Right to an Education a Human Right?”

57 There are some exceptions, but those students are still required to have authorized visitor status. See Immigration and Refugee Protection Act, sc 2001, c 27, http://canlii.ca/t/53bgk.

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Paloma E. Villegas is an assistant professor at California State University, San Bernardino. The author may be contacted at paloma.villegas@csush.edu.

Tanya Aberman is the coordinator for the access program for students with precarious immigration status at York University. She also recently completed her PhD in women’s studies at York University. She can be reached at taberman@yorku.ca.
Martina Boese and Vince Marotta’s edited volume *Critical Reflections on Migration, “Race” and Multiculturalism: Australia in a Global Context* is composed mostly of sociological approaches and analyses. In fifteen chapters written by different researchers, it engages in and reflects on major theoretical and methodological orientations of Australian scholarship on migration, race and multiculturalism, feminism, social change, guest-workers and mobility, economic multiculturalism and methodological nationalism, refugee settlement, racism and post-nationalism, cosmopolitanism, migrant families and transnationalism, cultural identity, practices, and public participation.

The volume is divided into five parts, each with three chapters. In part 1, “Theories and Methodologies in Migration Research,” the first chapter is by Stephen Castles, “Understanding Global Migration and Diversity: A Case Study of South Korea.” Castles focuses on social transformation of South Korea and neoliberal globalization and investigates perceptions of the economic contribution of migrant work, the impact of migration on the local economy and industry, the ability for migrants to use their education in their work, migrant occupations, business and issues of precariousness, unemployment and marginalization, as well as the work of non-migrants. Georgina Tsolidis, in her chapter 2, “Multiculturalism and Feminism: Women and the Burden of Representation,” examines the relationship between gender and ethnicity, the role women play within families, communities in the context of belonging, work and family, culture and policy development, and anti-racist feminism. In chapter 3, “New Australian Ways of Knowing ‘Multiculturalism’ in a Period of Rapid Social Change: When Ibn Khaldun Engages Southern Theory,” Andrew Jakubowicz investigates Southern Theory and early engagements with political and social power in diverse societies developed in the Muslim Maghrib to explore the cultural diversity of Australia.

In part 2, “Migration, Settlement and the State,” in chapter 4, “Australia’s New Guest Workers: Opportunity or Exploitation?,” Jock Collins examines the life experiences of Australia’s guest workers with focus on Korean working holidaymakers, the size and characteristics of temporary migration, and their work experiences and communities, as well as issues of exploitation. In chapter 5, “Theorising Migrant Work beyond Economic Multiculturalism and Methodological Nationalism,” Martina Boese examines key themes in the theorization of migrant work in Australia, tracing the shift from neoclassical to historical-structural analyses, and discusses the influences of the cultural turn, feminism, and transnationalism on studies of migrant labour. In their chapter 6, “Producing Knowledge about Refugee Settlement in Australia,” Klaus Neumann and Sandra Gifford examine the trends in scholarly literature on Australian refugee settlement, relate them to broader changes of the discourse on refugees, and briefly place them within a global context, via comprehensive bibliography.

We Know It … and I Feel Fine’: Considering a Postnational World,” by Farida Fozdar, discusses limited acceptance of the notion of open borders and world citizenship, and illuminates the arbitrariness and discrimination of current immigration policy and the future on Australians’ engagement with the idea of borderlessness as an aspect of cosmopolitan thinking. Karen Farquharson, David Nolan, and Timothy Marjoribanks in their chapter 9, “Race’ and the Lived Experiences of Australians of Sudanese Background,” explore how Sudanese and South Sudanese migrants to Australia view and experience their portrayal and representation by Australian news media, and how this affects their life.

Part 4, “Cosmopolitanism and Transnationalism,” contains Loretta Baldassar’s chapter 10, “Australian Migrant Families and the Transnationalisation of Care,” which examines the growing interest and analysis of women, migration, transnational family relations, and caregiving across distance, and the role of new technologies in these processes. It also considers recent changes in contemporary Australian migration policy on temporary migration visas, that shift from family reunion migration, cohesion, and settlement, to family separation and mobility. Val Colic-Peisker in chapter 11, “Capitalism and Cosmopolitanism: A Very Australian Juxtaposition,” while examining contemporary Australia as a “cosmopolitan” but also intensely “capitalistic” country, focuses on the Australian juxtaposition of capitalism and cosmopolitanism in the context of the latest wave of globalization and Australia’s place in the globally dominant “Anglosphere.” Chapter 12, “Public Spaces in the Context of the Networked Citizen and Multicultural Societies,” by Nikos Papastergiadis, Paul Carter, Scott McQuire, and Audrey Yue, addresses the new conditions of public culture emerging via urban design, cultural practices, public participation, and digital and media platforms.


Nisha Kapoor

In *Deport, Deprive, Extradite*, Nisha Kapoor shares the plight of Muslim men suspected of terrorism-related offences in the United Kingdom. Positioned in a discussion of racism, state violence, and injustice, Kapoor talks of their detention and deportation as part of a burgeoning security regime. Her principal focus, however, is on extreme cases of extradition. Extradition, “in its starkness, makes more visible what may be obscured in less extreme forms, and so brings to light broader trends of securitisation and dispossession” (6). Kapoor uses these cases to address two research questions: “[1] What can the stories of those criminalised as terrorism suspects and expelled reveal about shifts in the state of security? [2] How do these cases help to further the agendas of securitisation, marginalisation and racial..."
exclusion?” (14). In Kapoor’s efforts to answer these questions, she uncovers and problematizes militarized policing practices, impartiality in the courts, and limits and conditions placed on citizenship and human rights (15). These discussions will be of particular interest to an audience engaged in politics, sociology, law, and activism.

Babar Ahmad’s story is one of unwarranted brutally violent apprehension by state police (51–2). Babar’s story helps Kapoor illustrate the current merging of civilian and militarized policing (42). She suggests that the infrastructure and practice of policing working-class communities of colour had already existed prior to the emergent threat of terrorism. This established framework that focuses on “managing and disciplining ‘dangerous’ bodies in the name of public protection” (60) serves to “normalise and rationalise forms of state violence that could be otherwise presented as excessive or exceptional” (56). According to Kapoor, Babar’s case highlights the fact that violence carried out by the state is [always] recognized as legitimate, whereas terrorism is always recognized as illegitimate violence (47–8). She argues that “the issue is not so much the form that violence takes or what modes and mechanisms are used to commit it, but who it is committed by and who it is legitimate to commit it upon” (49). Kapoor acknowledges that there are individuals who engage in futile violence, but she cautions against a logic and processes that collectively criminalize certain populations (11). Such thinking works to categorize individuals into those worthy of state protection and those deemed to be targets of state violence (142), or, as Kapoor sees it, humans and non-humans (37).

Kapoor shares the story of Haroon Aswat’s extradition to the United States, despite a ruling in the European Court of Human Rights (ECHR) to the contrary (116), to illustrate the converging interests of the executive and legislative branches: when faced with extradition requests from the United States, British courts have consistently departed from earlier safeguards in extradition laws (123). Kapoor highlights cases in which courts have permitted low or non-existent benchmarks for evidence (3, 33), the admission of information obtained through unlawful interrogations carried out under torture (34), and secret hearings of which neither the accused nor their legal counsel were allowed to attend (33). These practices all work to expedite extraditions. When existing laws have not served their desired purpose, Kapoor illustrates how the two branches have worked together to either supersede these laws, or even to create new laws to meet their ends (130).

Kapoor further argues that the threshold that determines one’s inclusion (or exclusion) from the British polity is drawn on raced, classed, and gendered terms (89). Her specific concern is the state’s power to withdraw citizenship from those deemed to be “terrorists” (17). In the story of Minh Pham’s denaturalization and subsequent statelessness (88) Kapoor shows that citizenship is delimited and conditional, and can be withdrawn from particular populations (89). Furthermore, the relational inclusion-exclusion dialectic upon which citizenship rests has material consequences for those who are excluded and consequently deemed non-human (89). Kapoor reveals one such consequence as the legalized deprivation of one’s human rights entitlements. The story of Haroon Aswat’s extradition further illustrates the imagined juxtaposition between “British citizens” and “terrorism suspects” in the question of rights entitlements (118). Despite the ECHR’s ruling that Haroon’s mental health would be compromised if he were extradited, which violates his human rights, the British executive and legislative branches worked together to orchestrate his extradition. Some political and academic commentators have argued that the choice to participate in terrorism is effectively a forfeiture of one’s rights protections (10). Reasoning from this perspective, courts such as the ECHR have enshrined in law the premise that extending human rights to terrorism suspects would be a misapplication of human rights (116). Such assertions lead Kapoor to interrogate who counts as fully human (118).

If there were one weakness in Kapoor’s work, it would be her treatment of gender. She alerts the reader to the increasing numbers of women being targeted as potential terror suspects and also families who have had their children apprehended in the name of pre-emptive policing, but neither concern is developed fully (155). Rather, these arguments seem to stand alone in her final chapter. Also, whereas each of the issues she discusses features a real-life narrative, this is missing from her gender discussion. With that being said, I gather that these are emergent issues and that perhaps much of the literature focuses primarily on Muslim men. In this case, Kapoor has succeeded in placing these issues on readers’ radars. Readers looking for intersectional analyses are encouraged to read Kapoor’s work within the broader bodies of literature devoted to gender and terrorism.

The issues raised in Deport, Deprive, Extradite are timely. This work sheds much-needed light on militarized policing, impartiality in the courts, and the suspension of citizenship and human rights for particular bodies. Kapoor’s anecdotal method adds names to these issues, which humanizes them and makes them impossible to ignore. What results is an evocative and alarming account of injustice at the hands of the state. This work is a key piece in the War on Terror literature.

Marsha Rampersaud is a PhD candidate at Queen’s University. She can be reached at rampersaud.marsha@queensu.ca.
In this book Kelly Oliver makes a poignant case for the value of a critical, deconstructive approach to examining humanitarianism generally and refugee work in particular. As Oliver asserts, humanitarian practices today work in tandem with state violence to control populations in the context of the war on terror. In turn, “the military approach that treats refugees like prisoners of war … is fused with the humanitarian approach that treats refugees as charity cases to be rescued and saved” (7). This and related points are developed in short, thematically organized chapters, which are not only theoretically rich, but also accessible to the general reader interested in thinking more deeply about such pressing social issues.

In developing her argument, Oliver draws (sometimes explicitly, more often implicitly) from well-worn stances in the critical scholarship on humanitarianism. As this literature maintains, refugees transgress the global political order, which organizes people and territory into discrete nation-states, even as it consolidates this order through labelling some people “refugees” and managing those so labelled through humanitarian government. Discourse that presents refugees as apolitical victims and spaces that separate refugees from legitimate political action are crucial to this process of consolidation because they render complex politics surrounding human displacement as if they were beyond the pale of discussion.

In addition to reinforcing these general points, Oliver develops several more specific arguments, drawing especially from the work of Jacques Derrida, her main interlocutor in this text. I find two of these arguments particularly compelling. The first involves the paradoxical relationship between contemporary humanitarian work and genocidal violence. As Oliver maintains, political leaders, military commanders, and humanitarian workers are all increasingly involved in cost-benefit analyses aimed at avoiding “the worst” consequences of their efforts to control human populations. Since the Second World War, the worst has often been associated with Nazi Germany’s “final solution.” Nevertheless, as Oliver argues, the very act of reducing people to numbers whose lives and deaths may be calculated creates the very conditions in which “the worst” may again occur. If there is one group that is particularly vulnerable to this genocidal logic today, it is refugees—an entire category of people excluded from the rights of citizens and often living in such precarious conditions that they hang on the edge of life and death.

In developing this point, Oliver is, of course, working with Giorgio Agamben’s seminal argument about the bio-politics of camps, which, regardless of whether understood in terms of concentration camps or refugee camps, reduces inhabitants to “bare life.” At the same time, Oliver draws our attention to a more specific bio-political context, in which calculations concerning refugees entangled in the war on terror threaten us with the worst.

Second, Oliver, again following Derrida, presents an alternative approach to humanitarianism that works on principles that are fundamentally different from the present-day humanitarian regime. As she maintains, the idea of humanitarianism as it has evolved over the past several hundred years rests on notions of sovereignty wherein the sovereign power gives to those encroaching on its domain from a position of authority. Hospitality, or what Oliver often refers to as “radical hospitality,” demands more of us than this, however. It demands that we move from a rights-based understanding of political obligations towards a politics grounded in “our interdependence on this shared planet” (83). It may even require those of us who produce information about refugees to submit to “a certain ‘madness’” by giving up the will to develop responses to people crossing international borders primarily on the basis of understanding or knowledge (79). As Oliver powerfully concludes, “Without holding on to the concept of [radical] hospitality, our everyday practices of hospitality are hollow, illusions of hospitality and self-deception at best, or alibis for continued violence at worst” (82).

Despite these provocative and productive views, Oliver’s text suffers from shortcomings common to much scholarly work that presents contemporary humanitarian government from an abstract perspective. For example, Oliver repeatedly draws from decontextualized data to make claims about what it is like to be a refugee today. Claims include references to how female refugees are affected by gender violence (23), the prevalence of post-traumatic stress disorder (PTSD) among refugees (32), and the “involuntary” quality of refugee migration (33). My point here is not to diminish the extent to which many refugees’ experiences are reflected in these claims, but rather to contest the idea that refugees can and should be seen as an ideal type with a
generic experience, when the causes and aftermaths of displacement vary immensely. Similarly, Oliver’s presentation of humanitarianism’s history presents a straight line between Western political thought and present-day “carceral humanitarianism” without acknowledging any alternative histories that cut across regional traditions or divides. And yet, such histories do exist. For example, contrary to Oliver’s brief discussion of humanitarianism and Afro-Asian decolonization (51–2), a great deal of humanitarian work with refugees in Southern Africa during the late twentieth century took sides in the region’s political struggles, forging new humanitarian ideas across Cold War and global North-South divisions.

One might argue that these shortcomings in Oliver’s work reflect the limitations of the genre in which she writes. Indeed, how much attention can one offer to the complexity of refugee experience and histories in such a short, accessible text, published in a series committed to “thought-in-process” rather than “finished books” (i)? Regardless, I believe that even a text such as this one would do well to discuss the relationship between universalizing refugee representations and particular refugee histories. In so doing, the author might not only deepen her analysis of the origins of “carceral humanitarianism” but also provide further insight into how we may move beyond this condition through attention to the contexts wherein refugee hosts are called to be hospitable.

Christian A. Williams is a senior lecturer in the Department of Anthropology in the University of the Free State, South Africa. The author may be contacted at caw0004@yahoo.com.

American Routes: Racial Palimpsests and the Transformation of Race

Angel Adams Parham

American Routes, by Angel Adams Parham, offers an insightful look into the historical development and contemporary vestige of overlapping, competing registers of race emerging from and interconnected with migratory flows. Considering both black and white St. Domingue/Haitian refugees and their Creole descendants in Louisiana, Parham comparatively assesses immigrant integration within a multilayered racial system, as a process perforated by transhistorical complexity, variability, and resistance. The book centralizes race as a fundamental dimension of immigrant integration, and, in this way, Parham’s work cogently brings into critical dialogue the field of migration studies and the sociology of race and racism.

Anchoring her work in time and space, Parham crafts what she describes as a racial palimpsest approach to elucidate the intricacies of long-term racial integration for Creoles in Louisiana. It is here that Parham’s most significant contribution is advanced: the analysis of black and white Creoles illustrates how disparate racial systems and logics co-exist through space and time and come to inform immigrant struggles over competing racial frameworks, social integration, and self-identification practices. The racial palimpsest approach offers an ontological posture that assumes racial inequality and racialization as part of the reception and daily struggles of immigrants. The analysis departs from the Eurocentricity of assimilationist frames devoid of racial considerations, often taking the European immigrant as the primary and relative figure, and instead insists upon the significance of race and racism in shaping the experiences of non-European, non-white immigrants.

A number of methods were employed to collect the data that map racialized integration in Louisiana, including participant observations, in-depth interviews, oral histories, and archival work. The book’s rich empirical data reveal how both black and white Creole subjects engage with the logics of two coinciding racial systems, either as a means to maintain a system that helps bolster their well-being or to resist the adverse impacts of another. The core comparative chapters of the book (chapters 3–6) are structured to demonstrate the historical fashioning and enduring fragments of the racial palimpsest in Louisiana, along with the diverse ways in which white and black Creoles negotiate their identities and reinscribe these systems from the nineteenth century into the present.

Following the arrival of St. Domingue/Haitian refugees to Louisiana in the early nineteenth century, the foundational triracial Latin/Caribbean system based on colour, class, and status (white / free black / enslaved black) was reinforced as both white and black refugees sanctioned its social and political dimensions. During this period, white Creoles sought to preserve this triracial system, but eventually the difficulty of retaining their ethnocultural and racial identification as white Creoles was rendered incompatible with the Anglo-American binary standard of whiteness as biological purity. Consequently, integrating into the Anglo-American notion
of whiteness was, in reality, politically advantageous for white Creoles. Free black Creoles, on the other hand, found it imperative to reinforce the triracial system as a means to mitigate the oppressive confines of the black/white binary system under Jim Crow. While social and cultural differentiation from Anglo-American understandings of blackness was vital for black Creoles, it was not until the late twentieth century that black Creoles cautiously began to conceptualize their racial identity in Anglo-American terms. It was the efforts of black Creoles that steadfastly deterred the Anglo-Americanization and consolidation of blackness for many decades in Louisiana. Likened against such historical experiences, Parham’s present-day empirical work unearthed how white Creole identity exists as merely a historical form of racial identification deriving from the Latin/Caribbean system. Furthermore, she outlines how contemporary experiences for black Creoles continue to be defined by struggles against competing racial interpretations, mainly how to manage their Creole heritage against Anglo-American notions of blackness.

The sheer depth of the genealogical experiences uncovered by Parham attests to the strength of her methodological rigour. Parham skilfully sketches how racial systems were not merely eclipsed by another. Instead, she demonstrates how each system has shaped the identification and integration experiences of black and white Creoles with historically invariable points of vigour. American Routes captures the multifaceted ways in which the racial landscape of Louisiana, marked by the existence of a palimpsest, makes accessible alternate and more flexible forms of racial identification and interpretations. Cautiously, however, Parham asks readers not to mistake such adaptability in the racial palimpsest as evidence of the diminution of racial inequality, since racism and white supremacy persist, even in such multilayered contexts, to disadvantage racialized people.

The theoretical offerings of American Routes are plentiful. The book’s distinctiveness is palpably highlighted by its historically comparative efforts. While Parham’s work focuses on the specifics of the route from St. Domingue/Haiti to Louisiana, she also briefly reflects on how contemporary Latin American and Caribbean immigrants similarly offer new racial logics and cultural interpretations, imparting a similar complexity and variability that effectively resists Anglo-American interpretations of race. Parham opens up a pathway to not only consider non-white immigrant experiences across time and space, but also to recognize how racialized integration is affected by the historical, spatial, and political contexts of immigration routes. Immigrants to the United States are framed as arriving with history, culture, and racialized ways of being that do not necessarily dissolve once borders are crossed. Notably, the racial palimpsests approach makes visible the socio-political challenges faced by immigrants of colour as they oscillate between racial systems that are at times incongruous.

What Parham’s work most strikingly demands is a centring of the experiences of racialized immigrants as a way to thwart the too often de-racialized frameworks for considering immigrant integration. In addition, this approach departs from the methodologies of critical race theory, which seek to centralize and frame race relations within a black/white binary. By bringing to the fore immigrant struggles to negotiate racial interpretations, categorizations, and logics, the racial palimpsests analytic offers future researchers an innovative framing of immigration more attuned to the dynamic realities of race and racism.

Sonia D’Angelo is a PhD candidate in the Sociology Department at York University. The author may be reached at sond3@yorku.ca.

Voices from the “Jungle”: Stories from the Calais Refugee Camp

Calais Writers

Statistics can place a sobering spotlight on the global refugee crisis but cannot possibly convey the immeasurable and detrimental impact of the forced displacement of human beings who become labelled “refugees.” Voices from the “Jungle” is a collection of haunting first-hand accounts of life before, during, and after living in a makeshift refugee camp located on a reclaimed landfill site on the outskirts of Calais, France. Notorious for its poor living conditions, the infamous Calais refugee camp was home to those fleeing a variety of social and political conditions from all over the world.

At a time when Western media/politics seem to centre on conversations of war/conflict in faraway lands and immigration policy at home, this important book gives voice to the people most affected by, but most often excluded from, the discussion.
The book is co-authored by the “Calais Writers,” twenty-two former residents of the “Jungle.” The stories were initially written as part of a University for All education initiative launched by the University of East London between 2015 and 2016.

A key theme found in the stories is dehumanization. Studies have shown how media portrayals contribute to the consistent dehumanization of refugees. As a man named Africa, from Sudan, described it, “Because we have come here, we are not human beings, we become animals, a new kind of animal that has developed at this time; it’s known as ‘refugee’ … they treat us worse than they might treat animals” (135.)

In describing his need for “respect, dignity a stable life and solidarity,” one refugee from Afghanistan interestingly uses the terms humans of Calais and refugees of Calais, instead of people of Calais (154). This type of desperate call for refugees to be seen as human beings is echoed in many other stories throughout the book.

Another important theme in the book is identity and discrimination. In addition to severe physical difficulties, the writers detail numerous social, psychological, and philosophical challenges they faced living in the jungle. One hurdle was coming to terms with their newfound identity labels of “migrants/refugees,” with all other elements of their identity ostensibly stripped away. Babak, from Iran, put it this way: “A migrant is not only a word, not only news, not only a problem for society: a human being is living behind this word. He has feelings, hope for future, and there are some people waiting for him to come back, and a family waiting for good news” (126).

The experiences of racism, discrimination, and hate faced by refugees are interwoven with experiences of humanity, care, and compassion, as well as the very uncomfortable experience of being pitted. Ali, from Iran, juxtaposes the contradictory emotions directed at him: "Sundays in the Jungle: pity. Outside the Jungle: hatred" (128). Sadly, many wondered how differently they would have been seen and treated if they were not refugees. Babak put it this way: “And they look at me differently from how they did before … they were waiting for a weird event to happen but they finally saw a human being but with different skin colour, hair colour, culture, language … maybe we met in an inappropriate place. Maybe if they saw me in a coffee shop in a different city they would have another idea about me” (126).

Africa (from Sudan) details the racism he feels in the small Welsh city he moved to after his time in the Jungle: “You can feel racism sometimes in peoples’ eyes when they look at you, and in the expressions on their faces” (224). The stories convey a strong sense that those who are Black experience the strongest effects of racism.

Another theme in the volume is agency. As one reads Shaheen’s story about his long and traumatic journey into Calais, led by cruel and greedy smugglers (78–82). It is hard to believe a human being could survive such an ordeal. Those being smuggled appear comparable to a powerless herd of animals with no voice or control over their fate. The smugglers’ callousness and the police brutality at border checkpoints reverberate in almost every story. Mani (from Iran) interestingly compared the smugglers to the rats he had mistakenly fed: “After some weeks, one night, I saw a rat in my shelter, they had grown so much, and I had helped them” (182). He was fully aware that in his desperation he had been paying and, in a sense, feeding the smugglers’ greed. The overwhelming burden of responsibility, the feelings of helplessness, loss, and guilt, and then ultimately having little to no agency resounds throughout the stories in this book.

A final observation is what is missing from the book. As pointed out by the editors, the book lacks female voices. Also it would have been appropriate to dedicate a chapter to the theme of faith, as it is de facto an important part of almost all the stories in the volume. For many, the persecution they faced for their faith, or lack thereof, became a reason for them to leave. For many, their faith became another reason to be hated in Europe, and for many others faith became a powerful tool for survival and hope. Shaheen gives a harrowing account of one of his attempts to illegally cross into Bulgaria. After being attacked by police dogs, brutally beaten, and shot at by border guards, he and his friend were put in a cold dirty room and told, “You are Muslims … we are keeping you here in this room, pigs” (68). Here, we see how race, religion, and refugee status intersect and triply affect the discrimination and hate directed towards the men. Alternatively, Majid (from Iran) describes how his faith became a means for survival: “The ship slowly went back to the Turkish side … Maybe this had happened because our navigator was so brave, or because of our prayer, or because God was on our side, or because our dreams were so powerful, or all of these things!” (78).

Similarly, after unsuccessful attempts to enter England, Shikeb (from Afghanistan) insists, “One day I will cross. Because there is God, there is hope” (187). Multifaceted identities and individual stories are too often drowned out by stereotyped, essentialized, and stigmatizing narratives of what the Western world imagines is the universal definition of “migrant/refugee”—“desperate” and “dangerous” “other.”

This book pays homage to the tens of millions of refugee voices that have never been heard.

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Sabreena Ghaffar-Siddiqui is a PhD candidate and researcher in McMaster University’s Department of Sociology and can be reached at sabreena@mcmaster.ca.
Myanmar’s Enemy Within: Buddhist Violence and the Making of a Muslim “Other”

Francis Wade

Myanmar’s Enemy Within: Buddhist Violence and the Making of a Muslim “Other” by British journalist Francis Wade presents a vivid description of how the contestation over an ethnic minority’s identity is jointly manipulated by Buddhist extremists and the oppressive military government in Myanmar. This is a remarkable book, especially for non-experts, discussing the factors that fuelled violence within Myanmar with disastrous results for several ethnic communities, Rohingya being the primary victims. Wade depicts a group of people forcefully isolated on their own land by Myanmar’s unwavering nationalist Buddhist politicians. The narrative demonstrates that by constantly threatening the identity and beliefs of groups of people within a national geographical boundary, the government undertook a project of exclusion and persecution of the threatened groups that included chasing out, burning out, murdering, and otherwise exploiting them.

The book revolves around two main ideas, one being the construction and maintenance of ethnic identity for hundreds of years that turn minorities into the “other” in their own country—although this is the central premise of the book—and the other is the Myanmar government’s practice of political violence that eliminates religious and racial diversity.

Wade uses the prologue of the book to introduce the context of the situation to his readers, skilfully shedding light on Myanmar’s nationalist, anti-Islam, Buddhist perspective. Such a perspective is a clearly visible contrast of beliefs within the Buddhist community. The narrative of a young man, a member of a movement led by Buddhist monks known as the Organization for the Protection of Race and Religion, which is locally known as Ma Ba Tha, points to the contrasting belief. On the one hand, he claims that “Buddhism stands for truth and peace” (5) while, on the other, the Buddhist community continues killing and persecuting Muslims. They justify these acts in the name of preserving their religion, race, and nation.

This book is a narrative of ongoing persecution of the distinct ethnic minorities living in Myanmar up to the October 2016 eruption of violence. Wade traces the roots of violence in Myanmar back to the British colonial period, when ethnic communities were bitterly subdued for over a hundred years. Following British rule, this continued for decades in the form of a military dictatorship. Both forms of rule offered nothing but oppression to its people whose racial, ethnic, and religious identities differed from the majority people of Myanmar. This history has left a legacy of conflict between Buddhists and Muslims in Myanmar.

His deeply personal interviews and observations help readers develop an understanding of the recent worsening situation in Myanmar. The book is divided into eleven chapters. The first chapter focuses on the beginning of civilian-led violence in 2012; the second points to the effect of British colonial rule in Myanmar and the emergence of the Buddhist nationalist movements; the third elaborates on how Ne Win’s rule planted antagonism between “the civilized Bamar”—the Buddhist—and “the unruly” Muslims—the Rohingyas particularly; the fourth highlights the manipulating divides between ethnic and religious communities in Myanmar; the fifth presents the dimensions of Buddhist settler projects in the Rakhine state that singled out one community—the Rohingyas—as the target of exploitation; the sixth well represents the title of the chapter by offering an in-depth analysis of violence in 2012; the seventh reveals the spread of violence, particularly in Meikhtila; the eighth focuses on the manufactured nature of violence spread by Ma Ba Tha—a Buddhist monk–led movement; chapter nine shows the partitioning between Buddhist and Muslims; the tenth introduces the reader to U Maung, an individual who never witnessed any violence nor was directly affected by violence, yet he illustrates “all the blood spilled in the contestations over identity in Myanmar” (229). The book ends with chapter eleven, leaving questions of hope and dreams for a peaceful future.

Although the chapter titles offer variety, the book is repetitive. Lack of background information is one shortcoming of this book. It lightly touches on Buchanan’s account of the evidence of Rohingya presence in Burma long before British colonization (65) but does not use Buchanan’s work in showing the origin of the term Rohingya in the Arakan region. This lapse is significant when Wade discusses Suu Kyi’s evasiveness in not using the name Rohingya as a strategy of labelling them “other” (129). In addition, the author’s conversation with Hla Hla—the little Mon girl who was compelled to change her identity—leaves a question in the reader’s mind. This young girl was warned by her parents of the consequences of disclosing her identity, yet she discloses
everything about her Mon identity to the author. It is not clear how the author was able to gain her trust.

While Wade tries to show how the Muslims in Myanmar become the “other,” he does not sufficiently present the differences among various Muslim ethnic minorities living in Myanmar in terms of their history, language, dress, cultural practices, and values. Besides, ethnic minorities in Myanmar also include Christians, who are not given adequate coverage in the book. Another weakness of this book is its failure to discuss Muslim presence, not only in the royal court of Myanmar but also in the cultural, administrative, and political sector who substantially contributed to social progress in Myanmar, even until the late 1980s. Another important lacuna is the absence of a discussion of how the Myanmar government views the connection of two ethnic communities—Rohingya and Rakhine—with Bangladesh. The Buddhist Rakhine from Bangladesh are accepted in Myanmar, while the Muslim Rohingya are not, again clearly confirming the narrow perspective of the Myanmar authority and its religious bias.

Despite these shortcomings, this is a timely book that provides insightful information. Wade rightly points out that the brutal acts continuously committed by Myanmar’s government not only deny citizenship rights to its people but also violate human rights in opposition to Buddha’s teaching.

Ishrat Z. Sultana is a PhD candidate at York University. Ishrat can be reached at ishratzs@yorku.ca.