Refuge

SPECIAL ISSUE

Racialized Refuge

Refuge

Contents

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 that it 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 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.[7]

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.[8] 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."

As stated in UNESCO's founding constitution, its organizational purpose and remit was "to contribute to peace and security by promoting collaboration among the nations through education, science and culture in order to further universal respect for justice, for the rule of law and for the human rights and fundamental freedoms which are affirmed for the peoples of the world, without distinction of race, sex, language or religion, by the Charter of the United Nations."

The significance of UNESCO's first Statement on Race is that it issued a counter-narrative against the idea that human beings can be legitimately categorized and subsequently evaluated individually and socially as members of biologically distinct racial groups or types; that is, "historical and sociological studies support the view that genetic differences are not of importance in determining the social and cultural differences between different groups of homo-sapiens, and that the social and cultural changes in different groups have, in the main, been independent of changes in inborn constitution. Vast social changes have occurred which were not in any way connected with changes in racial type."[9]

UNESCO's objective of challenging "the myth of race" by distinguishing it from "the biological fact of race"[10] 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 refuge becomes most explicit.

Scholars working in refugee studies recognize that persons receiving refugee status must navigate the everyday terrain of "refugeeness,"[11] a contested condition of existence in which the figure of the refugee is constructed by policy practices[12] and media representations[13] that together constitute a media-policy-migration nexus.[14] 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[15] and that

excludes the "non-deserving."[16] 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 (feminine), 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"[17] and were interpreted through the Western lens of unruly barbarity.[18] 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.[19] 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"[20] 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 refuge 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 'Xeno-Racism' and 'Biolegitimacy,'" 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.

2 Robert Miles, *Racism* (London: Routledge, 1989), 79.

3 For a robust discussion of racialization see Karim Murji and John Solomos, eds., *Racialization: Studies in Theory and Practice* (Oxford: Oxford University Press, 2005).

4 Cited in Paul Gordon Lauren, *Power and Prejudice: The Politics and Diplomacy of Racial Discrimination* (London: Routledge, 2018), 92.

5 Reginald Kearney, "Japan: Ally in the Struggle against Racism, 1919–1927," *Contributions in Black Studies* 12, no. 1 (1994): 120.

6 "The Problem of the Twentieth Century … The Problem of the Colour Line" is cited in Peter Fryer, ed., *Staying Power: The History of Black People in Britain* (Edmonton: University of Alberta Press, 1984), 85.

7 W. E. B. Du Bois, "The Negro and the Warsaw Ghetto," *Jewish Life*, 1952, reprinted in *The Social Theory of W. E. B. Du Bois*, ed. Phil Zuckerman, 45–6 (Thousand Oaks, CA: Pine Forge, 2004).

8 UNESCO, "Four Statements on the Race Question" (Paris: UNESCO, 1969).

9 UNESCO, "Four Statements," 34.

10 UNESCO, "Four Statements," 33.

11 Pauline Brücker, "Voicing Refugeeness: Sudanese Struggles for Belonging in Egypt and Israel," *Égypte/Monde arabe* 1, no. 15 (2017): 95–123; Stephen Dobson, *Cultures of Exile and the Experience of Refugeeness* (New York: Peter Lang. Lacroix, Marie. 2004); 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; Edward Ou Jin

Lee and Brotman Shari, "Identity, Refugeeness, Belonging: Experiences of Sexual Minority Refugees in Canada," *Canadian Review of Sociology* 48, no. 3 (2011): 241–74; Liisa H. Malkki, "Speechless Emissaries: Refugees, Humanitarianism, and Dehistoricization," *Cultural Anthropology* 11, no. 3 (1996): 377–404; Joke Schrijvers, "Fighters, Victims and Survivors: Constructions of Ethnicity, Gender and Refugeeness among Tamils in Sri Lanka," *Journal of Refugee Studies* 12, no. 3 (1999): 307–33; Alice Szczepanikova, "Performing Refugeeness in the Czech Republic: Gendered Depoliticisation through NGO Assistance," *Gender, Place & Culture* 17, no. 4 (2010): 461–77.

12 Roger Zetter, "More Labels, Fewer Refugees: Remaking the Refugee Label in an Era of Globalization," *Journal of Refugee Studies* 20, no. 2 (2007): 172–92.

13 Greg Philo, Emma Briant, and Pauline Donald, *Bad News for Refugees* (London: Pluto, 2013).

14 Christopher Kyriakides, "Words Don't Come Easy: Al Jazeera's Migrant-Refugee Distinction and the European Culture of (Mis)Trust," *Current Sociology* 65, no. 7 (2017): 933–52.

15 Stephen C. Lubkemann, *Culture in Chaos: An Anthropology of the Social Condition in War* (Chicago: University of Chicago Press, 2010).

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

17 Edward Said, *Culture and Imperialism* (New York: Vintage, 1994), 327.

18 Edward Said, *Orientalism: Western Conceptions of the Orient* (Harmondsworth, UK: Penguin, 1995): 329–52.

19 Ruth M. Krulfeld, "Buddhism, Maintenance and Change: Reinterpreting Gender in a Lao Refugee Community," in *Reconstructing Lives, Recapturing Meaning: Refugee Identity, Gender, and Culture*, ed. Linda A. Camino and Ruth M. Krulfeld, 97–127 (New York: Gordon and Breach Publishers, 1994); Simon Turner, "What Is a Refugee Camp? Explorations of the Limits and Effects of the Camp," *Journal of Refugee Studies* 29, no. 2 (2015): 139–48; Mats Utas, "Victimcy, Girlfriending, Soldiering: Tactic Agency in a Young Woman's Social Navigation of the Liberian War Zone," *Anthropological Quarterly* 78, no. 2 (2005): 403–30.

20 Christopher Kyriakides, Lubna Bajjali, Arthur McLuhan, and Karen Anderson, "Beyond Refuge: Contested Orientalism and Persons of Self-Rescue," *Canadian Ethnic Studies* 50, no. 2 (2018): 59–78; Christopher Kyriakides, Arthur McLuhan, Karen Anderson, and Lubna Bajjali, "Status Eligibilities: The Eligibility to Exist and Authority to Act in Refugee–Host Relations," *Social Forces*, November 3, 2018, https://doi.org/10.1093/sf/soy109.

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 oeuvre. 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.

I n 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,[1] there has been more scrutiny of age disputes. Adolescent applicants have become increasingly entangled in legal disputes over their "true" age.[2] Age has become a complicated category for young asylum seekers[3] 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.[4] 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)[5] have been a focus of scientific inquiry (in particular, legal),[6] little social science research has covered the issue, and much of it has focused solely on the procedure in theory,[7] or on its participants.[8] 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 (*Altersgutachten*): 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 illuminate 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.[9] 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"[10] operate in the current migration regime.[11]

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."[12] For example, the same ill-treatment amounts to persecution when faced by a child but not by an adult.[13] In addition, children enjoy the additional protection of the Child Rights Convention.[14] Furthermore, 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.[15] 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.[16] Moreover, Swiss asylum law includes many procedural advantages[17] and mandates better housing and care for UASC.[18] 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.[19]

However, all my interlocutors acknowledged that age, despite its imhportance, 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[20] and range from lack of bureaucratic structures in their

country of origin to ill-advice by smugglers.[21] 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,"[22] 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."[23]

Age, Sebastian insisted, is assessed not only by using FAE. In fact, FAE constitutes only a weak indicator.[24] Identity papers and the statements of the young person and physical appearance are also considered. Besides, according to long-standing judicial practice,[25] age must be established as part of an overall estimation that considers all possible evidence, because no method is precise enough.[26] 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.[27]

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.[28] In a clinical context, age estimations are conducted with "the purpose of preventing, diagnosing, or treating."[29] Yet, in a forensic context (like asylum procedures), FAEs are also used in criminal procedures,[30] in particular concerning the question of age of criminal

responsibility (and, thus, imprisonment)[31] as well as in family law[32]—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[33] in a hospital or by a GP.[34] Yet this procedure has been criticized by medical associations for its imprecision.[35] 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.[36]

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.[37] 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.[38] 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."[39] 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."[40] 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.[41]

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.[42] 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[43] 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.[44] 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").[45] 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.[46] Similarly, Greulich and Pyle's standards are based on white children of European descent from the Cleveland area.[47] 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,[48] 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.[49] 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.[50] In this respect, in the case at hand, the age estimation is based on the reference data of a South African population.[51]

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."[52] 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).[53] 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."[54] 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 ± 2.1, whereas those for "South African males" equated to 18.7 ± 2.3.[55]

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."[56]

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."[57] 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.[58] 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 silence[s]."[59]

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.'"[60]

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.[61] 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."[62] "Scientific" ethnicities (untainted by history) become a proxy for race.[63] 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,"[64] 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.[65] 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,[66] 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."[67] 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.[68] Park highlighted a similar consequence in the racist representation of the case of Omar Khadr, an underage Guantanamo detainee, in Canadian media.[69] 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.[70] 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 credibihlity 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, Kvittingen (and others)[71] uncovers that the mere fact to be an "age-disputed UASC" can already harm a young asylum seeker's credibility.[72] 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 silence[s]" the subject.[73] Through FAE it becomes easier to cast the (now racialized) Other as lying, as an "imposter-child" and, in turn, a "bogus refugee."[74]

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,"[75] 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 governmentalities," and how the governmentality of the European border regime ensures that "the policing of … borders" coincides with the "production of racialised boundaries."[76] 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."[77]

NOTES

1 Staatssekretariat für Migration (SEM), "Unbegleitete Minderjährige Asylsuchende in Der Schweiz (UMA): Statistiken / Vergleichstabelle" (Bern: Staatssekretariat für Migration, 2018), https://www.sem.admin.ch/dam/data/sem/publiservice/statistik/asylstatistik/statistiken_uma/uma-2017-d.pdf.

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 USAC get caught in age disputes. However, my experience doing case work and research indicates 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.

5 See, amongst many, C.A. Michie, "Age Assessment: Time for Progress?," *Archives of Disease in Childhood* 90, no. 6 (2005): 612–13; Colin Michie, "Age Assessment in Adolescents: Why Is It Needed?," *Adoption & Fostering* 29, no. 4 (2005): 79–81; Debbie Busler, "Psychosocial Age Assessments in the UK," *Forced Migration Review* 52 (2016): 86–8; S.J. Cemlyn and M. Nye, "Asylum Seeker Young People: Social Work Value Conflicts in Negotiating Age Assessment in the UK," *International Social Work* 55, no. 5 (2012): 675–88; Jill Benson, "Age Determination in Refugee Children," *Australian Family Physician* 37, no. 10 (2008): 821–24; and Sophie Gower, "How Old Are You? Ethical Dilemmas in Working with Age-Disputed Young Asylum Seekers," *Practice* 23, no. 5 (2011): 325–39.

6 Joël Olivier Müller, "'Nichts Genaues' Weiss Man Nicht: Altersbestimmung Im Schweizerischen Asylverfahren," *Jusletter*, 20 March 2017, 1–54; Emanuele Sironi, Joëlle Vuille, and Franco Taroni, "Estimation forensique de l'âge des jeunes migrants - Une note sur la scientificité des méthodes employées en Suisse," *Jusletter*, 8 October 2018, 29; Matthias Plattner, "Die Altersbestimmung bei unbegleiteten minderjährigen Asylsuchenden unter rechtlichen Gesichtspunkten" (University of Basel, 2017), https://ius.unibas.ch/fileadmin/user_upload/ius/11_Upload_Personenprofile/03_Titularprofessuren/Uebersax_Peter/Seminararbeiten/Seminararbeit_Plattner_Matthias_Altersbestimmung_def.pdf; Henriette D.C. Roscam Abbing, "Age

Determination of Unaccompanied Asylum Seeking Minors in the European Union: A Health Law Perspective," *European Journal of Health Law* 18, no. 1 (2011): 11–25; Marie-Bénédicte Dembour, "Surely Not! Procedurally Lawful Age Assessments in the UK," in *Unaccompanied Children in European Migration and Asylum Practices*, edited by Mateja Sedmak, Birgit Sauer, and Barbara Gornik, 155–82 (London: Taylor and Francis, 2017); Denise Venturi, "The Prominence of the Body as an Instrument of Border Control: Assessing the Age of Unaccompanied Migrant Children in the European Union," 2014, Global Campus Open Knowledge Repository, https://repository.gchumanrights.org/handle/20.500.11825/468.

7 Gregor Noll, "Junk Science? Four Arguments against the Radiological Age Assessment of Unaccompanied Minors Seeking Asylum," *International Journal of Refugee Law* 28, no. 2 (2016): 234–50; Anna Verley Kvittingen, "Negotiating Childhood: Age Assessment in the UK Asylum System," Working Paper Series (Oxford: Refugee Studies Centre, 2010); and Ertug Altinay Rustem, "'This Child, Whose Bone Age Is Fourteen…': Ethical Dimensions of Skeletal Age Assessment," *International Journal of Feminist Approaches to Bioethics* 2, no. 1 (2009): 165–73.

8 Laura Otto, "Ethnographic Insights into the Age Assessment for Young Migrants in Malta," *Transnational Social Review* 6, no. 1–2 (2016): 187–91; Laura Otto and Margrit E. Kaufmann, "'Minderjährig', 'männlich'—'stark'? Bedeutungsaushandlungen der Selbst- und Fremdzuschreibung junger Geflüchteter in Malta. Eine intersektionelle Leseweise ethnografischer Forschungsausschnitte," *GENDER—Zeitschrift für Geschlecht, Kultur und Gesellschaft* 10, no. 2 (2018): 63–78; Heaven Crawley, "When Is a Child Not a Child? Asylum, Age Disputes and the Process of Age Assessment" (London: Immigration Law Practitioners' Association, 2007); Carly McLaughlin, "'They Don't Look like Children': Child Asylum-Seekers, the Dubs Amendment and the Politics of Childhood," *Journal of Ethnic and Migration Studies* 44, no. 11 (2017): 1757–73; and Evan Smith and Marinella Marmo, "Examining the Body through Technology: Age Disputes and the UK Border Control System," *Anti-Trafficking Review* 2 (2013).

9 Biological age represents a person's bodily function "with respect to his [or her] potential life span," while chronological age comprises of the number of years, months. and days since birth. See Richard A. Settersten and Karl Ulrich Mayer, "The Measurement of Age, Age Structuring, and the Life Course," *Annual Review of Sociology* 23, no. 1 (1997): 239–40.

10 Didier Fassin, "Policing Borders, Producing Boundaries: The Governmentality of Immigration in Dark Times," *Annual Review of Anthropology* 40 (2011): 213.

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.

12 UN Committee on the Rights of the Child, "General Comment No. 6 Treatment of Unaccompanied and Separated Children Outside of Their Country of Origin" (Geneva: United Nations, 2005).

13 UNHCR, "Guidelines on International Protection: Child Asylum Claims under Articles 1(A)2 and 1(F) of the 1951 Convention and/or 1967 Protocol Relating to the Status of Refugees," Guidelines on International Protection (Geneva: UNHCR, UN Refugee Agency, 2009).

14 UN General Assembly, "Convention on the Rights of the Child," 1577 Treaty Series § (1989), http://www.refworld.org/docid/3ae6b38f0.html.

15 Schweizerische Flüchtlingshilfe, "Country Report Switzerland: 2017 Update," Asylum Information Database (Brussels: European Council on Refugees and Exiles, 2017), http://www.asylumineurope.org/sites/default/files/report-download/aida_ch_2017update.pdf.

16 Kvittingen, "Negotiating Childhood."

17 Joana Maria Mösch, "Multidisziplinäres Verfahren Unbegleiteter Minderjähriger Asylsuchender," Jusletter, 15 August 2016, 1–28.

18 See SSI, "Mapping Der MNA-Betreuungsstrukturen in Den Kantonen / Plateforme Enfants Migrants," Plateforme Enfants Migrants, 2017, http://www.migrant-children.ch/de/node/828.

19 SBAA, "Zukunftsentscheide Durch Ungenaue Handknochenanalyse," beobachtungsstelle.ch, 24 June 2014, https://beobachtungsstelle.ch/fileadmin/pdf/Case256.pdf.

20 See also Kimberly Seibel, "Bureaucratic Birthdates: Chronometric Old Age as Resource and Liability in U.S. Refugee Resettlement," *Refuge: Canada's Journal on Refugees* 32, no. 3 (2016): 8–17.

21 Noll, "Junk Science?"

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

23 Swiss Federal Council, "Written Comment on Motion 17.3454" (Swiss Parliament, 2017), https://www.parlament.ch/de/ratsbetrieb/suche-curia-vista/geschaeft?AffairId=20173454; Swiss Federal Council, "Written Comment on Motion 16.3598" (Swiss Parliament, 2016), https://www.parlament.ch/de/ratsbetrieb/suche-curia-vista/geschaeft?AffairId=20163598; Swiss Federal Council, "Written Comment on Motion 16.3613" (Swiss Parliament, 2016), https://www.parlament.ch/de/ratsbetrieb/suche-curia-vista/geschaeft?AffairId=20173454.

24 Swiss Federal Council, "Written Comment on Motion 16.3598."

25 Decision of the Asylum Appeals Commission from 29 October 2004, EMARK 2004/30 (Asylum Appeals Commission 2004); Decision of the Asylum Appeals Commission from 25 May 2005, EMARK 2005/16 (Asylum Appeals Commission 2005).

26 Swiss Federal Council, "Written Comment on Motion 16.3613," 361.

27 Swiss Federal Council, "Written Comment on Motion 17.3454," 345.

28 Rustem, "'This Child, Whose Bone Age Is Fourteen'"; Abbing, "Age Determination of Unaccompanied Asylum Seeking Minors in the European Union."

29 Martina Focardi, Vilma Pinchi, Federica De Luca, and Gian-Aristide Norelli, "Age Estimation for Forensic Purposes in Italy: Ethical Issues," *International Journal of Legal Medicine* 128, no. 2 (2014): 516.

30 Susan J. Terrio, "New Barbarians at the Gates of Paris?: Prosecuting Undocumented Minors in the Juvenile Court—The Problem of the 'Petits Roumains,'" *Anthropological Quarterly* 81, no. 4 (2008): 873–901.

31 Don Cipriani, *Children's Rights and the Minimum Age of Criminal Responsibility: A Global Perspective* (Abingdon: Routledge, 2009).

32 Andreas Schmeling, Andreas Olze, Walter Reisinger, Michael König, and Gunther Geserick, "Statistical Analysis and Verification of Forensic Age Estimation of Living Persons in the Institute of Legal Medicine of the Berlin University Hospital Charité," *Legal Medicine* 5 (2003): S367–S71.

33 William Walter Greulich and Sarah Idell Pyle, *Radiographic Atlas of Skeletal Development of the Hand and Wrist* (Stanford: Stanford University Press, 1959).

34 Simon Jäggi, "Asylverfahren: In Einer Woche Um Drei Jahre Gealtert," *Surprise*, 22 April 2016, 10–13.

35 Georg Friedrich Eich and Valérie Schwitzgebel, "Knochenalterbestimmung Bei Asylsuchenden Ist Unbrauchbar," *Schweizerische Ärztezeitung* 97, no. 14 (2016): 507; Sarah Depallens, Fabienne Jäger, and Nicole Pellaud, "Détermination de l'âge Des Jeunes Migrants Position de La Société Suisse de Pédiatrie," *Paediatrica* 28, no. 2 (2017): 3; Nicole Pellaud, Sarah Depallens, and Fabienne Jäger, "Altersbestimmung Junger Migranten," *Schweizerische Ärztezeitung* 98 (2017): 21–2.

36 Tobias Bär, "MIGRATION: Altersabklärung bei Asylsuchenden: Flüchtlingshilfe wehrt sich gegen 'Genitaltests,'" *St. Galler Tagblatt*, 2 December 2018, https://www.tagblatt.ch/schweiz/migration-altersabklaerung-bei-asylsuchenden-fluechtlingshilfe-wehrt-sich-gegen-genitaltests-ld.705235.

37 Andreas Schmeling, Walter Reisinger, Gunther Geserick, and Andreas Olze, "Age Estimation of Unaccompanied Minors," *Forensic Science International* 159 (2006): S61–S4.

38 W.A. Marshall and J.M. Tanner, "Variations in the Pattern of Pubertal Changes in Boys," *Archives of Disease in Childhood* 45, no. 13 (1970): 13–23; Marshall and Tanner, "Variations in Pattern of Pubertal Changes in Girls," *Archives of Disease in Childhood* 44, no. 235 (1969): 291–303.

39 Marshall and Tanner, "Variations in the Pattern of Pubertal Changes in Boys," 14.

40 J.M. Tanner, *Growth at Adolescence* (Oxford: Blackwell Scientific Publications, 1978), 25.

41 Marshall and Tanner, "Variations in the Pattern of Pubertal Changes in Boys"; J.M. Tanner, *A History of the Study of Human Growth* (Cambridge: Cambridge University Press, 2010).

42 This is a typo. The result is 16.05 years.

43 Andreas Schmeling, Uta Baumann, Sven Schmidt, Klaus-Dieter Wernecke, and Walter Reisinger, "Reference Data for the Thiemann-Nitz Method of Assessing Skeletal Age for the Purpose of Forensic Age Estimation," *International Journal of Legal Medicine* 120, no. 1 (2006): 1–4.

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.*

47 Maria Alcina, Alina Lucea, Miquel Salicrú, and Daniel Turbón, "Reliability of the Greulich & Pyle Method for Bone Age Estimation in a Spanish Sample," *Journal of Forensic and Legal Medicine* 1, no. 1 (2015): 1–6; Greulich and Idell Pyle, Radiographic Atlas.

48 And often to differing conclusions. For example, Mora, Boechat, Pietka, Huang, and Gilsanz conclude Greulich and Idell Pyle's standards are inapplicable to children of African descent, while Schmeling, Reisinger, Loreck, Vendura, Markus and Geserick determine no significant differences. See Stefano Mora, M. Ines Boechat, Ewa Pietka, H.K. Huang, and Vicente Gilsanz, "Skeletal Age Determinations in Children of European and African Descent: Applicability of the Greulich and Pyle Standards," *Pediatric Research* 50, no. 5 (2001): 624–8; and Andreas Schmeling, Walter J. Reisinger, David J. Loreck, Klaus Vendura, Wohlschläger Markus, and Gunther Geserick, "Effects of Ethnicity on Skeletal Maturation: Consequences for Forensic Age Estimations," *International Journal of Legal Medicine* 113 (2000): 253–8.

49 Andreas Olze, Andreas Schmeling, Mari Taniguchi, Hitoshi Maeda, Piet van Niekerk, Klaus-Dieter Wernecke, and Gunther Geserick, "Forensic Age Estimation in Living Subjects: The Ethnic Factor in Wisdom Tooth Mineralization," *International Journal of Legal Medicine* 118, no. 3 (2004): 170–3.

50 Helen M. Liversidge, "Timing of Human Mandibular Third Molar Formation," *Annals of Human Biology* 35, no. 3 (2008): 294–321.

51 Olze et al., "Forensic Age Estimation in Living Subjects."

52 Olze et al., "Forensic Age Estimation in Living Subjects," 171.

53 Arto Demirjian, Harvey Goldstein, and Jakob Tanner, "A New System of Dental Age Assessment," *Human Biology* 45, no. 2 (1973): 211–27.

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.

57 Ruth Wodak and Martin Reisigl, "Discourse and Racism: European Perspectives," *Annual Review of Anthropology* 28, no. 1 (1999): 180.

58 Sandra Wallman, "Race Relations or Ethnic Relations?," *Journal of Ethnic and Migration Studies* 6, no. 3 (1978): 307.

59 Pnina Werbner, "Essentialising Essentialism, Essentialising Silence: Ambivalence and Multiplicity in the Constructions of Racism and Ethnicity," in *Debating Cultural Hybridity: Multi-Cultural Identities and the Politics of Anti-Racism*, ed. Pnina Werbner and Tariq Modood (London: Zed Books, 1997), 299.

60 Barnor Hesse, "White Governmentality: Urbanism, Nationalism, Racism," in *Imagining Cities: Scripts, Signs, Memories*, edited by Sallie Westwood and John Williams (London: Routledge, 2005), 99.

61 Etienne Balibar, "Difference, Otherness, Exclusion," *Parallax* 11, no. 1 (2005): 19–34.

62 Alana Lentin, *Racism and Anti-Racism in Europe* (London: Pluto, 2015), 29.

63 Alana Lentin, "Europe and the Silence about Race," *European Journal of Social Theory* 11, no. 4 (2008): 487–503.

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

65 Wulf D. Hund, "It Must Come from Europe: The Racisms of Immanuel Kant," in *Racisms Made in Germany*, edited by Wulf D. Hund, Christian Koller, and Mosche Zimmermann, 77–8 (Zurich: LIT-Verlag, 2011).

66 Philomena Essed, *Understanding Everyday Racism: An Interdisciplinary Theory* (Newbury Park, CA: Sage Publications, 1991).

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

68 Lentin, "Europe and the Silence about Race," 487.

69 Augustine S.J. Park, "Constituting Omar Khadr: Cultural Racism, Childhood, and Citizenship," *International Political Sociology* 8, no. 1 (2014): 43–62.

70 See Jacqueline Bhabha, "Minors or Aliens: Inconsistent State Intervention and Separated Child Asylum-Seekers," *European Journal of Migration and Law* 3 (2001).

71 Heaven Crawley and Emma Kelly, "Asylum, Age Disputes and the Process of Age Assessment," in *Safeguarding Children from Abroad: Refugee, Asylum Seeking and Trafficked Children in the UK*, ed. Emma O'Kelly, 54–68 (London: Jessica Kingsley, 2012); Erik Malmqvist, Elisabeth Furberg, and Lars Sandman, "Ethical Aspects of Medical Age Assessment in the Asylum Process: A Swedish Perspective," *International Journal of Legal Medicine* 132, no. 3 (2018): 815–23.

72 Kvittingen, "Negotiating Childhood."

73 Werbner, "Essentialising Essentialism, Essentialising Silence," 299.

74 Stephanie J. Silverman, "'Imposter-Children' in the UK Refugee Status Determination Process," *Refuge: Canada's Journal on Refugees* 32, no. 3 (2016): 30–9.

75 Paul Gilroy, "Raise Your Eyes," opendemocracy.net, 10 September 2002, https://www.opendemocracy.net/faith-911/article_249.jsp.

76 Fassin, "Policing Borders," 215.

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.

The Borders of Tropicality

JULIÁN GUTIÉRREZ CASTAÑO[1]

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 périphériques 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 permanent 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 Ríoviejo … 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 between racialized spaces that the discourse of tropicality has represented as darker "barbaric" regions closer to sea level, and normative spaces that have been constructed as whiter "civilized" regions in temperate altitudes. The movement of Colombia's internally displaced persons (IDPs) is a dislocation 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 furthers 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 city[11] 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."[12] This critique is inspired by and similar to Edward Said's work on Orientalism,[13] 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."[14]

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"[15] 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.[16] 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.[17] 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.[18] 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."[19]

> 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 *jaibe* 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 Embera 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.[20] 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."[21] 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[22] 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."[23] This group is then assumed as the normative category, similar to whiteness in North America.[24] 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 culthures are fundamental in a racial project[25] that presents Colombia as diverse and multi-ethnic,[26] 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[27] indefinable and impossible identities. During an interview with Jessica, an Embera 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

Figures of Afro-descendants reminiscent of the slavery era are a common sight at the entrance of upper-class country houses in the coffee region. These representations portray them as servants from a different era and distant geographies, emphasizing that they do not belong in the coffee region, but in the tropics.

conflict that involves guerrilla groups and the state (armed forces) in collusion with economic interests (multinationals, local economic interests, drug trafficking, and paramilitary groups).[28] 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.[29] 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.[30] This initiative can be understood within the context of internalized racism and Mestizas' aspiration to whiteness,[31] 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.[32] 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,[33] 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.[34] We could argue that any department in Colombia where more than 14 per cent of its population identifies as part of an ethnic minority

Table 1: Forced Displacement by Department and Ethnicity

Department	Total Population	Afro-Colombian (%)	Indigenous (%)	Source	IDP crises/ population
Cauca	1,268,937	22.2	21.5	Acción Social, CODHES 38	33,393
Chocó	454,030	82.1	12.7	Acción Social, CODHES 13	34,925
Nariño	1.541,956	18.8	10.8	Acción Social, CODHES 21	73,426
Valle Cauca	4.161,425	27.2	0.6	Acción Social, CODHES 14	297,744
Antioquia	5,682.276	10.9	0.5	Acción Social, CODHES 19	299.067

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

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.[35] The Colombian definition of IDPs corresponds to a predominant description as people who have been "uprooted by conflict, violence and persecution."[36] 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.[37]

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.[38] The Consejeria 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.[39] 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.[40] The Centro Nacional de Memoría Histórica (CNMH) estimates that close to seven million people have been displaced by this conflict.[41] 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.[42] 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.[43] 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.[44]

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.[45] 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.[46] 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.[47] 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.[48] Afro-Colombians, Indigenous peoples, and Mestiza campesinas become more productive and competitive by embracing modernization and technology, or they must disappear as small farmers,[49] 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.[50]

The concepts of primitive accumulation[51] and accumulation by dispossession[52] 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,[53] Afro-Colombians from their legally recognized collective territories, and Mestiza campesinas from their historic territories.[54] To a certain extent all these groups practise a relation with the land that differs from the form of private property inherent to capitalism.[55] 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
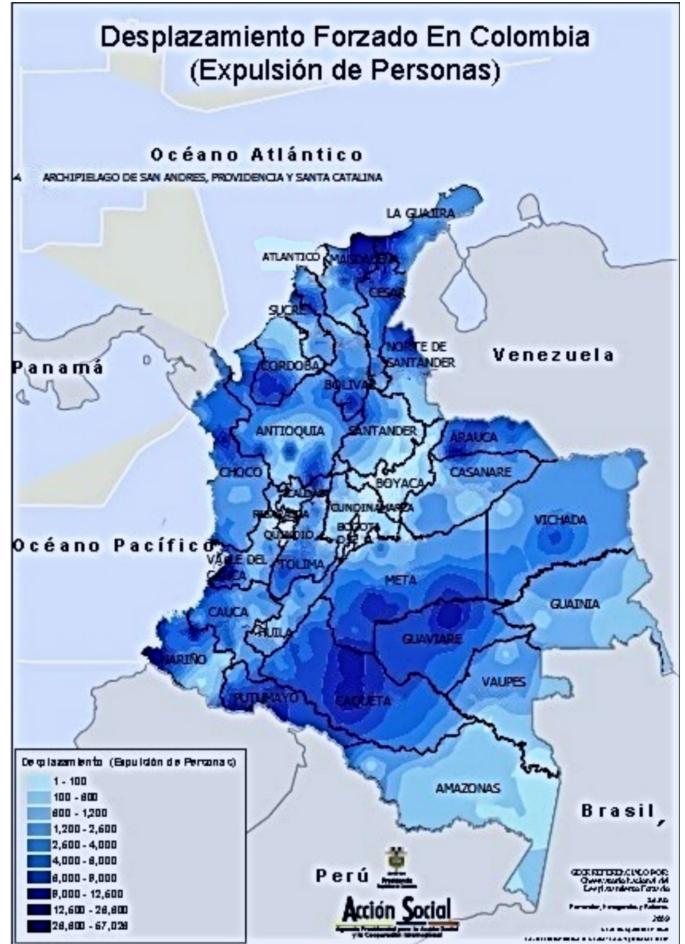
Map 1: Forced displacement in Colombia
Departments of Colombia that present more internal displacement crises. Acción Social, Desplazamiento Forzado en Colombia.

their means of production.[56] 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.[57] 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."[58]

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.[59] 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)."[60]

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.[61]

Forced displacement can be understood in connection to development.[62] It reproduces neo-colonial relations of exploitation of the periphery by the metropole,[63] benefiting corporations from the Global North, particularly mining and agro-business.[64] It benefits Colombian economic elites[65] in a process that can be framed as internal colonization,[66] but that it is closely connected with neo-colonial dynamics, as national and international dominant classes share the same discourse of development[67] and are responsible for what Oslender calls "a global capitalistic logic of displacement."[68] 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."[69] 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.[70] 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,[71] 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, Nariño, 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.[72] 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."[73] 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 Mestizas 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.[74] Oslender argues that "forced displacement is not the result of the armed conflict, but its objective,"[75] 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?"[76]

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."[77] 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."[78] 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,[79] they have to confront the racist stereotypes in the discourse of tropicality, and are discriminated for "being out of place," "homeless," "good for nothing," "*Indíos*" (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 sacer*s 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."[80] 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."[81] 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.[82] 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 practise 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

that is constitutionally recognized in rural areas.[83] Some 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.[84] 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.[85] 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 sacers*.[86] 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 Calais 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."[87] 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."[88] 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.
2. Translation by the author. All translations by the author are marked with an asterisk. Ana Cecilia Fajardo Rojas, "Paz, Justicia, Convivencia y Desarrollo: Palabras Constructoras de Humanidad en Ríoviejo y Arenal," in *Relatos desde la memoria: Sistematización de experiencias del Programa de Desarrollo y Paz del Magdalena Medio,* edited by Oscar Hernando Suárez Arévalo, Manuel Bayona Sarmiento, and Julián Gutiérrez Castaño (Barrancabermeja: PDPMM, 2005), 52.
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.

4   See Centro Nacional de Memoria Histórica, *Una Nación Desplazada: Informe Nacional del Desplazamiento Forzado en Colombia* (Bogotá: cnmh-uariv, 2015).

5   For further information, see Peter Wade, *Blackness and Race Mixture: The Dynamics of Racial Identity in Colombia* (Baltimore: Johns Hopkins University Press, 1993); Wade, "Mestizaje, Multiculturalism, Liberalism, and Violence," *Latin American and Caribbean Ethnic Studies* 11, no. 3 (2016): 323–43; Wade, "Estudios Afrodescendientes en Latinoamérica: Racismo y Mestizaje," *Tabula Rasa* 27 (2017): 23–44.

6   For further information, see Arturo Escobar, *El Final del Salvaje: Naturaleza, Cultura y Política en la Antropología Contemporánea* (Bogotá: cerec e ican, 1999); Escobar, "Displacement and Development in the Colombian Pacific," *International Social Science Journal* 175 (2003): 157–67; Escobar, "Mundos y Conocimiento de Otro Modo," *Tabula Rasa* 1 (2003): 51–86.

7   See Ulrich Oslender, "Violence in Development: The Logic of Forced Displacement on Colombia's Pacific Coast," *Development in Practice* 17, no. 6 (2007): 752–64.

8   For further information, see Eduardo Restrepo and Axel Rojas, *Afrodescendientes en Colombia: Compilación Bibliográfica* (Popayán: Universidad del Cauca, 2008); Restrepo, "Cuerpos Racializados," *Revista Javeriana* 146, no. 770 (2010): 16–23; Restrepo, *Etnización de la Negridad: La Invención de las "Comunidades Negras" como Grupo Étnico en Colombia* (Popayán: Universidad del Cauca, 2013).

9   See Santiago Castro-Gómez, *La Hybris del Punto Cero: Ciencia, Raza e Ilustración en la Nueva Granada (1750–1816)* (Bogotá: Editorial Pontificia Universidad Javeriana, 2005).

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).

11 See Henry Lefebvre, *Writing on Cities,* ed. Eleonore Kofman and Elizabeth Lebas (Oxford: Blackwell, 1996); Kanishka Goonewardena, Stefan Kipfer, Richard Milgrom, and Christian Schmid, eds., *Space, Difference, Everyday Life: Henri Lefebvre and Radical Politics* (New York: Routledge, 2008).

12 See Daniel Clayton and Gavin Bowd, "Geography, Tropicality and Postcolonialism: Anglophone and Francophone Readings of the Work of Pierre Gourou," *L'Espace Géographique* 3, no. 35 (2006): 208–21. The concept of tropicality should not be confused with the concept of tropicalism, which Linke uses to explain Europe's fascination with mega-slums from the Global South, "represented as spaces of color, natural abundance, childlike creativity, and happy natives." Uli Linke, "Racializing Cities, Naturalizing Space: The Seductive Appeal of Iconicities of Dispossession," *Antipode* 46, no. 5 (2014): 1225.

13 See Edward Said, *Orientalism* (New York: Vintage Books, 1978).

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.

17 See Castro-Gómez, *La Hybris del Punto Cero.*

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.*

19 Etienne Balibar, *Politics and the Other Scene* (London: Verso, 2002), 77. Brahinsly, Sasser, and Minkoff-Zern offer the example of Latin American rural immigrant workers in the United States as people forced to live invisible lives, to occupy impossible positions. Their work site is imagined as an idyllic space inhabited by White rural families, but they are also recognized as workers most suited for agricultural labour. Rachel Brahinsky, Jade Sasser, and Laura-Anne Minkoff-Zern, "Space, and Nature: An Introduction and Critique," *Antipode* 46, no. 5 (2014): 1135–52.

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

21 James Parsons, *Antioqueño Colonization in Western Antioquia* (Berkeley: University of California Press, 1968), 4.

22 See Sarah Ahmed, *Strange Encounters: Embodied Others in Post-Coloniality* (New York: Routledge, 2000).

23 See Departamento Administrativo Nacional de Estadística, *La Visibilización Estadística de los Grupos Étnicos Colombianos* (Bogotá, 2005).

24 For further information, see Jane Hill, "Language, Race and White Public Space," *American Anthropologist* 100, no. 3 (1999): 680–9; Rachel Slocum, "Whiteness, Space and Alternative Food Practice," *Geoforum* 38 (2007): 520–33; *Sunera Thobani, Exalted Subjects: Studies in the Making of Race and Nation in Canada* (Toronto: University of Toronto Press, 2007); Patricia Price, "At the Crossroads: Critical Race Theory and Critical Geographies of Race," *Progress in Human Geography* 34, no. 2 (2010): 147–74; Lynn Staeheli, Patricia Ehrkamp, Helga Leitner, and Caroline Nagel, "Dreaming the Ordinary: Daily Life and the Complex Geographies of Citizenship," *Progress in Human Geography* 36, no. 5 (2012): 628–44.

25 See Michael Omi and Howard Winant, *Racial Formation in the United States: From the 1960s to 1990s* (New York: Routledge, 1994).

26 See Carlos Vladimir Zambrano, ed., *Etnopolíticas y Racismo: Conflictividad y Desafíos Interculturales en América Latina* (Bogotá: Universidad Nacional de Colombia, 2003).

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

28 For further information, see Escobar, "Displacement and Development in the Colombian Pacific"; Escobar, *El Final del Salvaje*; Norberto Cortés Lombana, "Relación del conflicto armado en Colombia con el desplazamiento y la resistencia indígena," in Zambrano, *Etnopolíticas y racismo*, 221–52; Oslender, *Violence in Development*; Julián Gutiérrez Castaño, "La Autodeterminación: una Zancadilla al Desarrollo Empobrecedor," in E*tnoeducación: una Propuesta Comunitaria para una Sociedad Diversa*, edited by Maicol Ruíz Morales, Héctor Hernando Quintero Gómez, and Julián Gutiérrez Castaño, 37–57 (Pereira: Universidad Tecnológica de Pereira, 2009).

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.

31 Internalized racism refers to how people who are subjected to racism reproduce it against other people who are categorized in the same racial group or in other groups that are also subjected to racism. By doing this, people who are subjected to racism reinforce the racial hierarchy that puts whiteness on top and people of colour at the bottom. For further information, see Rita Kohli, Lindsay Pérez, and Robin Johnson, "Naming Racism: A Conceptual Look at Internalized Racism in us Schools," *Chicano-Latino Law Review* 26 (2006): 183–206; Richard Delgado and Jean Stefancic, *Critical Race Theory: An Introduction* (New York: New York University Press, 2012). Mestizas' aspiration to whiteness is a consequence of internalized racism and, more broadly, of the power of coloniality. In this case, Mestizas accept implicitly the racial "superiority" and try to "pass" as Whites. For further information, see Peter Wade, *Blackness and Race Mixture: The Dynamics of Racial Identity in Colombia* (Baltimore: Johns Hopkins University Press, 1993); Anibal Quijano, "Coloniality and Modernity/Rationality," in *Globalizations and Modernities: Experiences and Perspectives of Europe and Latin America,* edited by Göran Therborn and Lise-Lotte Wallenius, 41–51 (Stockholm: Forskningsradsnamnden, 1999); Marisol De la Cadena, *Indigenous Mestizos: The Politics of Race and Culture in Cuzco Peru* (Durham, nc: Duke University Press, 2000); Mónica Moreno Figueroa, "Distributed Intensities: Whiteness, Mestizaje and the Logics of Mexican Racism," *Ethnicities* 10, no. 3 (2010): 387–401.

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.*

33 For further information, see De la Cadena, *Indigenous Mestizos*; Sylvia Wynter, "Unsettling the Coloniality of Being/Power/Truth/Freedom: Towards the Human, after Man, Its Overrepresentation—An Argument," cr*: The New Centennial Review* 3, no. 3 (2003): 257–337; Castro-Gómez, *La Hybris del Punto Cero*; Joanne Rappaport, *The Disappearing Mestizo: Configuring Difference in the Colonial New Kingdom of Granada* (Durham, nc: Duke University Press, 2014).

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

35 See United Nations High Commissioner for Refugees, *State of the World's Refugees: In Search of Solidarity* (Oxford: Oxford University Press for the Journal of Refugee Studies, 2012).

36 Erin Mooney, "The Concept of Internal Displacement and the Case for Internally Displaced Persons as a Category of Concern," *Refugee Survey Quarterly* 24, no. 3 (2005): 9.

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

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

39 See Consultoría para los Derechos Humanos y el Desplazamiento, "La Crisis Humanitaria en Colombia Persiste: El Pacífico en Disputa. Informe de Desplazamiento Forzado en 2012," Documentos codhes 26.

40 See United Nations High Commissioner for Refugees, "unhcr Country Operations Profile: Colombia," last modified July 1, 2014, http://www.unhcr.org/pages/49e492ad6.html.

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."

44 For further information, see Acción Social, "Desplazami-ento Forzado en Colombia"; Defensoría del Pueblo, *Persistencia del Desplazamiento Forzado Interno en Colombia: Dinámica del Desplazamiento Forzado en Colombia* (Bogotá, 2011); United Nations High Commissioner for Refugees, "Situación Colombia Indígenas," last modified May 26, 2012, http://www.acnur.org/t3/fileadmin/Documentos/RefugiadosAmericas/Colombia/2012/Situacion_Colombia_-_Pueblos_indigenas_2012.pdf?view=1; UNHCR, "Año Internacional de los y las Afrodescendientes: Colombia, Costa Rica, Ecuador y Venezuela," last modified May 26, 2011, http://www.acnur.org/t3/fileadmin/Documentos/RefugiadosAmericas/Colombia/Situacion_Colombia_-_Afrodescendientes_2011.pdf?view=1.

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 IDPs 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."

47 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 Castaño, "La Autodeterminación."

48 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 power of discipline—power over the individual. Michel Foucault, "Society Must Be Defended," in *Lectures at the Collège de France 1975–1976*, 239–64 (New York: Picador, 1997); Foucault, "Governmentality," in Power: *Essential Works of Foucault 1954–1984*, 201–22 (New York: New Press, 2001).

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 Castaño, "La Autodeterminación."

51 See Karl Marx, *Capital 1* (Moscow: Foreign Languages Publishing House, 1959).

52 See Harvey, "Neo-liberalism as Creative Destruction."

53 Indigenous ancestral lands include legally recognized Indigenous *resguardos* and other territories that they inhabited continuously over many generations.

54 Many Mestiza campesinas communities are seeking to legalize these territories as zonas de reserva campesina, which are very similar to Indigenous resguardos. For further information, see Suárez Arévalo, Bayona Sarmiento, and Gutiérrez Castaño, *Relatos desde la memoria.*

55 See Escobar, *El Final del Salvaje.*

56 According to Marx, "The capitalist system pre-supposes the complete separation of the labourers from all property in the means by which they can realize their labour." *Capital 1*, 714.

57 See Harvey, "Neo-liberalism as Creative Destruction."

58 Harvey, "Neo-liberalism as Creative Destruction," 34–5.

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

60 Harvey, "Neo-liberalism as Creative Destruction," 39.

61 For further information, see Escobar, "Displacement and Development in the Colombian Pacific"; Escobar, *El Final del Salvaje*; Harvey, "Neo-liberalism as Creative Destruction"; Oslender, "Violence in Development"; Gutiérrez Castaño, "La Autodeterminación."

62 See Wolfgang Sachs, "La Anatomía Política del Desarrollo Sostenible," in *La Gallina de los Huevos de Oro: Debate Sobre el Desarrollo Sostenible*, edited by Wolfgang Sachs, 9–53 (Bogotá: CEREC, 1996).

63 See James Sidaway, "Postcolonial Geographies: An Exploratory Essay," *Progress in Human Geography* 24 (2000): 591–612.

64 See Francisco Ramírez Cuellar, *The Profits of Extermination: How U.S. Corporate Power Is Destroying Colombia* (Toronto: Common Courage, 2005).

65 Escobar, "Displacement and Development in the Colombian Pacific"; Oslender, "Violence in Development."

66 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."

67 Escobar, *El Final del Salvaje.*

68 Oslender, "Violence in Development," 762.

69 See Frantz Fanon, *The Wretched of the Earth* (New York: Grove, 2004), xiii.

70 For further information, see Wade, *Blackness and Race Mixture*; Castro-Gómez, *La Hybris del Punto Cero*; Rappaport, *Disappearing Mestizo.*

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

72 For further information, see Escobar, "Displacement and Development in the Colombian Pacific"; Oslender, "Violence in Development."

73 Escobar, "Displacement and Development in the Colombian Pacific," 160.

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

75 See Oslender, "Violence in Development," 761.

76 See Oslender, "Violence in Development," 755.

77 See Foucault, "Society Must be Defended," 255.

78 Escobar, "Displacement and Development in the Colombian 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 Colombian National Constitution, and Law 70 of 1993.

84 See Tianna Paschel, "The Beautiful Faces of My Black People: Race, Ethnicity and the Politics of Colombia's 2005 Census," *Ethnic and Racial Studies* 36, no. 10 (2013): 1544–63.

85 For further information, see Juliet Hooker, "Indigenous Inclusion/Black Exclusion: Race, Ethnicity and Multicultural Citizenship in Latin America," J*ournal of Latin American 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 Studies* 15, no. 1 (2011): 2.

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 contacted 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.[1] 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.[2] Belying this identity are settler colonial, white supremacist interpretations of belonging to Canadian LGB community.[3] 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.[4]

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."[5] 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."[6] 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.[7] 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."[8] The incommensurability of these subject states rests on an envisioning of queerness informed by "conservative homonormative ideologies and queer liberalism."[9] 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.*[10] Next, we analyze decisions following Bill C-31, the immigration and refugee policy motivated by national security interests in the post-9/11 era.[11] Finally, we investigate decisions that were required to incorporate 2017 guidelines designed to dispel misunderstandings about diverse SOGIE refugee claimants.[12] 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

queerness, [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."[13] For instance, they must avoid sex work, bathhouses, and an HIV/AIDS diagnosis.[14] 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 queerness, and closed off to subversive or subaltern expressions.[15] 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 refugeeness 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."[16] 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."[17]

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.[18] 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 refugeeness along homonationalist lines. Their negotiation of legal process produces narrow forms of queerness.[19] Therefore IRBs as homonationalist instruments produce the categories of sexual citizenship that qualify for state protection.[20] 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."[21] 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.[22] 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."[23] 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.[24] 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."[25] 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."[26] 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.[27]

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.[28] 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.[29] 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 (SCC) decision *Canada (AG) v Ward*, which itself did not directly pertain to diverse SOGIE refugees.[30] 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.[31] As stipulated in the decision, "The first category would embrace individuals fearing persecution on such bases as gender, linguistic background and sexual orientation."[32]

Subsequent IRBs complied with the *Ward* ruling, adopting in their decisions the SCC's definition of a social group.[33] *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."[34] 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."[35]

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."[36] 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.[37] 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.[38] The original reasoning for rejecting his refugee application included his lack of an "*allure efféminée*," or effeminate appearance.[39] 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."[40] 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."[41]

Further, there are instances in the jurisprudence where claimants are expected to narratively distance themselves—their 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."[42] 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 IRBs have 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 refugeeness, 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)*.[43] 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."[44]

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."[45]

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.[46] The Immigration and Refugee Board of Canada has described this legislative reform as "one of the most significant transformations in its history."[47] 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."[61] 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."[68] 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."[69] 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.[70]

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."[71] 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."[72] Decision-makers are further advised to be "careful that the inconsistencies [in testimony] are not based on stereotype or inappropriate assumptions."[73]

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."[74] 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."[75] 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."[76] 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.[77] 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.[78] 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."[79] 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."[80] 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.[81] 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.[82] 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."[83]

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 queers 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.[84]

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, *LGBTQQIAA2*, 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 (more 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).

4 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.

5 Jasbir Puar, *Terrorist Assemblages: Homonationalism in Queer Times* (Durham, NC: Duke University Press, 2007), 2.

6 David Murray, *Real Queer? Sexual Orientation and Gender Identity Refugees in the Canadian Refugee Apparatus* (London: Rowman and Littlefield International, 2016), 5.

7 David Murray, "Real Queer: 'Authentic' LGBT Refugee Claimants and Homonationalism in the Canadian Refugee System," *Anthropologica* 56, no. 1 (2014): 21.

8 Puar, *Terrorist Assemblages*, xiii.

9 Puar, *Terrorist Assemblages*, 19.

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

11 *Protecting Canada's Immigration System Act*, SC 2012, c 17 [*PCISA*].

12 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*].

13 Puar, *Terrorist Assemblages*, 165.

14 Suzanne Lenon and OmiSoore H. Dryden, "Introduction: Interventions, Iterations, and Interrogations That Disturb the (Homo)Nation," in *Disrupting Queer Inclusion: Canadian Homonationalisms and the Politics of Belonging*, edited by OmiSoore H. Dryden and Suzanne Lenon, 6–18 (Vancouver: UBC Press, 2015).

15 *Sexual citizenship* is a term popularized in Brenda Cossman, *Sexual Citizens: The Legal and Cultural Regulation of Sex and Belonging* (Stanford: Stanford University Press, 2007). See also Gary Kinsman and Patrizia Gentile, *The Canadian War on Queers: National Security as Sexual Regulation* (Vancouver: UBC Press, 2010).

16 Puar, *Terrorist Assemblages*, 148.

17 Sara Ahmed, "Problematic Proximities: Or Why Critiques of Gay Imperialism Matter," *Feminist Legal Studies* 19 (2011): 124.

18 Ahmed, "Problematic Proximities."

19 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.

20 Jasbir Puar, "Citation and Censorship: The Politics of Talking about the Sexual Politics of Israel," *Feminist Legal Studies* 19 (2011): 133–42.

21 Lacroix, "Canadian Refugee Policy," 163.

22 Kinsman and Gentile, *Canadian War on Queers*.

23 Ahmed, "Problematic Proximities," 125.

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

25 Rohan Sajnani, *Envisioning Global LGBT Human Rights: The Impact of Canada's New Immigration Regime* (Toronto: York University, 2014), 12.

26 Ahmed, "Problematic Proximities," 127.

27 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

not date as far back as 1993; rather, they took place after 2001, in the ramping up of the securitized state. Section 4 focuses on hearings clustered around Bill C-31, which connected securitization to refugee credibility standards.

28   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.

29   [1991] CRDD No. 1140.

30   *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.

31   *Ward*, 739d–e.

32   *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.

33   LaViolette, "Immutable Refugees."

34   Nicholas Hersh, "Challenges to Assessing Same-Sex Relationships under Refugee Law," *McGill Law Journal* 60, no. 3 (2015): 527.

35   Sharalyn Jordan and Chris Morrissey, "'On What Grounds?' LGBT Asylum Claims in Canada," *Sexual Orientation and Gender Identity and the Protection of Forced Migrants* 42 (n.d.): 14.

36   UN High Commissioner for Refugees, *Guidelines on International Protection No. 9: Claims to Refugee Status Based on Sexual Orientation and/or Gender Identity within the Context of Article 1.A(2) of the 1951 Convention and/or Its 1967 Protocol Relating to the Status of Refugees* (October 23, 2012) HCR/GIP/12/01, http://www.refworld.org/docid/50348afc2.html.

37   2005 FC 1233 at para 12.

38   2005 FC 1233 at paras 3–5.

39   2005 FC 1233 at para 7.

40   2005 FC 1233 at para 15.

41   2005 FC 1233 at para.34.

42   *Dosmakova* at para 11.

43   *Immigration and Refugee Protection Act*, RSC 2001, c 207 [*IRPA*].

44   Francois Crepeau and Delphine Nakache, "Controlling Irregular Migration in Canada: Reconciling Security Concerns with Human Rights Protection," *IRPP Choices* 12, no. 1 (2006): 14. See also Baljit Nagra, *Securitized Citizens: Canadian Muslims' Experiences of Race Relations and Identity Formation Post-9/11* (Toronto: University of Toronto Press, 2017).

45   *IRPA* at art 3(2)(g)(h).

46   *PCISA*.

47   Immigration and Refugee Board of Canada, *2012–13 Part III—Departmental Performance Report* (Ottawa: IRB, 2013), https://irb-cisr.gc.ca/en/reports-publications/planning-performance/Pages/DprRmr1213Part111.aspx https://www.dailyxtra.com/analysis-unpacking-the-latest-refugee-reform-bill-32794 .

48   Dale Smith, "Analysis: Unpacking the Latest Refugee Reform Bill," *Xtra*, February 28, 2012, https://www.dailyxtra.com/analysis-unpacking-the-latest-refugee-reform-bill-32794.

49   *PCISA* at Summary.

50   Sajnani, *Envisioning Global LGBT Human Rights*, 13.

51   Emily Bates, Jennifer Bond, and David Wiseman, "Troubling Signs: Mapping Access to Justice in Canada's Refugee System Reform," *Ottawa Law Review* 47, no. 1 (2016): 1–72.

52   Jordan and Morrissey, "On What Grounds?," 15.

53   Sajnani, *Envisioning Global LGBT Human Rights*.

54   Kathryn Trevenen and Alexa Degagne, "Homonationalism at the Border and in the Streets: Organizing against Exclusion and Incorporation," in Dryden and Lenon, *Disrupting Queer Inclusion*, 106.

55   Trevenen and Degagne, "Homonationalism at the Border," 105–6.

56   Shanti Fernando and Jen Rinaldi, "Seeking Equity: Disrupting Exclusionary Immigration Frameworks," *Canadian Ethnic Studies* 49, no. 3 (2017): 7–26.

57   Ahmed, "Problematic Proximities."

58   2011 FC 1493 at para 31.

59   2011 FC 1493 at para 6.

60   2011 FC 1493 at para 7.

61   2011 FC 1493 at para 29.

62   2011 FC 1493 at para 18.

63   2011 FC 1493 at para 33.

64   2013 FC 893.

65   2013 FC 893 at para 4.

66   2013 FC 893 at para 33.

67   2013 FC 893 at para 45.

68   *Chairperson's Guidelines*, 1.1.

69   *Chairperson's Guidelines*, 3.1.

70   *Chairperson's Guidelines*, 3.5; 8.5.2.1.

71   *Chairperson's Guidelines*, 6.1.

72   *Chairperson's Guidelines*, 7.2.3.

73   *Chairperson's Guidelines*, 7.4.1.

74 *Chairperson's Guidelines*, 7.6.1.

75 *X (Re)*, (2017) CanLII 142605 at para 3.

76 *X (Re)*, (2017) CanLII 142605 at para 19.

77 Hersh, "Challenges to Assessing."

78 *X (Re)*, (2017) CanLII 143151.

79 *X (Re)*, (2017) CanLII 143151 at para 14.

80 *X (Re)*, (2017) CanLII 143151 at para 9.

81 *X (Re)*, (2017) CanLII 143151 at para 20.

82 *X (Re)*, (2017) CanLII 143151 at para 20.

83 *X (Re)*, (2017) CanLII 143151 at para 22.

84 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[1]. Le parti libéral remporte les élections avec la promesse d'accueillir 25 000 réfugiés d'ici le 1er janvier 2016[2]. L'opinion publique est alors fortement polarisée[3]. Au Québec, des regroupements anti et pro-réfugiés se forment, des banderoles 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[4]. 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[5].

Précisons que les compétences en matière d'immigration sont partagées entre les gouvernements canadien et québécois[6]. On observe au Québec une croissance de la part de personnes qui estiment qu'il y a «trop d'immigrants»[7]. 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[8]. La problématisation sociale des musulmans est aussi visible dans différentes études et sondages d'opinion[9].

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*[10].

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) oubliés par les élites pro-globalisation et inquiets d'une perte relative de privilèges[11]. 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»[12], 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 blanchité[13], 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[14]. 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[15]. La littérature analysant les discours nationalistes et racistes en ligne est encore relativement récente et les études canadiennes sont d'ailleurs peu nombreuses[16]. La recherche s'est beaucoup penchée sur le recours au web par les suprématistes blancs et les partis d'extrême-droite[17]. Or, le focus sur les formes de racisme[18] ouvert tend à perdre de vue les formes plus subtiles et plus en phase avec la norme culturelle dans l'espace public[19]. Les médias sociaux et les sections commentaires ont fait exploser la visibilité des attitudes xénophobes et racistes, ouvrant ainsi un nouveau terrain de recherche[20]. 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[21]. Si les discours à tendances xénophobes et racistes sont davantage visibles et décomplexés en ligne, leur prévalence serait moindre sur des plateformes qui demandent aux utilisateurs de s'identifier publiquement[22].

Plusieurs études démontrent que les individus ont recours au déni du racisme et des privilèges liés à la blanchité dans les discussions en ligne tout en mettant de l'avant des postures exclusivistes ou discriminatoires[23]. 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[24]. 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.[25]. 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'immigrants[27] 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 essentialisées légitimant des pratiques d'exclusion et de subordination sociale[28]. 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 racialisées[30].

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 historiquement[31]. Le concept de «patrouille des frontières»[32] est adopté pour désigner l'utilisation de marqueurs symboliques servant à décider qui est inclus/exclus des frontières[33] 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 opère[34]. 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 multiculturalisme[35]. 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 subtils[36]. 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 racialisées[37]. 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» diversité[39]. 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 nationale[40]. L'anxiété, la peur et l'insécurité médiatisent de plus en plus l'inclusion différenciée, la société étant vue comme devant être défendue et sécurisée, ce qui implique de réguler des formes de diversité dites menaçantes[41].

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 nationale[42]. 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 majoritaires[43].

Sous l'effet de la restructuration néolibérale et de la peur de ne plus voir l'État prendre soin des siens, les majoritaires[44] manifestent leur droit au statut de gestionnaires de l'espace national[45]. La construction des minorités comme objets de débats soumis à leur jugement est ici liée à volonté de restauration d'un sentiment de contrôle[46]. 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 Frankenberg: «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 sociétal 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 nationale[48]. Comme le note Garner, de la question «d'où viens-tu» aux contrôles d'identité policiers, le fait que le terme «immigrant» colle[49] aux corps des minorités racialisées nous force à reconnaître que l'appartenance

Table 1. Nombre et proportion de commentaires positifs, négatifs et mitigés selon le média

	TVA	JdeM	Radio-Can.	La Presse	Le Devoir	Total	%
Positifs	57 (12,2%)	37 (16,2%)	43 (30,1%)	47 (42,3%)	13 (25%)	197 (149)*	19,7 (16,1)*
Négatifs	390 (83,3%)	184 (80,7%)	77 (54,6%)	38 (34,2%)	32 (61,5%)	721 (701)*	72,1 (75,6)*
Mitigés	21 (4,5%)	7 (3,1%)	21 (14,9%)	26 (21,9%)	7 (13,5%)	82 (77)*	8,2 (8,3)*
Total	468	228	141	111	52	1000 (927)*	100

* = commentaires de personnes catégorisées comme membres du groupe majoritaire

à la communauté nationale est inégalement distribuée par l'articulation avec l'ethnicité et la race[50]. D'ailleurs, dans le langage commun, la catégorie nationale «Québécois» est régulièrement ethnicisée et limitée au groupe majoritaire[51].

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[52].

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*[53]. 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[54]. Il a été construit en retenant les commentaires qui ont reçus le plus de «likes». Les résultats présentés ici se concentrent sur les individus catégorisés comme membres du groupe majoritaire[55].

La méthode est inspirée de l'analyse critique de discours (CDA) et, plus spécifiquement, de l'approche discursive historique (DHA) de Ruth Wodak[56]. 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»[57]. 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[58].

Les arguments des acteurs sont analysés en relation avec les «topoi» prépondérants, forme plurielle de «topos», concept renvoyant en rhétorique au lieu commun[59]. Ces thèmes et arguments communs sont au fondement de l'analyse de la présentation positive de soi et négative de l'Autre. Les données sont analysées en portant attention au déni du racisme à travers ce que Van Dijk (1998) appelle le carré idéologique par lequel la polarisation Nous/Eux est opérée, c'est-à-dire, d'un côté, l'accentuation des traits positifs et la diminution des points négatifs du Nous et, de l'autre, l'accentuation des traits négatifs et la diminution des points positifs des Autres[60]. Cela permet de voir comment l'exclusion racialisée est légitimée par des mécanismes discursifs qui font silence sur la race en misant notamment sur une présentation positive du Nous menacé et victimisé. L'analyse ne se limite donc pas aux commentaires ouvertement racistes ou hostiles. D'une part, l'accessibilité à ces derniers est limitée par le travail des modérateurs[61]. D'autre part, la méthodologie doit être adaptée au contexte marqué par l'idéologie hégémonique postulant le caractère post-racial de la société contemporaine[62]. Les outils de la DHA permettent donc d'analyser la racialisation dans les discours nationalistes en identifiant les arguments mobilisés dans le travail de patrouille des frontières.

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 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 verse 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, couplée 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… est ce qu'il y a des ministres qui s'en aperçoivent de ça !!?? Pour ma part je crois qu'on devrait commencer à savoir gérer les réfugiés qu'on a déjà au pays avant d'en laisser entrer d'autres (25000) […] (Journal de Montréal 2, 16 likes).

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* 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 normal[63]. 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'accueillir[65].

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 profiteurs[66]. 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 ce 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 l'erreur !!! (TVA Nouvelles 3, 55 likes).

> Économiquement comment on fait pour se payer 25000 réfugier … quand les gouvernement nous saigne au sang … Y'as tu quelqu'un qui peux mettre un coût pour chaque réfugier … (Journal de Montréal 2, 6 likes).

On peut ainsi faire valoir qu'il serait économiquement irresponsable 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 revendiquent alors un ethos du raisonnable[67]. En mettant le focus

sur le contexte économique, les individus sont à même de présenter leurs postures restrictives comme étant rationnellement fondées sur le monde réel et donc étrangères au racisme[68].

> 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 ca 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 tolérants…, 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'abuser de l'hospitalité nationale. Ils sont d'ailleurs régulièrement accusés de chercher à profiter du système, notamment à travers 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'immigration suit effectivement la restructuration néolibérale en visant à 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 individuelle[71]. 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 frontières[72]. Ce type de discours est particulièrement marqué par le ressentiment de majorités nationales blanches adoptant la perspective de victimes[73]. Cette auto-victimisation concerne la revendication des privilèges quant à l'accès aux ressources et l'affirmation du droit à un pouvoir symbolique privilégié en raison de l'appartenance à l'«entitled nation»[74].

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

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

> Il serait le temps que Le gourvernement Aide les sien avants 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 catégorie sociale ethniquement délimitée[75].

La majorité des commentaires adopte une stratégie d'atténuation des traits négatifs du Nous[76] suivant une formule selon laquelle aider les Autres peut constituer un principe digne, mais qui doit toujours rester secondaire par rapport à 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 Soi[77]. On retrouve d'ailleurs à plusieurs reprises l'expression «charité bien ordonnée commence par soi-même» et on souligne 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 démentis 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[78]. L'invocation du peuple peut s'avérer suffisante pour indiquer implicitement qui 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[79]. 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 « out of place » est fonctionnelle au sentiment d'être « chez soi » des premières[80]. 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[81]. 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 nationale sous la restructuration néolibérale et commandant une sécurisation des frontières[82].

La représentation racialisée des réfugiés comme non-méritants est appuyée par le recours à 4 figures de « vrais nationaux » abandonnés ou désavantagés par l'État, soit les travailleurs et familles pauvres, les itinérants, les enfants et les aînés. Par exemple :

> mais de toute façon le gouvernement Couillard se fou royalement de l'avis des québécois. Il préfère prendre notre argent des impôts et des taxes pour des réfugiés plutot que de mettre notre argent dans l'éducation pour les enfants québécois ou bien dans le service de santé. Il y a des enfants québécois qui ne mangent pas à leur faim tous les jours et qui ont froid l'hiver pour manque de manteau et de bottes. 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).

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[83]. 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 ? »[84]. 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[85]. 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'ethnicité et de la race et que le *welfare chauvinism* est structuré par les perceptions de menace culturelle à la nation[86].

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 ambiant. Ils 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 :

> nous n'en voulons pas ils ne veulent pas s'intégré a notre pays (Journal de Montréal 1, 4 likes).

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

Un autre type de formulation consiste à présenter les réfugiés comme ingrats et ne respectant pas la culture de la terre d'accueil, s'appuyant sur le stéréotype racialisant du musulman intransigeant hostile à notre mode de vie libéral occidental[87]. 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 appartient[88]. 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 discursivement 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 refuge[89]. Le musulman est alors présenté comme irrationnel et fanatique. Il s'agit ici d'exemples 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, éliront 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).

Certains 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/Orient[90]. La représentation d'un bloc islamique homogène est ainsi fonctionnelle à la consolidation 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 l'outil 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 indue les étrangers et de censurer les inquiétudes de la majorité (blanche)[91].

Topos du danger

Environ le quart des commentaires cadrent l'arrivée des réfugiés syriens comme un risque pour la sécurité nationale. Ces discours qui amalgament explicitement ou implicitement les termes «réfugiés», «musulmans» et «terroristes» s'inscrivent dans un registre caractéristique de l'«islamophobie globale» post-2001[92]. La représentation racialisée et genrée de l'homme musulman violent et dangereux est à ce propos centrale[93]. Les discours sur les réfugiés syriens déployés sur les médias sociaux donnent lieu à des représentations stigmatisantes de la masculinité des hommes moyen-orientaux. En effet, ils sont tantôt dépeints comme étant des terroristes, donc de violents guerriers, et tantôt comme des lâches abandonnant leur patrie et leurs femmes[94]. Cela sert aussi bien des postures de fermeture des frontières que des revendications d'inclusion sélective qui appellent à l'admission exclusive des femmes et enfants ou à un renforcement des protocoles de sécurité[95]. Compte tenu du risque compris comme étant inhérent, ces personnes utilisent la catégorie du «faux-réfugié» et cherchent à légitimer l'exclusion en la présentant comme appartenant au domaine du raisonnable. La rhétorique du «faux-réfugiés», qui s'est développé au sein du discours politique conservateur et dans les médias, est à inscrire dans une dynamique de sécuritisation de l'immigration au Canada depuis les années 1990[96]. L'idée selon laquelle des migrants abuseraient de la générosité et de l'hospitalité du Canada a notamment été promue par le gouvernement Harper en 2012 dans le cadre de réformes qui ont limités les droits des demandeurs d'asile[97]. Sans nécessairement procéder à une démonisation

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 25000 a 125000 réfugiés qu'il en aille une 50 aine qui pourrait faire ben du dommage. Protegeons 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 belliqueux[98] 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 autorités politiques à qui on demande d'agir en respect de ce que Walters appelle la domopolitique, c'est-à-dire une représentation du territoire national comme « home » familial devant être sécurisé face à ceux qui n'y appartiennent pas naturellement.[99]

Nos données montrent donc une forte importance du cadrage des réfugiés sous l'angle du danger, les commentaires allant de l'expression d'inquiétudes sans référence à l'Islam à des énoncés faisant preuve d'une islamophobie ouverte et dépeignant les réfugiés comme des terroristes. D'ailleurs, la construction des réfugiés comme menace sécuritaire ne peut être saisie qu'en rapport avec la race et les hiérarchies issues de la modernité coloniale.[100] Elle est effectivement partie prenante d'un imaginaire racialisé où toutes les populations étrangères ne sont pas interprétées comme impliquant le même degré de dangerosité. Les individus perçus comme appartenant à l'Islam sont effectivement situés comme étant ceux qui sont les plus « à risque »[101]. Les discours de sécurisation sont structurés par le contexte de guerre contre le terrorisme. Les images du terroriste et du musulman sont collées (stuck together) et quiconque « ressemble » à l'idée de l'ennemi est soumis au regard suspicieux[102]. Les discours analysés ici sont aussi performatifs. Ils puisent dans le répertoire de stéréotypes partagés et réactualisent la figure de l'altérité menaçante. Les commentaires sur la possibilité d'infiltration de terroristes parmi les réfugiés rejoignent les travaux de Ahmed. La narration du « terroriste potentiel » a pour effet de restreindre la mobilité des corps qui sont lus comme étant associés à l'idée contemporaine du terrorisme.

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 rattachant à la nation, à l'ethnicité et à la blanchité doivent être déduites du langage de la pratique[103]. 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 blanchité 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 prémodernes, 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 mœurs 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'aussi 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 multiculturalistes 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 traîtres. 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 traîtrise des élites déracinées[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 « tannés » 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[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.

2 Le parti conservateur, alors au pouvoir, maintient alors une approche restrictive justifiée par un argumentaire sécuritaire et économique en phase avec les modifications apportées sous sa gouverne au régime de citoyenneté et à la politique d'immigration. Voir Mathieu Forcier et Frédérick-Guillaume Dufour, « Immigration, Neoconservatism and Neoliberalism: The New Canadian Citizenship Regime in the Light of European Trajectories », *Cogent Social Sciences* 2, no 1 (2016): 1-18; Yasmeen Abu-Laban, « Building a New Citizenship Regime? Immigration and Multiculturalism in Canada », in *Citizenship in Transnational Perspective*, dir. Jatinder. Mann (New York: Palgrave Macmillan, 2017), 263-82.

3 « Canadians Divided along Political Lines over Whether to Accept Thousands of Refugees in Current Crisis », Angus Reid Institute, 2015, http://angusreid.org/wp-content/uploads/2015/09/2015-09-04-Migrants.pdf.

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 réfugiés correspondant à son poids démographique au sein du Canada.

7   Alors que la proportion de ceux favorables à une réduction de l'immigration était en baisse constante entre 1993 et 2006 – de 52,1 % à 19,7 %, elle est en hausse soutenue depuis, s'établissant à 28,8 % en 2011, une augmentation s'étant produite dans un contexte marqué par la crise financière et la « crise » des accommodements raisonnables (Turgeon et Bilodeau, 2014 : 324). En 2018, dans un contexte économique favorable marqué par une pénurie de main-d'œuvre, environ 45 % des Québécois et un francophone sur deux étaient d'avis qu'il y a trop d'immigrants. Voir Luc Turgeon et Antoine Bilodeau, « Minority Nations and Attitudes towards Immigration: The Case of Quebec », *Nations and Nationalism* 20, no 2 (2014) ; « La politique provinciale au Québec », Léger, 2018, http://storage.quebecormedia.com/v1/tvanouvelles_prod/file/0a808e18-2690-40c3-b6fb-4febab2a0620_PolitiqueprovincialeQC-Avril2018FINAL-TVA.PDF; « Sondage Ipsos-La Presse. L'immigration au Québec », Ipsos, 2018, https://www.ipsos.com/fr-ca/news-polls/la-presse-immigration-au-quebec.

8   La société québécoise a été marquée, au moins depuis 2006, par de nombreux débats sociaux sur l'immigration, l'identité nationale, l'intégration et la diversité religieuse. Tous ont participé à la problématisation de la présence musulmane sur le territoire québécois. De nombreux travaux ont montré que ceux-ci ont eu pour effet de banaliser les discours xénophobes et racistes (en particulier islamophobes) de la part des Québécois d'origine canadienne-française et que les postures d'exclusion étaient énoncées en référence à la fragilité de leur culture nationale. Voir Darryl Leroux, « Québec Nationalism and the Production of Difference: The Bouchard-Taylor Commission, the Hérouxville Code of Conduct, and Québec's Immigrant Integration Policy », *Québec Studies* 49 (2010) ; Maryse Potvin, « Relations ethniques et crise des "accommodements raisonnables" au Québec », dans *Managing Immigration and Diversity in Canada. A Transatlantic Dialogue in the New Age of Migration*, dir. Dan Rodríguez-García (Montréal et Kingston : McGill-Queen's University Press, 2012).; Sirma Bilge, « Reading the Racial Subtext of the Québécois Accommodation Controversy: An Analytics of Racialized Governmentality », *Politikon* 40, no 1 (2013) ; Frédérick Nadeau et Denise Helly, « Extreme Right in Quebec? The Facebook Pages in Favor of the "Quebec Charter of Values" », *Canadian Ethnic Studies* 48, no 1 (2016) ; Leïla Benhadjoudja, « Laïcité narrative et sécularonationalisme au Québec à l'épreuve de la race, du genre et de la sexualité », *Sciences Religieuses* 46, no 2 (2017).

9   Une étude de Wright et al. montre que les Québécois francophones ont, dans l'ensemble, des attitudes plus exclusives à l'endroit des musulmans que les Canadiens anglophones et les États-Uniens. Cela se manifeste dans les opinions par rapport à l'opposition au port du hijab et du niqab, à l'acceptation de la moquerie du prophète Mohammed dans les journaux et du rejet du temps de piscine réservé pour les femmes musulmanes. Pour les auteurs, le fait que la tolérance à l'endroit des musulmans soit moins importante au Québec s'explique partiellement par le sécularisme de la province. Par exemple, le port de la croix est aussi moins bien vu que dans les contextes de comparaison. Toutefois, les traitements différenciés en fonction des appartenances religieuses, toujours plus défavorables aux musulmans, indiquent que la stéréotypification de ces derniers est un facteur d'explication tout aussi important. Voir Matthew Wright, Richard Johnston, Jack Citrin et Stuart Soroka, « Multiculturalism and Muslim Accommodation: Policy and Predisposition across Three Political Contexts », *Comparative Political Studies* 50, no 1 (2017) : 125. 44 % des Québécois seraient d'avis que l'immigration musulmane devrait être interdite. Voir Katia Gagnon, « Les intolérants », *La Presse*, 2016, http://plus.lapresse.ca/screens/db3696dd-4a1b-4972-a6a3-d6774797a6fc%7CeisdhnJ1TBxJ.html. Une majorité affirme avoir une opinion négative des musulmans. Voir Louise Leduc, « Le malaise musulman », *La Presse*, 2014, http://plus.lapresse.ca/screens/4d02-dc68-53237404-ad87-7128ac1c6068__7C___0.html. Une majorité de Québécois estiment que les musulmans sont mal intégrés, s'opposent à la présence de mosquées, considèrent le voile islamique comme un signe de soumission et sont inquiets quant à la présence de musulmans en lien avec les questions de sécurité intérieure. Sur l'ensemble de ces questions relatives à la présence musulmane, les Québécois sont généralement relativement plus exclusifs que les autres Canadiens. Voir « Les Canadiens, le populisme et la xénophobie », CROP, 2017, https://ici.radio-canada.ca/nouvelles/special/2017/03/sondage-crop/Sondage%20CROP-Radio-Canada.pdf.

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); Aristotle 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

M. Vieten et Scott Poynting, «Contemporary Far-Right Racist Populism in Europe», *Journal of Intercultural Studies* 37, no 6 (2017); Cas Mudde, «Europe's Centre Right Is on the Wrong Track with "Good Populism"», *Guardian,* 2018, https://www.theguardian.com/commentisfree/2017/oct/30/europe-centre-right-wrong-track-good-populism-nativism.

11 Gurminder K. Bhambra, «Brexit, Trump and "Methodological Whiteness"», *British Journal of Sociology* 68, no S1 (2017); Sivamohan Valluvan, «Defining and Challenging the New Nationalism», *Juncture* 23, no 4 (2017); Satnam Virdee et Brendan McGeever, «Racism, Crisis, Brexit», *Ethnic and Racial Studies* 41, no 10 (2018).

12 Par «majoritaire ordinaire», nous faisons référence aux Québécois d'ethnicité 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.

13 La race et la blanchité sont des constructions sociales structurantes. Suivant Hage, la blanchité n'est donc pas une essence, mais bien une position fantasmée de dominance 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 entitlement» sur les non-blancs. Sunera Thobani, *Exalted Subjects. Studies in the Making of Race and Nation in Canada* (Toronto: University of Toronto Press, 2007).

14 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.

15 Deborah Lupton, *Digital Sociology* (Londres: Routledge, 2015); Andrew Jakubowicz, «Cyber Racism», dans *More or Less: Democracy and New Media*, dir. Helen Sykes (Melbourne: Future Leaders, 2012).

16 Irfan Chaudry, «#Hashtagging Hate: Using Twitter to Track Racism Online», *First Monday* 20, no 2 (2015); Nadeau et Helly, «Extreme Right in Quebec? The Facebook Pages in Favor of the "Quebec Charter of Values"»; Osmud Rahman, Benjamin Fung et Alexia Yeo, «Exploring the Meanings of Hijab through Online Comments in Canada», *Journal of Intercultural Communication Research* 45, no 3 (2016): 214-32; Maryse Potvin, «Discours racistes et propagande haineuse. Trois groupes populistes identitaires au Québec», *Diversité urbaine* 17 (2017): 49-72.

17 Voir Les Back, «Aryans Reading Adorno: Cyber-Culture and Twenty-First Century Racism», *Ethnic and Racial Studies* 25, no 4 (2002): 628-51; Phyllis B. Gerstenfeld, Diana R. Grant et Chau-Pu Chiang, «Hate Online: A Content Analysis of Extremist Internet Sites», *Analyses of Social Issues and Public Policy* 3, no 1 (2003): 29-44; Jessie Daniels, «Race, Civil Rights and Hate Speech in the Digital Era», dans *Learning Race and Ethnicity. Youth and Digital Media*, dir. Anne Everett, 129-54 (Cambridge: MIT Press, 2008); Jessie Daniels, *Cyber Racism: White Supremacy Online and the New Attack on Civil Rights (*Lanham: Rowman & Littlefield Publishers, 2009); Yaman Akdeniz, *Racism on the Internet (*Strasbourg: Council of Europe Publishing, 2009); Chris Allen, «Opposing Islamification or Promoting Islamophobia? Understanding the English Defence League», *Patterns of Prejudice* 45, no 4 (2011): 279-94; Manuela Caiani et Patricia Kröll, «The Transnationalization of the Extreme Right and the Use of the Internet», *International Journal of Comparative and Applied Criminal Justice* 39, no 4 (2015): 331-51; Inari Sakki et Katarina Pettersson, «Discursive Constructions of Otherness in Populist Radical Right Political Blogs», *European Journal of Social Psychology* 46, no 2 (2016): 156-70; Jamie Cleland, Chris Anderson et Jack Aldridge-Deacon, «Islamophobia, War and Non-Muslims as Victims: An Analysis of Online Discourse on an English Defence League Message Board», *Ethnic and Racial Studies* 41, no 9 (2017): 1541-57.

18 Nous retenons la définition du racisme formulée par Balibar qui, en le conceptualisant comme étant pluriel, permet de voir que 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).

19 Qui plus est, l'expression de discours plus «modérés» est susceptible de générer davantage d'appuis de la part des autres participants en ligne et de normaliser les pratiques racialisantes. Voir Adam Klein, «Slipping Racism into the Mainstream: A Theory of Information Laundering», *Communication Theory* 22, no 4 (2012): 427-48; Nicholas Faulkner et Ana-Maria Bliuc, «"It's Okay to Be Racist": Moral Disengagement in Online Discussions of Racist Incidents in Australia», *Ethnic and Racial Studies* 39, no 14 (2016): 2545-63.

20 Matthew W. Hughey et Jessie Daniels, «Racist Comments at Online News Sites: A Methodological Dilemma for Discourse Analysis», *Media, Culture & Society* 35, no 3 (2013): 332-47.

21 Heather Hensman Kettrey et Whitney Nicole Laster, «Staking in the "World White Web": An Exploration of the Roles of Overt and Color-Blind Racism in Maintaining Racial Boundaries on a Popular Web Site», *Social Currents*

1, no 3 (2014): 257-74; Matthew W. Hughey, « Show Me Your Papers! Obama's Birth and the Whiteness of Belonging », *Qualitative Journal* 35, no 35 (2012): 2; Hughey et Daniels, « Racist Comments at Online Bews Sites »; Theresa Senft et Safiya Umoja Noble, « Race and Socia Media, » dans *The Social Media Handbook*, dir. Jeremy Hunsinger et Theresa Senft (New York: Routledge, 2014).

22 Simon Goodman, « Constructing Asylum Seeking Families », *Critical Approaches to Discourse Analysis across Disciplines* 1, no 1 (2007): 36-50; Fiona H. McKay, Samantha L. Thomas et Warwick Blood, « " Any One of These Boat People Could Be a Terrorist for All We Know ! " Media Representations and Public Perceptions of " Boat People " Arrivals in Australia », *Journalism* 12, no 5 (2011): 607-26; Shani Burke et Simon Goodman, « " Bring Back Hitler's Gas Chambers ": Asylum Seeking, Nazis and Facebook - A Discursive Analysis », *Discourse & Society* 23, no 1 (2012): 19-33; Isabel Alonso Belmonte, Daniel Chornet et Anne McCabe, « Ideological Stances in Internet Users' Discursive Construction of Immigration, Race and Racism: An Online Newspaper Case Study », dans *Discourses on Immigration in Times of Economic Crisis: A Critical Perspective*, dir. Maria Lirola (Cambridge: Cambridge Scholar Publishing, 2012); Andreas Mussolf, « Dehumanizing Metaphors in UK Immigrant Debates in Press and Online Media », *Journal of Language Aggression and Conflict* 3, no 1 (2015): 41-56; Arthur D. Santana, « Virtuous or Vitriolic », *Journalism Practice* 8, no 1 (2014): 18-33; Arthur D. Santana, « Incivility Dominates Online Comments on Immigration », *Newspaper Research Journal* 36, no 1 (2015): 92-107; Ian Rowe, « Civility 2.0: A Comparative Analysis of Incivility in Online Political Discussion », *Information, Communication & Society* 18, no 2 (2015): 121-38.

23 Clemence Due, « " Aussie Humour " or Racism? Hey Hey It's Saturday and the Denial of Racism in Online Responses to News Media Articles », *Platform* 3, no 1 (2011): 36-53; Simon Goodman et Lottie Rowe, « " Maybe It Is Prejudice … but It Is NOT Racism »: Negociating Racism in Discussion Forums about Gypsies », *Discourse & Society* 25, no 1 (2013): 753-72; Gavan Titley, « The Debatability of Racism. Networked Participative Media and Postracialism », https://raster.fi/2016/02/17/the-debatability-of-racism-networked-participative-media-and-postracialism/.

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 " ».

25 Simon Weaver, « A Rhetorical Discourse Analysis of Online Anti-Muslim and Anti-Semitic Jokes », *Ethnic and Racial Studies* 36, no 3 (2013): 483-99; Tuuli Lädhesmäki et Tuija Saresma, « Reframing Gender Equality in Finnish Online Discussion on Immigration: Populist Articulations of Religious Minorities and Marginalized Sexualities », *Nordic Journal of Feminist and Gender Research* 22, no 4 (2014): 299-313; Imran Awan, « Islamophobia and Twitter: A Typology of Online Hate against Muslims on Social Media », *Policy & Internet* 6, no 2 (2014): 133-50; Imran Awan, *Islamophobia in Cyberspace: Hate Crime Go Viral* (Farnham: Ashgate, 2016); Chris Allen, « Anti-Social Networking: Findings from a Pilot Study on Opposing Dudley Mosque Using Facebook as Both Site and Method for Research », *SAGE Open*, no Janvier-Mars (2014); Mattias Ekman, « Online Islamophobia and the Politics of Fear: Manufacturing the Green Scare », *Ethnic and Racial Studies* 38, no 11 (2015): 1986-2002; Steve Garner et Saher Selod, « The Racialization of Muslims: Empirical Studies of Islamophobia », *Critical Sociology* 41, no 1 (2015): 9-19; En-Chieh Chao, « The-Truth-about-Islam.Com: Ordinary Theories of Racism and Cyber Islamophobia », *Critical Sociology* 41, no 1 (2015): 57-75; Chaudry, « #Hashtagging Hate ».; Andre Oboler, « The Normalisation of Islamophobia through Social Media », dans *Islamophobia in Cyberspace*, dir. Imran Awan (Milton Park: Routledge, 2016). Même lorsque les propos ouvertement racistes sont peu nombreux, des discours au langage codé peuvent donner lieu à une démarcation entre « Nous » nationaux blancs « normaux » et « Eux » musulmans menaçants.

26 Gavan Titley, « No Apologies for Cross-Posting: European Trans-Media Space and the Digital Circuitries of Racism », *Crossings: Journal of Migration & Culture* 5, no 1 (2014): 41-55.

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

28 Andrea Rea, *Sociologie de l'immigration* (Paris: La Découverte, 2008).; Charles Taylor, *Multiculturalisme. Différence et démocratie* (Paris: Flammarion, 2009); Greg Noble, « The Discomfort of Strangers: Racism, Incivility and Ontological Security in a Relaxed and Comfortable Nation », *Journal of intercultural studies* 26, no 1-2 (2005): 107-120.

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

30 Teun A. Van Dijk, « Discourse and Racism », dans *A Companion to Racial and Ethnic Studies*, dir. David Theo Goldberg et John Solomos (Oxford: Wiley-Blackwell, 2002); « Racist Discourse, » dans *Encyclopedia of Race and Ethnic Studies*, dir. Ellis Cashmore (Londres: Routledge, 2004); Ruth Wodak et al., *The Discursive Construction of National Identity*, 2 éd. (Edinbourg: Edinburgh University Press, 2009).

31 Robert Miles, *Racism* (Londres: Routledge, 1989); Balibar, « Racisme et nationalisme »; David Theo Goldberg, *The Threat of Race: Reflections on Racial Neoliberalism* (Malden: Wiley-Blackwell, 2009).

32 Notre utilisation du concept de patrouille des frontières suit celle de Sirma Bilge. Voir Sirma Bilge, « " … alors que nous, Québécois, nos femmes sont égales à nous et nous les aimons ainsi " : la patrouille des frontières au nom de l'égalité de genre dans une " nation " en quête de souveraineté », *Sociologie et sociétés* 42, no 1 (2010): 197-226.

33 Nous appliquons donc à la catégorie nation la perspective théorique selon laquelle les frontières «Nous» / «Eux» se construisent au sein de rapports sociaux matériellement et symboliquement inégaux soutenant et soutenus par des processus de différenciation et d'attribution catégorielle au sein desquels des marqueurs sont sélectionnés par les majoritaires pour distinguer l'Autre. Voir Danielle Juteau, *L'ethnicité et ses frontières* (Montréal : Les Presses de l'Université de Montréal, 1999) ; Floya Anthias et Nira Yuval-Davis, *Racialized Boundaries. Race, Nation, Gender, Colour and Class and the Anti-Racist Struggle* (Londres : Routledge, 1992).

34 Stuart Hall, «The West and the Rest : Discourse and Power», dans *Modernity. An Introduction to Modern Societies*, dir. David Held, Don Hubert et Kenneth Thompson (Hoboken : Wiley-Blackwell, 1996), 225.

35 «Gramsci's Relevance for the Study of Race and Ethnicity», *Journal of Communication Inquiry* 10, no 2 (1986) ; Stuart Hall et Les Back, «In Conversation : At Home but Not at Home», *Cultural Studies* 23, no 4 (2009) : 656-87 ; Stuart Hall et Doreen Massey, «Interpreting the Crisis», dans *The Neoliberal Crisis*, dir. Jonathan Rutherford et Sally Davison (Londres : Lawrence and Wishart, 2012).

36 Martha Augoustinos et Danielle Every, «The Language of "Race" and Prejudice : A Discourse of Denial, Reason, and Liberal-Practical Politics», *Journal of Language and Social Psychology* 26, no 2 (2007) : 123-41 ; Barnor Hesse, «Self-Fulfilling Prophecy : The Post-Racial Horizon», *South Atlantic Quaterly* 110, no 1 (2011) : 155-78 ; Steve Garner, *A Moral Economy of Whiteness. Four Frames of Racializing Discourse* (Londres : Routledge, 2016).

37 Teun A. Van Dijk, «Discourse and the Denial of Racism», *Discourse & Society* 3, no 1 (1992) : 87-118 ; Anna Triandafyllidou, *Immigrants and National Identity in Europe* (Londres : Routledge, 2001) ; Garner, *Moral Economy of Whiteness.*

38 L'islamophobie est ici entendue comme une forme spécifique de racisme. Elle ne renvoie pas à la critique de la religion musulmane, mais bien à la construction de la figure racialisée du musulman comme altérité menaçante prémoderne, agressive et culturellement incompatible avec l'Occident. S'il s'agit d'un phénomène global, il varie en fonction des contextes nationaux et commande un examen empirique. Voir Ramón Grosfoguel et Eric Mielants, «The Long-Durée Entanglement between Islamophobia and Racism in the Modern/Colonial Capitalist/Patriarchal World-System : An Introduction», *Human Architechture : Journal of the Sociology of Self-Knowledge* 5, no 1 (2006) : 1-12 ; Abdellali Hajjat et Marwan Mohammed, *Islamophobie : Comment les élites françaises fabriquent le «problème musulman»* (Paris : La découverte, 2013). ; Garner et Selod, «The Racialization of Muslims : Empirical Studies of Islamophobia» ; Ghassan Hage, *Is Racism an Environmental Threat?* (Cambridge : Polity Press, 2017).

39 Philomena Essed, «Racisme et préférence pour l'identique : du clonage culturel dans la vie quotidienne», *Actuel Marx*, no 38 (2005) : 103-18 ; Les Back et Shamser Sinha, «New Hierarchies of Belonging», *European Journal of Cultural Studies* 15, no 2 (2012) : 139-54.

40 Alana Lentin et Gavan Titley, *The Crises of Multiculturalism. Racism in a Neoliberal Age* (Londres : Zed Books, 2011).

41 Back et Sinha, «New Hierarchies of Belonging», 140.

42 Hage parle en termes de «nationalisme paranoïaque». Voir Ghassan Hage, *Against Paranoid Nationalism. Searching for Hope in a Shrinking Society* (Londres : Merlin, 2003).

43 Voir notamment Ghada Mahrouse, «"Reasonable Accommodation" in Québec : The Limits of Participation and Dialogue», *Race & Class* 52, no 1 (2010) : 85-96 ; Sirma Bilge, «Reading the Racial Subtext of the Québécois Accommodation Controversy : An Analytics of Racialized Governmentality», *Politikon* 40, no 1 (2013) : 157-81 ; Daiva Stasiulis, «Worrier Nation : Quebec's Value Codes for Immigrants», *Politikon* 40, no 1 (2013) : 183-209 ; Maryse Potvin, «The Reasonable Accommodations Crisis in Quebec : Racializing Rhetorical Devices in Media and Social Discourse», *International Journal of Canadian Studies* 50 (2014) : 137-61 ; Leila Benhadjoudja, «Laïcité narrative et sécularonationalisme au Québec à l'épreuve de la race, du genre et de la sexualité», *Sciences Religieuses* 46, no 2 (2017) : 272-91.

44 Le concept de majoritaire désigne le groupe ethnique dominant aux niveaux économique, politique et symbolique. À l'inverse, le statut de minoritaire résulte du processus de minorisation sociale et non pas du statut de minorité démographique. Voir Juteau, *L'ethnicité et ses frontières.*

45 Hage conceptualise les sociétés comme des mécanismes de distribution de l'espoir. Pour lui, l'opposition à l'accueil de réfugiés en Occident ne peut donc être analysée qu'en prenant en compte le peu d'espoir avec lequel les majorités sont laissées sous le néolibéralisme. Voir Hage, *Against Paranoid Nationalism.*

46 Ces débats sont une forme ritualisée de la dialectique de l'inclusion et de l'exclusion où est visible la hiérarchisation racialisée des «étrangers» en relation avec la construction des frontières de la nation. Pour Hage, les majoritaires s'érigent en sujets gouvernementaux au sein de ces rituels. C'est en vertu de leur capital national supérieur et naturalisé qu'ils se voient comme les arbitres et gestionnaires légitimes au sein de *leur* espace national. Suivant la théorie bourdieusienne, Hage avance que les acteurs cherchent à accumuler du capital national afin de le transférer en appartenance nationale et donc d'être reconnus comme membres légitimes par le groupe dominant. Il s'agit donc d'un type de capital symbolique propre à ce champ. Or, le capital national des minorités racialisées est précaire puisqu'elles doivent le performer en permanence, c'est-à-dire prouver culturellement leur appartenance nationale. Une distinction est donc opérée entre celles et ceux pour qui la possession de capital national relève d'une disposition naturelle et les autres qui ont dû acquérir ce capital qui, du fait de sa qualité acquise, est de valeur inférieure et

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.

47 Ruth Frankenberg, *White Women, Race Matters: The Social Construction of Whitenes*s (Minneapolis: University of Minnesota Press, 1993). La blanchité est aussi entendue comme un fantasme de dominance culturelle et de propriété qui découle de la colonisation. Sur la blanchité, voir Stuart Hall, «Culture, Community, Nation», *Cultural Studies* 7, no 3 (1993): 349-63; Aileen Moreton-Robinson, *The White Possessive. Property, Power, and Indigenous Sovereignity* (Minneapolis: University of Minneapolis Press, 2015); Barnor Hesse, «Racialized Modernity: An Analytics of White Mythologies», *Ethnic and Racial Studies* 30, no 4 (2007): 643-63; Garner, «Moral Economy of Whiteness»; Hage, *Writings on Nationalism.*

48 Par exemple, aux Pays-Bas, le déni du racisme systémique et quotidien s'accompagne du déni de la blanchité comme attribut des «vrais» nationaux. Suivant la conceptualisation proposée par David Theo Goldberg, Essed et Trienekens considèrent la situation néerlandaise comme caractéristique de l'européanisation raciale où les processus complexes d'altérisation au cœur de l'évaluation du degré d'acquisition de l'appartenance aux yeux de la majorité dominante font appel à la nationalité, l'ethnicité, la race, la corporalité et la religion, et ce tout en subsumant la race sous le couvert de références culturelles et religieuses. Philomena Essed et Sandra Trieneckens, «"Who Wants to Feel White?" Race, Dutch Culture and Contested Identities», *Ethnic and Racial Studies* 31, no 1 (2008): 52-72.

49 Cette idée de collage renvoie au concept de «sticking» de Sara Ahmed. Sa théorie des économies affectives avance que, par la circulation des signes de peur, les émotions fonctionnent en collant ensemble des figures de façon telles que certaines mobilités sont associées à des signes de peur. Par exemple, à travers sa circulation, le mot terroriste colle à certains corps plus qu'à d'autres et se déplace dans d'autres termes comme «fondamentalisme», «Arabe» et «Islam». Voir Sara Ahmed, «Affective Economies», *Social Text* 22, no 2 (2004): 117-39.

50 Garner, *Moral Economy of Whiteness,* 142.

51 Cela se reflète d'ailleurs dans un rapport de distance à l'identité québécoise chez les jeunes «issus de l'immigration». Voir Maryse Potvin, «Blackness, haïtianité et québécitude : modalités de participation et d'appartenance chez la deuxième génération d'origine haïtienne au Québec», dans *La 2e génération issue de l'immigration : Une comparaison France-Québec*, dir. Maryse Potvin, Paul Eid et Nancy Venel (Outremont : Athéna Éditions, 2007) ; Gina Lafortune et Fasal Kanouté, «Vécu identitaire d'élèves de 1ère et de 2ème génération d'origine haïtienne», *Revue de l'Université de Moncton* 38, no 2 (2007) : 33-71; Marie-Odile Magnan, Fahimeh Darchinian et Émilie Larouche, «Identifications et rapports entre

majoritaires et minoritaires. Discours de jeunes issus de l'immigration», *Diversité urbaine* 17 (2017) : 29-47.

52 Vron Ware, «Towards a Sociology of Resentment: A Debate on Class and Whiteness», *Sociological Research Online* 13, no 5 (2008); Philomena Essed et Isabel Hoving, «Innocence, Smug Ignorance, Resentment: An Introduction to Dutch Racism», dans *Dutch Racism*, dir. Philomena Essed et Isabel Hoving (Amsterdam: Rodopi, 2014).

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.

54 Notons que la littérature fait état d'une relation entre le type d'opinion par rapport à l'immigration et la source d'information journalistique privilégiée, les lecteurs des tabloïds étant plus nombreux à exprimer des opinions hostiles. Voir John Sides et Jack Citrin, «European Opinion about Immigration: The Role of Identities, Interests and Information», *Bristish Journal of Political Science* 37, no 3 (2007): 477-504 ; Lauren McLaren et Mark Johnson, «Resources, Group Conflict and Symbols: Explaining Anti-Immigration Hostility in Britain», *Political Studies* 55, no 4 (2007): 709-32.

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 faillible 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.

56 Voir Teun A. Van Dijk, «Critical Discourse Analysis», dans *Handbook of Discourse Analysis*, dir. Deborah Schiffrin, Deborah Tannen et Heidi E. Hamilton (Oxford: Blackwell, 2001); Martin Reisigl et Ruth Wodak, «The Discourse-Historical Approach (DHA)», dans *Methods of Critical Discourse Analysis*, dir. Ruth Wodak et Michael Meyer (Londres: SAGE, 2009); Norman Fairclough, Jane Mulderrig et Ruth Wodak, «Critical Discourse Analysis», dans *Discourse Studies. A Multidisciplinary Introduction*, dir. Teun A. Van Dijk (Londres: SAGE, 2011).

57 Ruth Wodak, «Pragmatics and Critical Discourse Analysis: A Cross-Disciplinary Inquiry», *Pragmatics & Cognition* 15, no 1 (2007): 203-25.

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,

«Critical Discourse Analysis, Power and New Media: Issues and Debates,» dans *Why Discourse Matters: Negotiating Identity in the Mediatized World*, dir. Yusuf Kalyango Jr. et Monika Weronika Kopytowska (New York: Peter Lang, 2014); Majid KhosraviNik et Johann W. Unger, «Critical Discourse Studies and Social Media: Power, Resistance and Critique in Changing Media Ecologies», dans *Methods of Critical Discourse Studies*, dir. Ruth Wodak et Michael Meyer (Londres: SAGE, 2016).

59 Les topoi sont des prémisses du discours servant de justification en connectant l'argument et la conclusion. Parmi les topoi prévalents 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. Ruth Wodak, «The Semiotics of Racism. A Critical Discourse Analysis», dans *Discourse, of Course: An Overview of Research in Discourse Studies*, dir. Jan Renkema (Amsterdam: John Benjamins Publishing, 2009).

60 Teun A. Van Dikj, *Ideology. A Multidisciplinary Approach*. (Thousand Oaks: SAGE, 1998).

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»; Augoustinos 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, «Racism in Public or Public Racism: Doing Anti-Racism in "Post-Racial" Times», *Ethnic and Racial Studies* (2015): 1-16.

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 Isabel Hoving (Amsterdam: Rodopi, 2014).

64 Hage, *Writings on Nationalism*.

65 Van Dijk, «Discourse and Racism», 157.

66 Sivamohan Valluvan, «Defining and Challenging the New Nationalism», *Progressive Review* 23, no 4 (2017): 232-39.

67 Ruth Wodak, «"Us and Them": Inclusion and Exclusion – Discrimination via Discourse», dans *Identity, Belonging and Migration*, dir. Gerard Delanty, Ruth Wodak et Paul Jones (Liverpool: Liverpool University Press, 2008), 65.

68 Augoustinos et Every, «The Language of "Race" and Prejudice»; Goodman, «Developing an Understanding of Race Talk».

69 Le terme *bs* 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 personne sur deux affirmant en avoir une opinion négative. Voir Pierre Noreau et al., «Droits de la personne et diversité» (Commission des droits de la personne et des droits de la jeunesse, 2015).

70 James P. Walsh, «Navigating Globalization: Immigration Policy in Canada and Australia, 1945-2007», *Sociological Forum* 23, no 4 (2008): 217-28; Walsh, «Quantifying Citizens: Neoliberal Restructuring and Immigrant Selection in Canada and Australia», *Citizenship Studies* 15, no 6-7 (2011): 861-79; Harold Bauder, *Immigration Dialectic: Imagining Community, Economy, and Nation* (Toronto: University of Toronto Press, 2011); Forcier et Dufour, «Immigration, Neoconservatism and Neoliberalism»; Susan Barrass et John Shields, «Immigration in an Age of Austerity: Morality, the Welfare State and the Shaping of the Ideal Migrant», dans *Austerity: The Lived Experience,* dir. Bryan M. Evans et Stephen McBride (Toronto: University of Toronto Press, 2017).

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 provenance des «pays pauvres» est comparable à celles des Européens. Voir Michael J. Donnelly, «Canadian Exceptionalism: Are We Good or Are We Lucky?» (Montreal: McGill Institute for the Study of Canada, 2017).

72 Ruth Wodak, *The Politics of Fear: What Right-Wing Populist Discourses Mean* (Thousand Oaks: SAGE, 2015).

73 Ware, «Towards a Sociology of Resentment»; Steve Fenton, «Resentment, Class and Social Sentiments about the Nation: The ethnic Majority in England», *Ethnicities* 12, no 4 (2012): 465-83.

74 Garner, «Moral Economy of Whiteness».

75 Michael Billig, *Banal Nationalism* (Londres: Sage, 1995); Wodak, «"Us and Them"»; Wodak et al., *Discursive Construction of National Identity*.

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

77 Sara Ahmed, *The Cultural Politics of Emotion* (Edinbourg: Edinburgh University Press, 2004).

78 Ruth Wodak, «The "Establishment", the "Élites", and the "People". Who's Who?», *Journal of Language and Politics* 16, no 4 (2017): 551-65.

79 Comme le note bien Hage, les pratiques nationalistes présupposent premièrement l'image d'un espace national, deuxièmement, 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, entitlement et solidarité sélective transparaît notamment dans le recours à des termes appuyant la logique d'appartenance gouvernementale où les majoritaires positionnent les minorités racialisées au sein de la hiérarchie des appartenances.

80 Sara Ahmed, *Strange Encounters. Embodied Others in Post-Coloniality* (Londres: Routledge, 2000); Hall et Back, « In Conversation ».

81 Cela rejoint l'idée de conceptualiser le *welfare chauvinism* en termes de continuum. Il renvoie de façon sommaire au ciblage des immigrants et des minorités au sein de la restructuration néolibérale de l'État et à la question à savoir si tous devraient avoir un accès égal aux ressources de l'État que les natifs. Nous ne réservons donc pas l'utilisation du terme pour les discours d'extrême-droite qui revendiquent à un accès exclusif pour les majoritaires blancs. Voir Tim Reeskens et Wim Van Oorshot, « Disentangling the "New Liberal Dilemma": On the Relations between General Welfare Distribution Preferences and Welfare Chauvinism », *International Journal of Comparative Sociology* 53, no 2 (2012): 120-39; Martin Bak Jørgensen et Trine Lund Thomsen, « Deservingness in the Danish Context: Welfare Chauvinism in Times of Crisis », *Critical Social Policy* 36, no 3 (2016): 330-51.

82 Ghassan Hage, « On Worrying: The Lost Art of the Well-Administered National Cuddle », *Borderlands* 2, no 1 (2003); Gavan Titley, « Exclusion through Openness? A Tentative Anatomy of the Ritual of "Migration Debates" », *Studies across Disciplines in the Humanities and Social Sciences* 11 (2012): 46-69.

83 De tels discours concevant la nation comme une grande famille dont les membres doivent être protégés et défendus vis-à-vis de menaces externes montre bien la relation entre les imaginaires nationalistes et racistes. Voir Stuart Hall, « The Question of Cultural Identity », dans *Modernity: An Introduction to Modern Societies*, dir. Stuart Hall et al. (Oxford: Blackwell, 1996); Balibar, « La forme nation ».

84 Garner, *Moral Economy of Whiteness,* 82.

85 Voir Allison Harell, Stuart Soroka et Kiera Ladner, « Public Opinion, Prejudice and the Racialization of Welfare in Canada », *Ethnic and Racial Studies* 37, no 14 (2014): 2580-97; Allison Harell, Stuart Soroka et S. Iyengar, « Race, Prejudice and Attitudes toward Redistribution: A Comparative Experimental Approach », *European Journal of Political Research* 55, no 4 (2016): 723-44; Stuart Soroka, Matthew Wright, Richard Johnston, Jack Citrin, Keith Banting et Will Kymlicka, « Ethnoreligious Identity, Immigration, and Redistribution », *Journal of Experimental Political Science* 4, no 3 (2017): 173-82.

86 Paul M. Sniderman, Louk Hagendoorn et Markus Prior, « Predisposing Factors and Situational Triggers: Exclusionary Reactions to Immigrant Minorities », *American Political Science Review* 98, no 1 (2004): 35-49; Edward Anthony Koning, « Selective Solidarity: The Politics of Immigrants' Social Rights in Western Welfare States » (Queen's University, 2013); Will Kymlicka, « Solidarity in Diverse Societies: Beyond Neoliberal Multiculturalism and Welfare Chauvinism », *Comparative Migration Studies* 3, no 17 (2015): 1-19; Frederik Hjorth, « Who Benefits? Welfare Chauvinism and

National Stereotypes », *European Union Politics* 17, no 1 (2016): 3-24.

87 Lentin et Titley, *Crises of Multiculturalism*; Aurelien Mondon et Aaron Winter, « Articulations of Islamophobia: From the Extreme to the Mainstream? », *Ethnic and Racial Studies* 40, no 13 (2017): 2151-79.

88 Philomena Essed et Kwame Nimako, « Designs and (Co) Incidents: Cultures of Scholarship and Public Policy on Immigrants/Minorities in the Netherlands », *International Journal of Comparative Sociology* 47, no 3-4 (2006): 281-312; Gilbert Caluya, « Domestic Belongings: Intimate Security and the Racial Politics of Scale », *Emotion, Space and Society* 4, no 4 (2011): 203-10; Ghorashi, « Racism and "The Ungrateful Other" in the Netherlands ».

89 Ahmed, *Strange Encounters.*

90 Edward Saïd, « Orientalism Reconsidered », *Cultural Critique* 1 (1985): 89-107.

91 Jesse A. Steinfeldt et al., « Racism in the Electronic Age: Role of Online Forums in Expressing Racial Attitudes about American Indians », *Cultural Diversity and Ethnic Minority Psychology* 16, no 3 (2010): 362-71; Due, « "Aussie Humour" or Racism »; Burke et Goodman, « "Bring Back Hitler's Gas Chambers" »; Hughey et Daniels, « Racist Comments at Online News Sites »; Goodman et Rowe, « "Maybe It Is Prejudice" »; Titley, « No Apologies for Cross-Posting »; Garner, *Moral Economy of Whiteness.*

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.*

94 Voir Jill Walker Rettberg et Radhika Gajjala, « Terrorists or Cowards: Negative Portrayals of Male Syrian Refugees in Social Media », *Feminist Media Studies* 16, no 1 (2016): 178-81.

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 de 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 ».

96 Ashley Bradimore et Harald Bauder, « Mystery Ships and Risky Boat People: Tamil Refugee Migration in the Newsprint Media », *Canadian Journal of Communication* 36, no 4 (2011): 637-60; Liette Gilbert, « The Discursive Production of a Mexican Refugee Crisis in Canadian Media and Policy », *Journal of Ethnic and Migration Studies* 39, no 5 (2013): 827, 843; Dagmar Soennecken, « Shifting Up and Back. The

European Turn in Canadian Refugee Policy», *Comparative Migration Studies* 2, no 1 (2014): 101-22; David Moffette et Shaira Vadasaria, «Uninhibited Violence: Race and the Securitization of Immigration», *Critical Studies on Security* 4, no 3 (2016): 391-405.

97 Sur les effets de la Loi visant à protéger le système d'immigration du Canada, voir Idil Atak, Graham Hudson et Delphine Nakache, «The Securitisation of Canada's Refugee System: Reviewing the Unintended Consequences of the 2012 Reform», *Refugee Survey Quaterly* 37, no 1 (2018): 1-24.

98 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 largement 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 celui d'«aider» les Syriens «chez eux» afin qu'ils puissent ultimement se gouverner et reprendre 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.

99 William Walters, «Secure Borders, Safe Haven, Domopolitics», *Citizenship Studies* 8, no 3 (2004): 237-60.

100 Moffette et Vadasaria, «Uninhibited Violence»; William Walters, «Migration and Security,» dans *The Handbook of New Security Studies,* dir. Peter J. Burgess (Londres: Routledge, 2010).

101 Alexandra Dobrowolsky, «(In)Security and Citizenship: Security, Im/migration and Shrinking Citizenship Regimes», *Theoretical Inquiries in Law* 8, no 2 (2007): 629, 719; Michael Humphrey, «Migration, Security and Insecurity», *Journal of Intercultural Studies* 34, no 2 (2013): 178-95.

102 Sara Ahmed, «Affective Economies», *Social Text* 22, no 2 (2004): 117-39.

103 À cet effet, voir Garner, *Moral Economy of Whiteness*; Michael Skey, «Boundaries and Belonging: Dominant Ethnicity and the Place of the Nation in a Globalizing World», dans *Nationalism, Ethnicity and Boundaries. Conceptualising and Understanding Identity through Boundary Approaches*, dir. Jennifer Jackson et Lina Molokotos-Liederman (Londres: Routledge, 2015); Essed et Trieneckens, «"Who Wants to Feel White?"».

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[1]

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.

Résumé

La structure du régime des réfugiés suit une généalogie coloniale « xéno-raciste ». Dans ce contexte, les transferts d'argent aux réfugiés représentent un diagnostic biopolitique indiquant où les réfugiés sont dignes ou ont la « bio-légitimité » de résider. Cet article propose une brève généalogie des différentes itérations des opérations de transfert d'argent, dont le rapatriement d'argent à la fin de la Guerre froide; l'aide en espèces pour les réfugiés urbains irakiens en Jordanie suite à la seconde Guerre du Golfe; et la décision récente du gouvernement tanzanien de brusquement mettre fin à un programme de transfert d'argent dans le camp de réfugiés de Nyarugusu. En bref, là où l'argent est autorisé à circuler, les réfugiés le sont également.

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."[2] UNHCR has been a pioneer in institutionalizing humanitarian cash transfers, beginning with repatriation cash projects.[3] 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.[4] 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.[5] 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."[6] 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.[7] 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.[8] 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-Sahara 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."[9] 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."[10] 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.[11] 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[12] 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.[13] White argues, "The silence on race is a determining silence that both masks and marks its centrality to the development project."[14] The call to examine race in development was effectively taken up in a special issue of *Progress in Development Studies* edited by Uma Kothari.[15] 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.[16] 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.[17] Michel Foucault's theorization of discourse and power forms the bedrock of "post-development" critique.[18] In addition, his writings have inspired many migration and forced migration scholars, although his expansive oeuvre focuses little attention on these issues.[19] Duffield argues that sustainable development is a bio-political technology with xeno-racist and colonial genealogy in order to root "non-insured" populations in the South.[20] 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."[21] Bio-power can be understood as "an anatomo-politics of the human body,"[22] where government disciplines individuals' bodies. Bio-politics is a "series of interventions and regulatory controls: a biopolitics of the population."[23] 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.[24] 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 xeno-racist bio-political apparatus to keep "non-insured" populations contained in the South.[25] I contend that African states are rehabilitating these colonial xeno-racist 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."[26] 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."[27] He makes only brief mention of the colonial "concerns over the negative effects of uncontrolled urbanization on social cohesion."[28] 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 postcolonial mobility controls and exploitations. First German and later British colonial regimes in Tanganyika[29] 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.[30] 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.[31] 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.[32] 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.[33] 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.[34]

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.[35] Under Nyerere, refugees were given land to settle in sparsely inhabited peripheries of the country and produced cash crops to benefit the Tanzanian state.[36] 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."[37] Asylum policies have constricted even further today as the result of xeno-racist policies under current Tanzanian President John Magufuli, which will be explored further below.

The other key point from Duffield is his crhtique of sustainable development as a xeno-racist form of bio-political population containment in the South. Xeno-racism is a nationalist project of exclusionary immigration practices. "It is racism in substance but xeno in form—a racism that is meted out to impoverished strangers even if they are white."[38] 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 xeno-racism by engaging in bio-political aid projects to keep unwanted populations in the South (the "non-insured") rooted where they are through sustainable development.[39] 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."[40] 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 containment, 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.[41] 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.[42] Most refugee situations provide humanitarian interventions such as ongoing in-kind food aid or cash transfers alongside livelihoods or self-reliance programming. As protracted refugee situations get drawn out, donors reduce support.[43] With global displacement 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.[44]

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."[45] 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 biolegitimacy rather than biopower is thus to emphasize the construction 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."[46]

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 metropolitan social cohesion, overseas sustainable development, the resolution of internal wars, the reconstruction of fragile states."[47] 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, primarily the United States and Europe, dominated the agenda of refugee management through border controls and dominance of UNHCR.[48]

The Role of Cash: Cash to Return vs. Cash to Remain

UNHCR's first use of cash as an intervention was for repatriation 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 people. This regime was toppled by Vietnamese communists supported by the Soviet Union in 1979. A communist coalition 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.[49] UNHCR decided to offer $50 for each adult and $25 per child, which would allow for returnees to pay for rent or agricultural materials. This option was chosen by 87 per cent of returnees.[50]

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 supporting Afghan refugees in Pakistan. This support also included substantial military aid channelled through the government of Pakistan.[51] At the time of the Soviet withdrawal from Afghanistan in 1989, international donor spending, particularly that of the United States, had pared down food aid to Afghan refugees in Pakistan.[52] Concurrently, and as a result of international donor fatigue, the generosity by the Pakistani state had largely dried up as a result of "asylum fatigue."[53] 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.[54] 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.[55]

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,[56] and like Cambodian refugees in Thailand, many were eager to return.[57] 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.[58] 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.[59] 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.[60] In June 1993 the international community managed to raise only US$11.7 million for rehabilitation projects. No cash was offered to returnees, but rather in-kind items such as food and agricultural inputs were provided.[61] 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.[62] 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."[63]

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.[64] 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.[65] 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.[66] In Jordan the government estimated 450,000–500,000 Iraqi refugees resided in the country, although this figure is most likely inflated.[67] 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."[68] WFP at the time was bound to use vouchers instead of unconditional cash.[69] 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."[70] 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.[71] Moreover, this refugee population in Jordan has more middle-class, wealthy, and educated people than most refugee contexts.[72] UNHCR officers "saw in-kind assistance made no sense. It didn't make sense to have people come to UNHCR and get huge bags of grain."[73] Recipients could access funds throughout the city through ATMs using iris scans.[74] These innovations were possible largely because UNHCR was new to the region and could rapidly improvise to fit the situation.[75]

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 inn which UNHCR has operated. The program in Jordan gave €110 per person, per month.[76] 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.[77] 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."[78] Funding increased for the Iraqi situation from $40 million in 2005 to $271 million in 2008.[79]

Urban Refugee Cash in Africa

UNHCR's handling of the urban caseload informed the organization's broader urban refugee policy[80] and inspired the expansion of cash.[81] 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."[82] 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.[83] 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.[84] 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."[85] While this is largely true, others argue that those with significant vulnerabilities also reside in urban centres such as Nairobi[86] or Kampala.[87] 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,[88] and Niger[89] 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.[90] 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.[91] 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.[92] One study found that only 13 per cent of Sudanese households received this assistance.[93] 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.[94] 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.[95] 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.[96] In comparison, the 3RP in 2017, which funds the cash transfers for Syrian refugees in Cairo, requested $5.58 billion for a refugee population of 5.3 million refugees. 3RP had a smaller funding gap of 63 per cent.[97] This demonstrates a funding ambivalence toward ss 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.[98] Unfortunately for the sake of brevity, this article cannot expound upon the history. However, works from Troutt Powell trace the complex racial genealogies from colonialism, which recount how African states such as Egypt and Sudan became "colonized colonizers."[99] Arabization has been a central cause of wars for decades, in Sudan in particular.[100] 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 bio-legitimate place for them. Cash-based interventions have acquiesced 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.[101] In Tanzania, Burundians are often pejoratively referred to as criminals.[102] 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.[103] 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."[104]

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."[105] 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.[106]

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.[107] 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.[108] 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.[109] 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.[110]

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.[111] 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.[112]

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.[113] Colonial lineages are not only imposed from the North, for xeno-racist "colonized colonizers" also exist in South-South relations.[114]

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 counteracting 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.

2 Filippo Grandi, "Opening Statement at the 68th Session of the Executive Committee of the High Commissioner's Programme," October 2, 2017, https://www.unhcr.org/admin/hcspeeches/59d1f3b77/opening-statement-68th-session-executive-committee-high-commissioners-programme.html.

3 Franziska Troger and Vicky Tennant, *The Use of Cash Grants in UNHCR Voluntary Repatriation Operations: Report of a "Lessons Learned" Workshop.* UNHCR Policy Development and Evaluation Service (UNHCR: Geneva, 2008).

4 Overseas Development Institute, *Doing Cash Differently: How Cash Transfers Can Transform Humanitarian Aid. Report of the High Level Panel on Humanitarian Cash Transfers* (London: ODI, 2015), 1–42.

5 A. Sivanandan, "Poverty Is the New Black," *Race & Class* 43, no. 2 (2001): 1–5; Liz Fekete, "The Emergence of Xeno-Racism," *Race & Class* 43, no. 2 (2001): 23–40.

6 Sivanandan, "Poverty Is the New Black," 2.

7 Overseas Development Institute, *Doing Cash Differently.*

8 Nick van Praag, "Can Cash Transfers Unleash the Participation Revolution?" Ground Truth Solutions, May 23, 2018, http://groundtruthsolutions.org/2018/05/23/can-cash-transfers-unleash-the-participation-revolution/.

9 Michel Foucault, "Nietzche, Genealogy, History," in *The Foucault Reader*, edited by Paul Rabinow (New York: Pantheon, 1991), 81.

10 Foucault, "Nietzche, 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. While some researchers offer gifts such as mobile phone vouchers or sodas, I decided to pay refugee informants only the equivalent of two to four dollars, depending on the length of interviews, to let them decide what to purchase with the gift. In an attempt to facilitate trust, all interviews with refugees were conducted with either Congolese or Burundian refugee interpreters under my employment. All interviews with Tanzanian host community members were with Tanzanian interpreters and research assistants. Notes were taken during interviews and locked away when not carried by the researcher. Shortly after the interview, the notes were then typed, coded, and analyzed using password-protected NVIVO software.

12 Didier Fassin, "Another Politics of Life Is Possible," *Theory, Culture & Society* 26, no. 5 (2009): 44–60.

13 Paulette Goudge, *The Power of Whiteness: Racism in Third World Development and Aid* (London: Lawrence & Wishart, 2003); Sarah White, "Thinking Race, Thinking Development," Third World Quarterly 23, no. 3 (2002): 407–19.

14 White, "Thinking Race," 407–19.

15 Uma Kothari, "Critiquing 'Race' and Racism in Development Discourse and Practice," *Progress in Development* 6, no. 1 (2006): 1–7.

16 R. Cheran, "Xeno-Racism and International Migration," *Refuge* 19, no. 6 (2001): 1–3.

17 Mark Duffield, "Getting Savages to Fight Barbarians: Development, Security and the Colonial Present," *Conflict, Security & Development* 5, no. 2 (2005): 141–59; Mark Duffield, "Racism, Migration and Development: The Foundations of a Planetary Order," *Progress in Development Studies* 6, no. 1 (2006): 68–79.

18 Morgan Brigg, "Post-Development, Foucault and the Colonisation Metaphor," *Third World Quarterly* 23, no. 3 (2002): 421–36.

19 Didier Fassin, "The Biopolitics of Otherness: Undocumented Foreigners and Racial Discrimination in French Public Debate," *Anthropology Today* 17, no. 1 (2001): 3–7; Didier Fassin, "Policing Borders, Producing Boundaries: The Governmentality of Immigration in Dark Times," *Annual Review of Anthropology* 40 (2011): 213–26.

20 Duffield, "Getting Savages"; Duffield, "Racism, Migration, and Development."

21 Michel Foucault, *The History of Sexuality* (London: Penguin, 1979), 138.

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.

30 Sreeram Sundar Chaulia, "The Politics of Refugee Hosting in Tanzania: From Open Door to Unsustainability, Insecurity and Receding Receptivity," *Journal of Refugee Studies* 16, no. 2 (2003): 147–66.

31 Chaulia, "Politics of Refugee Hosting."

32 Deborah Fahy Bryceson, "African Peasants' Centrality and Marginality: Rural Labour Transformations," in *Disappearing Peasantries: Rural Labour in Africa, Asia and Latin America*, edited by Deborah Fahy Bryceson, Cristobal Kay, and Jos. Mooij, 37–63 (London: IT Publications, 2000).

33 Deborah Posel, *The Making of Apartheid 1948–1961: Conflict and Compromise*. Oxford Studies in African Affairs (Oxford: Clarendon, 1991).

34 Andrew Burton, *African Underclass: Urbanisation, Crime and Colonial Order in Dar es Salaam* (Oxford: James Currey, 2005).

35 Charlotte Lee Miller, "Who Are the 'Permanent Inhabitants' of the State? Citizenship Policies and Border Controls in Tanzania, 1920–1980" (PhD diss., University of Iowa, 2011).

36 Liisa Malkki, *Purity and Exile: Historical Memory and National Identity among Hutu Refugees in Tanzania* (Chicago: University of Chicago Press, 1995).

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."

40 Bonaventura Rutinwa, *The End of Asylum? The Changing Nature of Refugee Policies in Africa*, New Issues in Refugee Research, Research Paper No. 5, Geneva, UNHCR, 1999.

41 UNHCR, *Handbook for Self-Reliance* (Geneva: UNHCR, 2005); Easton-Calabria and Omata, "Panacea for the Refugee Crisis?"

42 Kevin Dunbar and James Milner, *The Humanitarian-Development Nexus: Opportunities for Canadian Leadership*, RRN/CRS Policy Brief 2016.

43 Alexander T. Aleinikoff, *From Dependence to Self-Reliance: Changing the Paradigm in Protracted Refugee Situations*. Policy Brief (Washington, DC: Migration Policy Institute, 2015).

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.

48 B.S. Chimni, "The Geopolitics of Refugee Studies: A View from the South," *Journal of Refugee Studies* 11, no. 4 (1998): 350–74.

49 Marita Eastmond and Joakim Öjendal, "Revisiting a 'Repatriation Success': The Case of Cambodia," in *The End of the Refugee Cycle?* edited by Khalid Koser and Richard Black, 38–55 (New York: Berghahn Books, 1999).

50 Eastmond and Öjendal, "Revisiting a 'Repatriation Success,'" 43.

51 Peter Marsden, "Afghans in Pakistan: Why Rations Decline," *Journal of Refugee Studies* 5, no. 3/4 (1992): 29–30.

52 Marsden, "Afghans in Pakistan," 299.

53 David Turton and Peter Marsden, *Taking Refugees For a Ride? The Politics of Refugee Return to Afghanistan.* Issue Paper Series (Kabul: Afghanistan Research and Evaluation Unit, 2002), 15.

54 UNHCR, *Repatriation under Conflict: A Review of the Encashment Programme for Afghan Refugees In Pakistan* (UNHCR: Geneva, 1994), para. 47.

55 UNHCR, *Repatriation under Conflict*, para. 68.

56 Commissioner's Office for Refugees (COR), Statistical Report, Documentation Centre (Khartoum) 1993, cited in Gaim Kibreab, "Left in Limbo: Prospects for Repatriation of Eritrean Refugees from the Sudan and Responses of the International Donor Community," in In Search of Cool Ground: War, Flight and Homecoming in Northeastern Africa, edited by Tim Allen (London: James Currey, 1996), 58.

57 Gaim Kibreab, "When Refugees Come Home: The Relationship between Stayees and Returnees in Post-Conflict Eritrea," *Journal of Contemporary African Studies* 20, no. 1 (2002): 53–80.

58 Kibreab, "Left in Limbo," 56–7.

59 Kibreab, "Left in Limbo," 58.

60 Kibreab, "Left in Limbo," 58.

61 Kibreab, "Left in Limbo," 63–4.

62 Gaim Kibreab, "Displaced Communities and the Reconstruction of Livelihoods in Eritrea (United Nations University WIDER World Institute for Development Economics Research, 2001): 1.

63 Kibreab, "Left in Limbo," 64.

64 Troger and Tennant, *Use of Cash Grants.*

65 Interview with UNHCR employee, Geneva, July 7, 2017.

66 UNHCR, *Statistics on Displaced Iraqis around the World: Global Overview*, September 2007.

67 Jeff Crisp, Jane Janz, Jose Riera, and Shahira Samy, *Surviving in the City: A Review of UNHCR's Operation for Iraqi Refugees in Urban Areas of Jordan, Lebanon and Syria*, UNHCR Policy Development and Evaluation Service, Geneva, 2009.

68 Interview with UNHCR employee, Geneva, July 7, 2017.

69 Interview with UNHCR employee.

70 Interview with UNHCR employee.

71 Andrew Harper, "Iraq's Refugees: Ignored and Unwanted," *International Review of the Red Cross* 90, no. 869 (2008): 172.

72 Crisp et al., *Surviving the City*, 9.

73 Interview with UNHCR employee, Geneva, July 7, 2017.

74 Interview with UNHCR employee.

75 Crisp et al., *Surviving the City*, 43.

76 To compare, Tanzania CBI in Nyarugusu refugee camp gave 20,000 Tanzanian shillings (about 7 euros) per person.

77 Ibid.

78 Crisp et al., *Surviving the City*, 9.

79 Crisp et al., *Surviving the City*, 3.

80 Crisp et al., *Surviving the City*; Jeff Crisp, "Finding Space for Protection: An Inside Account of the Evolution of UNHCR's Urban Refugee Policy," *Refuge* 33 no. 1 (2017): 1–58.

81 Interview with former UNHCR employee, April 5, 2017.

82 UNHCR, *UNHCR Policy on Refugee Protection and Solutions in Urban Areas* (Geneva: UNHCR, 2009), 19.

83 Mamdani, *Citizen and Subject*.

84 Brian Neldner, "The Settlement of Rural Refugees in Africa," *Disasters* 3, no. 4 (1979): 393–402; Gaim Kibreab, "Eritrean and Ethiopian Urban Refugees in Khartoum: What the Eye Refuses to See," *African Studies Review* 39 no. 3 (1996): 131–78; Marc Sommers, *Fear in Bongoland: Burundi Refugees in Urban Tanzania* (New York: Berghahn, 2001); Elizabeth Campbell, "Urban Refugees in Nairobi: Problems of Protection, Mechanisms of Survival, and Possibilities for Integration," *Journal of Refugee Studies* 19, no. 3 (2006): 396–413.

85 Loren Landau, "Urban Refugees and IDPs," in *The Oxford Handbook of Refugee and Forced Migration Studies*, edited by Elena Fiddian-Qasmiyeh, Gil Loescher, Katy Long, and Nando Sigona (Oxford: Oxford University Press, 2014), 140.

86 Clayton Boeyink, "After Garissa: Social Capital and Vulnerability among Somali Refugees in Nairobi," *Refugee Review* 3 (2017): 162–76.

87 Will Monteith and Shuaib Lwasa, "The Participation of Urban Displaced Populations in (In)formal Markets: Contrasting Experiences in Kampala, Uganda," *Environment & Urbanization* 29 no. 2 (2017): 382–402.

88 I was unable to find official UNHCR documents for the cash program in Khartoum and did not receive a response from UNHCR. One OCHA *Humanitarian Bulletin* mentioned cash assistance is being provided to Syrians in Khartoum. OCHA, *Humanitarian Bulletin Sudan Issue* 40.

89 At the time of distribution there were a relatively small number of Malian refugees residing in Niamey, Niger. Of these, the program targeted only 625 households for only four months, rather than in an ongoing and sustained fashion. See Pantaleo Creti, *Mobile Cash Transfers for Urban Refugees in Niamey, Niger* (Oxford: Cash Learning Partnership, 2014).

90 3RP: *Regional Refugee & Resilience Plan 2018–2019 in Response to the Syria Crisis. Regional Strategic Overview* (2018).

91 3RP: *Regional Refugee & Resilience Plan in Response to the Syria Crisis: Egypt* (2017).

92 "Refugee Support Along the Mediterranean Coast," Caritas Egypt, https://caritas-egypt.org/en/project/refugees-alex/.

93 Karen Jacobsen, Maysa Ayoub, and Alice Johnson, "Sudanese Refugees in Cairo: Remittances and Livelihoods," *Journal of Refugee Studies* 27, no. 1 (2014): 154.

94 Jacobsen, Ayoub, and Johnson, "Sudanese Refugees in Cairo," 153.

95 Interview with a humanitarian researcher, February 2, 2018.

96 UNHCR, *UNHCR Global Report 2017* (Geneva: UNHCR, 2018), 75.

97 3RP Regional Strategic Overview 2019/2020 (2018): 4.

98 Leben Nelson Moro, "Interethnic Relations in Exile: The Politics of Ethnicity among Sudanese Refugees in Uganda and Egypt," *Journal of Refugee Studies* 17, no. 4 (2004): 420–36.

99 Eve Troutt Powell, *A Different Shade of Colonialism Egypt, Great Britain, and the Mastery of the Sudan* (Berkeley: University of California Press, 2003).

100 Douglas H. Johnson, *The Root Causes of Sudan's Civil Wars*. African Issues. (Oxford: Currey, 2003); Heather J. Sharkey, "Arab Identity and Ideology in Sudan: The Politics of Language, Ethnicity, and Race," *African Affairs* 107, no. 426 (2008): 21–43.

101 Khoti Kamanga, "The (Tanzania) Refugees Act of 1998: Some Legal and Policy Implications," *Journal of Refugee Studies* 18, no. 1 (2005): 100–16.

102 Diana Felix da Costa, "'You May Think He Is Not a Human Being': Refugee and Host Community Relations in and around Nduta and Mtendeli Refugee Camps, Western Tanzania," Danish Refugee Council, 2017.

103 Lucy Hovil and Theodore Mbazumutima, "Tanzania's Mtabila Camp Finally Closed," Pambazuka News, 2012, https://www.pambazuka.org/governance/tanzania's-mtabila-camp-finally-closed.

104 Interview with Burundian man in Nyarugusu camp, August 22, 2017.

105 "Magufuli: No Citizenship for Burundi Refugees," *Citizen*, July 21, 2017, http://www.thecitizen.co.tz/News/Magufuli--No-citizenship-for-Burundi-refugees/1840340-4025670-format-xhtml-6dymcc/index.html.

106 Interview with refugee present at meeting between UNHCR, WFP, and Camp Commandant, Nyarugusu camp, August 12, 2017.

107 UNHCR, *Burundi Regional Refugee Response Plan January–December 2018*, Regional Refugee Coordination Office (Nairobi: UNHCR, 2018), 55.

108 Interview with UNHCR employee, Dar es Salaam, February 19, 2018.

109 Interview with Burundian man in Nyarugusu camp via Skype, March 31, 2019.

110 Thijs Van Laer, "'There Is Pressure on Us,'" Burundian Refugees in Tanzania Pushed to Return,"

African Arguments, accessed September 14, 2018, https://africanarguments.org/2018/08/21/pressure-burundi-refugees-tanzania-pushed-return/.

111   Emma Lochery, "Rendering Difference Visible: The Kenyan State and Its Somali Citizens," *African Affairs* 111, no. 445 (2012): 615–39; Hannah Alice Whittaker, "The Socioeconomic Dynamics of the Shifta Conflict in Kenya, C. 1963–8," *Journal of African History* 53, no. 3 (2013) : 391–408; David Anderson, "Remembering Wagalla: State Violence in Northern Kenya, 1962–1991," *Journal of Eastern African Studies* 8, no. 4 (2014): 1–19.

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[1]

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.

Résumé

Cet article examine la manière dont les systèmes d'immigration et d'éducation au Canada bloquent l'accès aux jeunes migrants au statut précaire tout au long de leurs parcours éducatifs. Bien que des politiques d'accès existent aux niveaux primaire et secondaire, les obstacles augmentent au niveau de l'éducation postsecondaire. À partir d'entretiens semi-structurés avec de jeunes migrants et de notre expérience dans l'organisation d'un programme d'accès visant l'inclusion d'étudiants au statut précaire à l'Université York, nous soutenons que les étudiants au statut précaire vivent une «double punition» lors de leur transition à l'université à travers leur exclusion racialisée dans les systèmes d'éducation et d'immigration. Nous suggérons que les universités canadiennes et les décideurs politiques apprennent des ces programmes d'accès afin d'accroître l'inclusion équitable dans d'autres 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.[2] Yet, while racist exclusion has become more implicit, it continues to underlie many state policies and contribute to the illegalization of migrants.[3] 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.[4]

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.[5] 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.[6] 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.[7]

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.[8] 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.[9]

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.[10] 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.[11] 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.[12] 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).[13] CRT examines

how race interlocks with other facets of social exclusion, with an interest in developing transformative practices.[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.[15]

In migration/refugee studies, scholars use the language of racialized or racializing "illegality."[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.[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."[18] This includes structural disadvantages like deportability (the fear, spectacle, and reality of deportation),[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.[20] We focus on research in the United States because there is little in other contexts beyond K–12 access.[21] As a juridical status, precarious immigration status organizes students' eligibility, willingness to apply to university, and the possibility of deportation.[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.[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.[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.[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."[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.[27] Undocumented or precarious status students have even less access, including limited information about relevant immigration policies or university application processes.[28] Their parents may not know how to navigate the system, and teachers might not be knowledgeable or willing to assist.[29] While students are resilient and, as Enriquez argues, "patch together the resources provided by their social networks," including other undocumented peers, this limitation affects students' educational outcomes.[30]

Research about undocumented migrant university access has focused on Mexican and Latinx[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."[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.[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").[34] It is estimated that 49 per cent of undocumented migrants in the United States do not finish high school.[35] The result is that undocumented/precarious status migrants access post-secondary education at lower rates than their citizen, permanent resident, and white counterparts.[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.[37] Another example is campus and community climate. Undocumented/

precarious status migrants face what is already a racialized and often explicitly racist campus context.[38] Clark-Ibáñez, Garcia-Alverdín, 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.[39] Students sometimes negotiate negative climates by de-emphasizing their immigration status and emphasizing their student identity.[40] However, institutional barriers and a negative 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.[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 presence and contributions of racialized migrants have been pervasively excluded.[42] For example, in the late 1800s and early 1900s 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 layovers.[43] In the mid-1900s, 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, MS *St. Louis*, being rerouted back to Europe during the Second World War.[44]

However, with the evolution of immigration and multiculturalism 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.[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 applications, including marriage sponsorship; and changes to the skilled immigration program that limited permanent residence along business models.[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 secondary 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.[47] Furthermore, school boards in Toronto, the province's largest city, have adopted access policies. However, admission to primary and secondary institutions remains exclusionary.[48] Youth and their families are continuously asked by administrators to produce evidence of their immigration status, including their lack of status, though their statuses are frequently misunderstood or challenged.[49]

Once migrant students with precarious status are admitted to schools, they face exclusions related to being an immigrant, their status, and racialization. Immigrant and racialized students are asked to complete Eurocentric curricula, which frequently devalue their knowledge, culture, and histories, affecting their learning outcomes and academic pursuits.[50] They are streamed into non-academic trades and criminalized through police programs in schools, and they suffer higher rates of push-out.[51] Parents and communities are often also stigmatized as "deficient" and lacking interest in student success.[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.[53] Linking marginalization within the school system to racist and exclusionary immigration policies leads to a "double punishment" for youth with precarious 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).[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,[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 precarity. In scholarly 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.[56]

The regulatory framework that organizes entry to post-secondary schooling for students with precarious status

Table 1: Participant Information

Pseudonym	Age	Gender	Region of origin	Years in Canada	Status
Gabriella	27	F	Africa	4.5	Refugee claimant
Djemba	26	M	Africa	5	Refugee claimant
Joey	22	F	Latin America	5	Refugee claimant
Rayan	28	M	Caribbean	5	Refugee claimant
Laura	28	F	Latin America	6	Refugee claimant
Thomas Jefferson	23	M	Africa	6	Non-status, transitioning to permanent residence
Sarah Jones	25	F	Caribbean	5	Non-status
Maria	36	F	Latin America	11	Non-status
Zoe	32	F	Caribbean	12	Non-status
Barbara	22	F	Latin America	12	Non-status
Lauren	22	F	Caribbean	13	Non-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.[57] 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[58] through Humanitarian and Compassionate applications (see table 1).[59] 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.[60] The

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.[61] 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.[62] Uprooted U was influenced by similar projects in the United States, including Freedom University, in Georgia.[63] 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.[64] 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."[65] 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.[66] 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.[67]

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 had 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-Alverdín, 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: "Specially 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

hope." Sarah Jones, a non-status woman who completed high school in her country of origin, stated, "Because it did good for me and the other people who I know right now, they're saying, 'When you hear about stuff like that again, you should let me know.'" Finally, Barbara stated, "There's a lot of people in my situation and there will be more. And like me, it gave me a sense of purpose. I wasn't just being a slob. And it's very helpful that there's a chance to be able to become a student. It's not only about feeling a sense of purpose, but it's actually you could get a degree, it's beneficial for a person's job."

These responses articulate a transformational solidarity/resistance by identifying the importance of others participating in the program and the fact that they sought further education to contribute to their families and communities. Furthermore, the bridging program was designed to support students as they started their university studies but did not guarantee an open door to university. Nevertheless, being in the program was an act of resistance itself, to the dehumanization and double punishment that participants had experienced. The course also allowed for critical discussions (and contradictions) about race, immigration status, and understanding of immigrant deservingness, broadening and contextualizing students' theorizations of their experiences. Finally, students' participation in the program increased their access to networks, resources, and the possibility of entering university, even if not immediately, given the fact that enrolment fees can be prohibitive. However, students articulated the desire to engage in a transformational resistance to the university's oppressive structures through their presence and actions, once they enrolled.

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.

This punishment intensifies at the entrance to postsecondary 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 postsecondary 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.

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.

2 Himani Bannerji, *The Dark Side of the Nation: Essays on Multiculturalism, Nationalism and Gender* (Toronto: Canadian Scholars' Press, 2000); Nandita Sharma, "Canadian Multiculturalism and Its Nationalisms," in *Home and Native Land: Unsettling Multiculturalism: Lands, Labours, Bodies*, edited by May Chazan Lisa Helps, Anna Stanley, and Sonali Thakkar (Toronto: Between the Lines Publishers, 2011).

3 Peter S. Li, "The Racial Subtext in Canada's Immigration Discourse," *Journal of International Migration and Integration* 2, no. 1 (2001): 77–97; Sunera Thobani, *Exalted Subjects: Studies in the Making of Race and Nation in Canada* (Toronto: University of Toronto Press, 2007); Harsha Walia, *Undoing Border Imperialism*, Anarchist Interventions (Oakland, CA: AK, 2013).

4 Luin Goldring, Carolina Berinstein, and Judith Bernhard, "Institutionalizing Precarious Migratory Status in Canada," *Citizenship Studies* 13, no. 3 (2009): 239–65; Luin Goldring and Patricia Landolt, eds., *Producing and Negotiating Non-Citizenship: Precarious Legal Status in Canada* (Toronto: University of Toronto Press, 2013).

5 Michael A. Olivas, *No Undocumented Child Left Behind: Plyler v. Doe and the Education of Undocumented Schoolchildren* (New York: NYU Press, 2012).

6 Francisco Villegas, "'Access without Fear!': Reconceptualizing 'Access' to Schooling for Undocumented Students in Toronto," *Critical Sociology* 43, no. 7–8 (2016): 1178–95.

7 Carl James and Tana Turner, "Towards Race Equity in Education: The Schooling of Black Students in the Greater

Toronto Area" (Toronto: York University 2017); Sara Schroeter and Carl James, "'We're Here Because We're Black': The Schooling Experiences of French-Speaking African-Canadian Students with Refugee Backgrounds," *Race Ethnicity and Education* 18, no. 1 (2015): 20–39; fcj Youth Network, *Uprooted Education: 2015–2016 Ontario Report* (Toronto: fcj Refugee Centre, 2016).

8   Mae M. Ngai, "A Call for Sanctuary," *Dissent* 64, no. 1 (2017): 16–19; National Immigration Law Center, "Basic Facts about In-State Tuition for Undocumented Immigrant Students," last updated June 1, 2018, https://www.nilc.org/issues/education/basic-facts-instate/.

9   Paloma E. Villegas, "Bridging Borders: Teaching a Bridging Course with Precarious Status Students Transitioning to the University," in *Critical Schooling: Transformative Theory and Practice*, edited by Francisco J. Villegas and Janelle Brady, 245–68 (New York: Springer, 2019); Anthony Reinhart, "Good Enough for a Federal Scholarship," *Globe and Mail*, March 6, 2008, https://www.theglobeandmail.com/news/national/good-enough-for-a-federal-scholarship/article18447155/; Ryan Hayes, "Neoliberal Citizenship: The Case of International and Non-Status Students in Canada," in *Documenting the Undocumented: Redefining Refugee Status, Center for Refugee Studies 2009 Annual Conference Proceedings*, edited by Veronica P. Fynn, 101–9 (Boca Raton, FL: Universal Publishers, 2009); Lesley Ciarula Taylor, "Immigrant Crackdown Derails Studies," *Toronto Star*, September 22, 2008, https://www.thestar.com/news/gta/2008/09/22/immigrant_crackdown_derails_studies.html; ctv News, "U of T Students Fight Deportation Order," https://toronto.ctvnews.ca/u-of-t-students-fight-deportation-order-1.368688.

10 Rogelio Sáenz and Karen Manges Douglas, "A Call for the Racialization of Immigration Studies: On the Transition of Ethnic Immigrants to Racialized Immigrants," *Sociology of Race and Ethnicity* 1, no. 1 (2015): 166–180.

11 Abdelmalek Sayad, *The Suffering of the Immigrant* (Cambridge, uk: Polity, 2004).

12 Gloria Ladson-Billings, "Just What Is Critical Race Theory and What's It Doing in a Nice Field Like Education," in *The RoutledgeFalmer Reader in Multicultural Education*, 49–68 (Oxon: RoutledgeFalmer, 2004).

13 Richard Delgado and Jean Stefancic, *Critical Race Theory: An Introduction* (New York: nyu Press, 2017).

14 Kimberle W. Crenshaw, "Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine," *University of Chicago Legal Forum* 1989, no. 1 (1989): 139–67.

15 Ladson-Billings, "Just What Is Critical Race Theory."

16 Juan Herrera, "Racialized Illegality: The Regulation of Informal Labor and Space," *Latino Studies* 14, no. 3 (2016): 320–43; San Juanita García, "Racializing 'Illegality': An Intersectional Approach to Understanding How Mexican-Origin Women Navigate an Anti-Immigrant Climate," *Sociology of Race and Ethnicity* 3, no. 4 (2017): 474–90.

17 Nicholas De Genova, "The Legal Production of Mexican/Migrant 'Illegality,'" *Latino Studies* 2, no. 2 (2004): 160–85.

18 García, "Racializing 'Illegality,'" 474.

19 Nicholas De Genova, "Migrant 'Illegality' and Deportability in Everyday Life," *Annual Review of Anthropology* 31 (2002): 419–47.

20 Roberto G. Gonzales, *Lives in Limbo: Undocumented and Coming of Age in America* (Oakland, ca: University of California Press, 2016); Veronica Terriquez, "Dreams Delayed: Barriers to Degree Completion among Undocumented Community College Students," *Journal of Ethnic and Migration Studies* 41, no. 8 (2015): 1302–23.

21 Eve Geddie, "Undocumented Migrants' Right to Health and Education in Europe: Protection Needs vs. Immigration Control," in *European Social Watch Report, Migrants in Europe as Development Actors: Between Hope and Vulnerability*, 29–31 (Brussels: European Social Watch, 2009); Kamena Dorling, "Growing Up in a Hostile Environment: The Rights of Undocumented Migrant Children in the uk" (Colchester: Migrant Children's Project, 2013).

22 De Genova, "Migrant 'Illegality'"; Leisy J. Abrego, "'I Can't Go to College Because I Don't Have Papers': Incorporation Patterns of Latino Undocumented Youth," *Latino Studies* 4, no. 3 (2006): 212–31; Gonzales, *Lives in Limbo*; Michael A. Olivas, "iirira, the Dream Act, and Undocumented College Student Residency," *Journal of College and University Law* 30, no. 2 (2004): 435–64; Marisol Clark-Ibáñez, Fredi Garcia-Alverdín, and Gricelda Alva, "A Passport to Education: Undocumented Latino University Students Navigating Their Invisible Status," in *International Handbook of Migration, Minorities and Education*, edited by Zvi Bekerman and Thomas Geisen, 497–513 (Dordrecht: Springer, 2012); Terriquez, "Dreams Delayed."

23 Laura E. Enriquez, "A 'Master Status' or the 'Final Straw'? Assessing the Role of Immigration Status in Latino Undocumented Youths' Pathways out of School," *Journal of Ethnic and Migration Studies* 43, no. 9 (2017): 1526–43; Breanne J. Palmer, "The Crossroads: Being Black, Immigrant, and Undocumented in the Era of #Blacklivesmatter," *Georgetown Journal of Law and Modern Critical Race Perspectives* 9, no. 2 (2017): 99–121; Loan Thi Dao, "Out and Asian: How Undocu/dacamented Asian Americans and Pacific Islander Youth Navigate Dual Liminality in the Immigrant Rights Movement," *Societies* 7, no. 3 (2017): 17–32.

24 Gonzales, *Lives in Limbo*; Roberto G. Gonzales and Leo R. Chavez, "'Awakening to a Nightmare': Abjectivity and Illegality in the Lives of Undocumented 1.5-Generation Latino Immigrants in the United States," *Current Anthropology* 53, no. 3 (2012): 255–81; Lindsay Perez Huber, "Using Latina/o Critical Race Theory (Latcrit) and Racist Nativism to Explore Intersectionality in the Educational Experiences of Undocumented Chicana College Students," *Educational Foundations* 24, no. 1–2 (2010): 77–96; Terriquez, "Dreams Delayed."

25 Bridget Anderson, "Migration, Immigration Controls and the Fashioning of Precarious Workers," *Work, Employment*

& Society 24, no. 2 (2010): 300–17; Judy Fudge, "Precarious Migrant Status and Precarious Employment: The Paradox of International Rights for Migrant Workers," *Comparative Labor Law & Policy Journal* 34, no. 1 (2012): 95–131; Cheryl Teelucksingh and Grace-Edward Galabuzi, Working Precariously: The Impact of Race and Immigrants Status on Employment Opportunities and Outcomes in Canada (Toronto: Canadian Race Relations Foundation and Centre for Social Justice, 2005).

26 Pierre Bourdieu, "The Forms of Capital," in *Handbook of Theory and Research for the Sociology of Education*, edited by J.G. Richardson, 241–58 (New York: Greenwood, 1985).

27 Laura W. Perna and Martin A. Titus, "The Relationship between Parental Involvement as Social Capital and College Enrollment: An Examination of Racial/Ethnic Group Differences," *Journal of Higher Education* 76, no. 5 (2005): 485–518.

28 Clark-Ibáñez, Garcia-Alverdín, and Alva, "Passport to Education"; Laura E. Enriquez, "'Because We Feel the Pressure and We Also Feel the Support': Examining the Educational Success of Undocumented Immigrant Latina/o Students," *Harvard Educational Review* 81, no. 3 (2011): 476–500; Enriquez, "A 'Master Status' or the 'Final Straw'?"; Michael J. Trivette and David J. English, "Finding Freedom: Facilitating Postsecondary Pathways for Undocumented Students," *Educational Policy* 31, no. 6 (2017): 858–94.

29 Enriquez, "'Because We Feel the Pressure'"; Julian Jefferies and Dafney Dabach, "Breaking the Silence: Facing Undocumented Issues in Teacher Practice," *Association of Mexican American Educators Journal* 8, no. 1 (2015): 83–93.

30 Enriquez, "'Because We Feel the Pressure,'" 477; Dao, "Out and Asian."

31 Gender-neutral term to refer to persons of Latin American origins.

32 Palmer, "Crossroads," 114.

33 Dao, "Out and Asian."

34 Terriquez, "Dreams Delayed"; George J. Sefa Dei, *Reconstructing "Dropout": A Critical Ethnography of the Dynamics of Black Students' Disengagement from School* (Toronto: University of Toronto Press, 1997).

35 Jeffrey S. Passel, "Unauthorized Migrants: Numbers and Characteristics." Background briefing prepared for Task Force on Immigration and America's Future (Washington, DC: Pew Hispanic Center, 2005).

36 Abrego, "'I Can't Go to College'"; Clark-Ibáñez, Garcia-Alverdín, and Alva, "Passport to Education."

37 Teri Jan Albrecht, "Challenges and Service Needs of Undocumented Mexican Undergraduate Students: Students' Voices and Administrators' Perspectives" (University of Texas at Austin, 2007); Yolanda T. Rangel, "College Immigrant Students: How Undocumented Female Mexican Immigrant Students Transition into Higher Education" (UCLA, 2001).

38 Perez Huber, "Using Latina/o Critical Race Theory"; Shaun R. Harper and Sylvia Hurtado, "Nine Themes in Campus Racial Climates and Implications for Institutional Transformation," *New Directions for Student Services* 120 (2007): 77–96.

39 Clark-Ibáñez, Garcia-Alverdín, and Alva, "Passport to Education," 504.

40 Francisco Villegas, "Strategic In/Visibility and Undocumented Migrants," in *Fanon & Education: Thinking Through Pedagogical Possibilities*, edited by George J. Sefa Dei and Marlon Simmons, 147–70 (New York: Peter Lang, 2010); Claudia A. Anguiano and Lourdes G. Nájera, "Paradox of Performing Exceptionalism: Complicating the Deserving/Underserving Binary of Undocumented Youth Attending Elite Institutions," *Association of Mexican American Educators Journal* 9, no. 2 (2015): 45–56.

41 Terriquez, "Dreams Delayed."

42 Sherene Razack, *Race, Space, and the Law: Unmapping a White Settler Society* (Toronto: Between the Lines, 2002); Enakshi Dua, "Canadian Anti-Racist Feminist Thought: Scratching the Surface of Racism," in *Scratching the Surface: Canadian Anti-Racist Feminist Thought*, edited by Enakshi Dua and Angela Robertson (Toronto: Women's Press, 1999).

43 Enakshi Dua, "Exclusion through Inclusion: Female Asian Migration in the Making of Canada as a White Settler Nation," *Gender Place and Culture* 14, no. 4 (2007): 445–66; Alan Simmons, *Immigration and Canada: Global and Transnational Perspectives* (Toronto: Canadian Scholars' Press, 2010).

44 Canadian Council for Refugees, "A Hundred Years of Immigration to Canada 1900–1999," 2000, http://ccrweb.ca/en/hundred-years-immigration-canada-1900-1999.

45 Li, "Racial Subtext in Canada's Immigration Discourse"; Vic Satzewich and Nikolaos Liodakis, "Race" and Ethnicity in Canada: A Critical Introduction, 3rd ed. (Toronto: Oxford University Press, 2013); Loyd Wong and Shibao Guo, "Canadian Ethnic Studies in the Changing Context of Immigration: Looking Back, Looking Forward," *Canadian Ethnic Studies* 50, no. 1 (2018): 1–9.

46 Naomi Alboim and Karen Cohl, "Shaping the Future: Canada's Rapidly Changing Immigration Policies," Maytree, 2012, https://maytree.com/wp-content/uploads/shaping-the-future.pdf.

47 Education Act, RSO 1990, c E.2, https://www.ontario.ca/laws/statute/90e02.

48 FCJ Youth Network, *Uprooted Education*; Tanya Aberman and Philip Ackerman, "Isn't the Right to an Education a Human Right?," in Y*outh as/in Crisis*, edited by Sara Carpenter and Shahrzad Mojab, 127–44 (Rotterdam: SensePublishers, 2017).

49 FCJ Youth Network, Uprooted Education.

50 Aberman and Ackerman, "Isn't the Right to an Education a Human Right?"; Yan Guo, "Diversity in Public Education: Acknowledging Immigrant Parent Knowledge," *Canadian Journal of Education* 35, no. 2 (2012): 120–40.

51 Dei, *Reconstructing "Dropout"*; Grace Edward Galabuzi, "Race and the Streaming of Ontario's Children and Youth,"

Our Schools Ourselves 23, no. 2 (2014: 185–226; James and Turner, "Towards Race Equity in Education"; FCJ Youth Network, *Uprooted Education*; Schroeter and James, "'We're Here Because We're Black'"; Paul Ansief, *Learning and Sociological Profiles of Canadian High School Student: An Overview of 15- to 18-Year-Olds and Educational Policy Implications for Dropouts, Exceptional Students, Employed Students, Immigrant Students, and Native Youth in Ontario* (New York: Edwin Mellen, 1994); Samuel Noh, Morton Beiser, Violet Kaspar, Feng Hou, and Joanna Rummens, "Perceived Racial Discrimination, Depression and Coping: A Study of South East Asian Refugees in Canada," *Journal of Health and Social Behavior* 40 (1999): 193–207; Jacqueline Oxman-Martinez, Anneke J. Rummens, Jacques Moreau, Ye R. Choi, Morton Beiser, Linda Olgilvie, and Robert Armstrong, "Perceived Ethnic Discrimination and Social Exclusion: Newcomer Immigrant Children in Canada," *American Journal of Orthopsychiatry* 82, no. 3 (2012): 376–88; Yogendra B. Shakya, Sepali Guruge, Michaela Hynie, Arzo Akbari, Mohamed Malik, Sheila Htoo Azza Khogali, Stella A. Mona, Rabea Murtaza, and Sarah Alley, "Aspirations for Higher Education among Newcomer Refugee Youth in Toronto: Expectations, Challenges, and Strategies," *Refuge* 27, no. 2 (2012): 65–78.

52 Francisco Villegas, "Prescribed Lack: The Prevalence and Dangers of Deficiency Theories to Explain the Latina/o Schooling Experience in Toronto," *Latin American Encounters* 2 (2014): 40–50.

53 FCJ Youth Network, *Uprooted Education.*

54 Faria Kamal and Kyle D. Killian, "Invisible Lives and Hidden Realities of Undocumented Youth," *Refuge* 31, no. 2 (2015): 63–74; Julie Young, "This Is My Life: Youth Negotiating Legality and Belonging in Toronto," in *Producing and Negotiating Non-Citizenship: Precarious Legal Status in Canada*, edited by Luin Goldring and Patricia Landolt, 99–117 (Toronto: University of Toronto Press, 2013); Aberman and Ackerman, "Isn't the Right to an Education a Human Right?"

55 Jaswant Kaur Bajwa, Sidonia Couto, Sean Kidd, Roula Markoulakis, Mulugeta Abai, and Kwame McKenzie, "Refugees, Higher Education, and Informational Barriers," *Refuge* 33, no. 2 (2017): 56–65.

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.

58 Not everyone applied for regularization, because the process of applying is onerous and expensive, and if it is unsuccessful, it plugs migrants into a surveillance web that further illegalizes them. See Paloma E. Villegas, "Fishing for Precarious Status Migrants: Surveillant Assemblages of Migrant Illegalization in Toronto, Canada," *Journal of Law and Society* 42, no. 2 (2015): 230–52.

59 Application measures establishment in Canada related to occupation and community engagement, and does not protect from deportation; see Immigration Refugees and Citizenship Canada, "Humanitarian and Compassionate Assesment: Establishment in Canada," www.cic.gc.ca/english/ resources/tools/perm/hc/processing/establishment.asp.

60 J.M. Corbin and A. Strauss, "Grounded Theory Research: Procedures, Canons, and Evaluative Criteria," *Qualitative Sociology* 13, no. 1 (1990): 3–21.

61 Mary Weims, "York First Canadian University to Give 'Dreamers' a Chance at a Degree," CBC News, January 15, 2018. http://www.cbc.ca/news/canada/toronto/ canadian-dreamers-york-university-1.4488252.

62 Tanya Aberman, Francisco Villegas, and Paloma E. Villegas, eds., *Seeds of Hope: Creating a Future in the Shadows* (Toronto: FCJ Refugee Centre, 2016); Aberman and Ackerman, "Isn't the Right to an Education a Human Right?"

63 Laura E. Soltis, "From Freedom Schools to Freedom University: Liberatory Education, Interracial and Intergenerational Dialogue, and the Undocumented Student Movement in the US South," *Souls* 17, no. 1–2 (2015): 20–53; Susana Muñoz, Michelle M. Espino, and Rene Antrop-Gonzalez, "Creating Counter-Spaces of Resistance and Sanctuaries of Learning and Teaching: An Analysis of Freedom University," *Teachers College Record* 116, no. 7 (2014): 1–32; Trivette and English, "Finding Freedom."

64 Palmer, "Crossroads," 116.

65 Muñoz, Espino, and Antrop-Gonzalez, "Creating Counter-Spaces," 20; Daniel G. Solórzano and Dolores Delgado Bernal, "Examining Transformational Resistance through a Critical Race and Latcrit Theory Framework: Chicana and Chicano Students in an Urban Context," *Urban Education* 36, no. 3 (2001): 308–42.

66 Trivette and English, "Finding Freedom."

67 Aberman and Ackerman, "Isn't the Right to an Education a Human Right?"

68 Clark-Ibáñez, Garcia-Alverdín, and Alva, "Passport to Education."

69 Villegas, "Strategic In/Visibility and Undocumented Migrants"; Frantz Fanon, *Black Skin, White Masks* (New York: Grove, 1967).

70 Villegas, "Strategic In/Visibility and Undocumented Migrants," 156.

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

Book Reviews

Critical Reflections on Migration, "Race" and Multiculturalism: Australia in a Global Context

∽

Edited by Martina Boese and Vince Marotta
London: Routledge, 2017, 277 pp.

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 Maghrebin 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.

Within part 3, "Race, Racism and Post-Nationalism," in chapter 7, "(Not) Doing Race: 'Casual Racism,' 'Bystander Antiracism' and 'Ordinariness' in Australian Racism Studies," Alana Lentin examines studies that unsuccessfully engage on colonialism and black subjugation and minimize racism in Australian public life. Chapter 8, "'It's the End of the World as

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.

Part 5, "Multiculturalism and Constructions of Cultural Identity," begins with chapter 13, "Sociology of Youth and Migration Research," by Anita Harris, in the context of globalization, diversity, and mobility, with a particular focus on Australia, reflects on the ways one has to construct migrant background youth as a unit of inquiry within the fields of youth sociology and migration studies. Vince Marotta and Paula Muraca in their chapter 14, "Transnational Otherness and the Paradox of Hybridity in Singapore and Australia: A Critical Realist Approach," examine the conceptualization of hybridity and its relationship to the discourse of multi-racialism and multiculturalism in Singapore and Australia. Chapter 15 by Greg Noble and Paul Tabar, "The 'Career' of the Migrant: Time, Space and the Settling Process," centres on the question of how migrants settle, based on a case study that examines the settling experiences of Lebanese migrants to Australia. It argues that settling is not an event but a trajectory whose temporal and spatial dimensions need to be explored.

Martina Boese and Vince Marotta's book fills important gaps in the study of migration, race, and multiculturalism and brings important analyses on theoretical and research levels of prominent scholars in the field while offering rich materials. It may serve as an extremely useful guide for academics, researchers, students, NGO and aid workers, human rights professionals, social workers, asylum service workers, public organizations, and those working on refugee and migration policy, migration, and race.

Theodoros Fouskas (sociologist, PhD) has taught at the University of Crete (2017–18, NSRF, teaching scholarship), the National School of Public Health (2017–18), the Democritus University (2017–18), and other academic institutions. The author can be reached at theodoros.fouskas@gmail.com.

Deport. Deprive. Extradite: 21st Century State Extremism

❧

Nisha Kapoor
London: Verso, 2018, 240 pp.

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 legitimated 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.

Carceral Humanitarianism: Logics of Refugee Detention

❧

Kelly Oliver

Minneapolis: University of Minnesota Press, 2017, 92 pp.

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
New York: Oxford University Press, 2017, 296 pp.

*A*merican Routes, by Angel Adams Parham, offers an insightful look into the historical development and contemporary vestige of overlying, 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 explicate 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 unearths 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 historicaly comparative efforts. While Parham's work focuses on the specificities 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
London: Pluto, 272 pp.

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 pitied. 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.

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
London: Zed Books, 2017, 280 pp.

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 subjugated 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 Rohingya—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.