

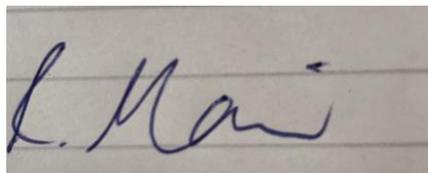
**Producing and Contesting Precarity: The Politics of the Body in the British Asylum System**

Submitted by Rebecca Mavin to the University of Exeter  
as a thesis for the degree of  
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Signature:

A photograph of a handwritten signature in blue ink on lined paper. The signature is written in a cursive style and appears to read 'R. Mavin'.

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## Abbreviations

BBC	<b>British Broadcasting Corporation</b>
COMPASS	Commercial and Operational Managers Procuring Asylum Support
DRC	Democratic Republic of Congo
ESRC	Economic and Social Research Council
EU	European Union
EURODAC	European Asylum <del>Dat</del> tyloscopy Database
ILR	Indefinite Leave to Remain
IRC	Immigration Removal Centre
MLR	Medico-Legal Report
NASS	National Asylum Support Service
NGO	Non-Governmental Organisation
NHS	National Health Service
UK	United Kingdom
UKBA	United Kingdom Border Agency
UN	United Nations
UNHCR	United Nations High Commission for Refugees



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## **Abstract: Producing and Contesting Precarity: The Politics of the Body in the British Asylum System**

This dissertation discusses how the body is central to processes of governance and agency within the British asylum system, and how this affects asylum seekers' lived experiences and self-understandings. In many regards, claiming asylum is a legal, bureaucratic process. However, for asylum seekers, it is also a lived- and deeply embodied- experience. The techniques of government that the state uses to identify asylum seekers, ascertain evidence to support or contest their claims, and regulate their behaviours, often utilise the scrutiny and disciplining of the body as ways to materially assert power, and achieve the state's aims concerning asylum. This renders bodies sites of *governance* within the asylum system. On the other hand, asylum seekers' autonomous actions and behaviours often also draw on the body, in order to express forms of identity, political opinions, and grievances with the system. In this sense, the body can also be a site of *agency*.

In this dissertation, I make three key contentions about the nature and importance of the body in the context of the asylum system. First, I show how the body is a site of central political importance in contemporary asylum systems. However, the precise ways that the body functions politically are not predetermined or straightforward- it functions in a variety of ways, and often in different- sometimes contradictory- manners in the same moment: its political function within the system is heterogeneous and changeable. The body can be a site of governance and a site of agency; a place at which identities are manifest, and where individuals can be disciplined. Second, I argue in favour of adopting a performative theoretical perspective to analyse the body's functions in the asylum system, based on Butler's understanding of performativity. I suggest that this provides a fruitful perspective for considering both

how state power utilises a variety of techniques to subjugate and control bodies, and how asylum seekers' embodied practices can enact agency and — at moments — resistance. Thirdly, I argue that the political implication of the body in the asylum system can be seen to have significant, and broadly negative, impacts for asylum seekers. In particular, I suggest that techniques of governance in the system function to produce precarity in asylum seekers' lives — through these techniques, the state can instil their material and political lives with uncertainty and the threat of dispossession, and actual deprivation and violence. This functions to demand compliance, and enact state power over asylum seekers' lives. On the other hand, asylum seekers' embodied practices and agency can function to partially overcome this precarity, allowing individuals to strive for a more liveable life from within a punitive system. These three arguments inform the theoretical discussions within this thesis, and underpin its empirical findings.

The thesis' findings are based on ethnographic fieldwork conducted with asylum seekers, refugees, and their advocates in the South West of England. This fieldwork took place over 18 months — from February 2016 to August 2017 — and involved over 800 hours of participant observation in the field, and 25 in-depth, semi-structured interviews. This original empirical data was analysed alongside sustained critical engagement with policy documents and existing academic work, to produce a thematic analysis of the various ways that the body is rendered an important political site within asylum systems, and the impacts this has on asylum seekers' lives.

This work hopes to make a number of contributions. In terms of academic work, the thesis highlights the centrality of the body — and the varied ways that the body is a politically important site — within asylum systems, something which has not been systematically addressed until now. The thesis also hopes to contribute an original

understanding of the asylum system as a performative political milieu, and of precarity as a performative phenomenon. This work also hopes to make some practical contributions to discussions of asylum policy and its implementation and discussions about how to best support asylum seekers, by highlighting the importance of considering the embodied facets of the system, and the ways in which focusing on the body's role within the asylum system might be conducive to fairer and more efficient practices.

## **Introduction: Investigating the Body and Embodied Experience in the UK's Asylum System**

Rashid is in his late twenties, and from an affluent Qatari family. Following a privileged childhood, he began attending university, where he became involved with student politics. Rashid's atheism and political outspokenness made him feel increasingly unsafe. He received several threats of violence from people in the community and became aware that the state security apparatus were monitoring his activities. He fled Qatar in 2015, leaving most of his money and possessions behind. Rashid travelled to Europe clandestinely, paying smugglers to transport him across the Mediterranean, eventually ending up at the Serbian-Hungarian border. His arrival coincided with the significant wave of migration in mid-2015, and he recalls attempting to cross the border with a large group of other refugees. Rashid remembers the Hungarian Police and Border Forces responding violently, using tear gas and threatening them with guns. His fingerprints were taken and a claim for asylum was lodged in Hungary, but he was so traumatised by his experience at the border that he feared for his life, and quickly decided to leave. Rashid travelled across Europe undetected, arriving in the UK in late 2015.

Rashid felt that he had enough evidence to make a strong case that he would be in danger if he returned to Qatar, and that he would be granted asylum in the UK. However, when he claimed asylum, the Home Office immediately saw that he had already applied for asylum in Hungary, as his fingerprints were on the EU-wide EURODAC database. He wasn't given the opportunity to explain his case. Rather, the Home Office informed him that he was not eligible to claim asylum in the UK, because he had breached the Dublin Agreement, which states that asylum seekers must claim asylum in the first EU member-state in which they arrive. He was then sent to an

immigration removal centre, where he was detained and told that he would be removed from the UK and sent back to Hungary. Rashid spent five months in Colnbrook Immigration Removal Centre. During this time, he spent most of his time alone, leaving his room only when the guards took him to the medical facilities or for meals. He struggled with being confined, and with the highly regimented structure of the days there: he felt as though he was imprisoned without having committed a crime. Rashid fell into a deep depression and began self-harming. He was eventually released from detention after finding a new solicitor who helped him put together a fresh claim, based on evidence that he was not able to submit the first time around.

Rashid's health began to improve after his release. However, he remained reliant on the state for financial support and accommodation. Over an 18-month period, he was relocated to unfamiliar cities three times, and required to travel to a local police station on a weekly basis to 'report' to the Home Office. Throughout this time, he constantly struggled to afford basic food, clothing, and hygiene products. He was forced to turn to charities and acquaintances to meet his basic needs. Because of these experiences, Rashid struggled to adapt to life in the UK. He found it difficult to establish relationships or a sense of belonging, his mental and physical health was badly affected, and he was frustrated by his contact with the state, feeling that he had been treated harshly and unfairly.

I begin with Rashid's case not because it is unusual within the context of the British asylum system. Indeed, Rashid's experiences and frustrations are relatively commonplace. Rather, his case highlights how the process of claiming asylum in the UK is not solely a legal or bureaucratic process, but is rather a deeply embodied experience. At various moments during the course of his claim, and in different ways, Rashid's body was of fundamental importance in determining how the state identified

and responded to him, and how he was able to act and express himself within the context of the asylum system. It was his fingerprints, information drawn from the surface of his body, which the state used to deem Rashid's asylum claim illegitimate, and to justify his attempted removal from the UK. Later, it was the control of his bodily behaviours and movements – first in detention, and then through the control over his living situation – that enabled the state to monitor Rashid, and to ensure he complied with its demands. The stress that these experiences caused led Rashid to begin self-harming. Following his release from detention, Rashid went on to publicly display the scars and injuries on his body that had resulted from his self-harm, to physically demonstrate the negative impacts that claiming asylum had wrought on his life. Rashid's body was central both to the state's efforts to oversee and exert control over his claim, and his own efforts to highlight the negative impacts of state power.

This thesis explores how the body is central to processes of governance and agency within the British asylum system. It also demonstrates how these processes affect asylum seekers' lived experiences and understandings. This research is based on an observation I made while volunteering with asylum seekers in London in 2012: I noticed that the physical body was important in the process of claiming asylum – both to the actors that work to govern asylum seekers, and to asylum seekers and those who support them. I noted that asylum seekers' contact with the state often involved providing bodily information, or the demand that they alter their physical movements and behaviours in certain ways – for example, through being relocated or prohibited from engaging in certain activities. On the other hand, I noted how asylum seekers themselves often drew on embodied behaviours to resist state control or express themselves from within the punitive context of the system. In some instances, acts of resistance such as hunger striking and self-harming turn the body against the state,

and show how asylum seekers can retain some mastery over the bodies that the state often seeks to dominate. This was the case for Rashid, who publicly displayed his scars to highlight the mistreatment he felt he had endured at the hands of the state and demonstrate the fact that he was still in control of his body. However, asylum seekers' decisions to engage in physical practices such as sports or work provide less extreme examples of how the body and embodied experiences can enable asylum seekers to subvert the state's control, and physically express a more 'authentic' way of life.

In the asylum system, bodies can be seen as more than inert biological objects, they are sites at which political processes are materialised and debates play out; where state power asserts itself, and where individuals visibly display their identities. This is not exclusive to the asylum system: bodies are politically important sites where power is articulated, reproduced, and contested in most political contexts. However, this thesis will show how this is especially relevant in the context of asylum. In the UK, asylum is a deeply politicised issue, and the asylum system is increasingly politically salient. The state employs ever-more extensive efforts to govern asylum seekers, whereas people seeking asylum increasingly find themselves in adversarial relationships with the state. These political processes and relationships are not abstract – they play out on a tangible level, often on and through asylum seekers' bodies.

This thesis questions precisely *how* the body is embroiled in the process of claiming asylum, and how this affects asylum seekers. I highlight how asylum seekers' bodies are sites at which the state can work to obtain asylum seekers' identities — and thus label them as genuine or bogus individuals, who ought to be removed from the country or granted the right to remain — or at which asylum seekers can be controlled while

their claim is processed. In these senses, bodies are central to processes of *governance*. On the other hand, asylum seekers use their bodies to enact identities and political expressions – bodies can also be sites of *agency*. The thesis shows how, while these bodily processes are widespread and fundamental to the asylum system, they are also varied. Bodies can be sites of governance and agency at the same time, and the way that they are affected by their involvement in the system is diverse and changeable. As a result, the ways that the body's involvement in the asylum system affects asylum seekers' experiences and understandings is also varied: sometimes, being subjected to techniques of governance that harshly affect the body – for example, detention – can have far-reaching impacts on an asylum seekers' experiences and perspectives, instilling their lives with significant uncertainty and anguish, as was the case for Rashid. At other moments, asylum seekers live relatively autonomously within the system, and can find ways to forge a more liveable way of life within and despite the state's attempts to control them. Bodies are centrally important in the process of claiming asylum, but the particular ways that they are involved in the asylum system are varied, multiple, complex, changeable, and, sometimes contradictory. It is this puzzle that the thesis sets out to address.

### **Introduction to the Topic: The Asylum System and the Rising Prominence of the Body**

Asylum seekers are people who have left their country due to a fear of persecution and applied for protection from another state. People who fear persecution “for reasons of race, religion, nationality, membership of a particular social group or political opinion” can claim asylum based on the 1951 United Nations Convention Relating to the Status of Refugees, which recognises the right of people who face a “genuine and well-founded fear of being persecuted” to be granted refugee status (United Nations, 1951). Others who do not meet this criteria but who still fear a

demonstrable risk of persecution – for example, due to indiscriminate violence, or the risk of execution or torture in their country – can apply for Humanitarian Protection<sup>1</sup> under the European Convention on Human Rights (Council of Europe, 1950).<sup>2</sup> Despite these differing forms of protection, everyone who wishes to be granted leave to remain in the UK — the right to legally reside and work, and to be granted rights and protections — must go through the asylum system so that a decision on their case can be made.

In theory, claiming asylum is a legal process in which applicants present a case to the Home Office outlining the reasons they require protection, and go through a bureaucratic process in which their eligibility is determined through a process of investigation. However, the UK's asylum system is underpinned by a political climate beset by panic about the number of asylum seekers entering the country, which often manifests in negative public perceptions, and a culture of suspicion in which asylum seekers are viewed as a threat to the state's security, resources, identity, and values.

As a result, the government has displayed a desire to keep the number of asylum seekers entering the UK low, and fostered a 'culture of disbelief' in which decision-makers often do not see asylum seekers as being trustworthy. The extent of this culture of disbelief is reflected in how claims are judged. In 2017, the UK received 26,350 asylum claims, yet just 44% of these were granted leave to remain (UK Government, 2016b). Since 2000, there has not been a year in which more than 50% of asylum claims were judged positively (Blinder, 2017). This decision-making

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<sup>1</sup> For brevity, in this thesis all references to 'asylum seekers' refers to individuals claiming for both asylum and humanitarian protection, unless stated otherwise.

<sup>2</sup> The British Government has committed to remaining in the Treaty irrespective of the fact that the UK will exit the EU in March 2019, however at the time of writing it is unclear if the convention will continue to apply indefinitely or only during the 'transition period' during which the UK leaves the EU, and whether the British Parliament will uphold the decision to remain a signatory of the Convention.

environment suggests that while asylum seekers' narratives of their experiences *should* be determinative in deciding claims, political forces often affect how cases are judged. Government has introduced increasingly stringent measures to assess asylum claims, with the aim of delineating between 'genuine' and 'bogus' asylum seekers, and of monitoring asylum seekers' lives. At the same time, and perhaps in response to this, the extent of contestation has also risen. Many asylum seekers engage in legal challenges, social campaigns, and protests aimed at challenging state decisions, exposing human rights abuses, or laying claim to rights (Conlon, 2013). As a result, an increasing number of legal categories, social spaces, and sites have become political battlegrounds, where the tensions between state governance and asylum seekers' demands are manifest.

Asylum seekers' bodies are one such site. On the one hand, the materiality of the body means it is a site at which state power can easily be performed: through the use of techniques such as medical testimony and biometrics, the body can come to act as a site of proof (Fassin and D'Halluin, 2005). Moreover, bodies are key sites at which the state can control asylum seekers: bodies which the state has deemed suspicious can be removed from the public sphere via detention or deportation (Malloch and Stanley, 2005); 'uncertain' bodies submitted to techniques aimed at regulating their behaviour. As such, the body has become increasingly prominent in the policies and practices that constitute the British asylum system.

An example of this is the demand, outlined in the 2007 Borders Act, that asylum seekers provide biometric information upon arriving in the UK (UK Government, 2007: Article 6). This is justified as a way to identify who is coming into the country, and is based on the idea that the body's surface can reveal information which concretely 'proves' who a person is, and whether they pose a risk. Irrespective of the fact that

biometric data does not provide a full account of identity and experience, bodily information is brought to represent the 'truth' of who an asylum seeker is and, often, whether they can be permitted to remain in the country, as was the case for Rashid.

While the body is an increasingly relevant site in practices of governance within the asylum system, this is not straightforward: precisely how the body matters in this context are multiple and varied. However, the body's role in these processes is always political, and underpinned by the state's desire to exclude 'false' asylum seekers. Information from the body can be used to 'prove' that an asylum seeker is 'genuine' or 'bogus', deserving or dishonest. Moreover, through the techniques of governance that asylum seekers are subjected to, such as detention and the demand that they regularly report to the Home Office, the state can regulate their activities and movements in ways that serve to that monitor, discipline, and control their lives. In doing so, the state can instil asylum seekers' lives with significant uncertainty and insecurity. By controlling their behaviours, access to resources, and legal status, the state can render asylum seekers' lives *precarious*.

On the other hand, asylum seekers draw on their embodied actions and behaviours, and bring the body to function as a site of agency. This agency can comply with the state's demands; explicitly oppose state governance; or involve behaviours that subtly subvert the system's demands, without actively resisting it. In recent years there have been many examples, in particular of bodily resistance. In 2016, 218 detained asylum seekers went on hunger strike (Taylor, 2016), and in 2018 it was reported that 120 detainees were hunger striking in Yarl's Wood Immigration Removal Centre in protest at their treatment (Dexter and Katona, 2018). While detained asylum seekers may not have access to formal routes of complaint, the body can act as a site at which resistance to the state can be physically enacted, and where asylum seekers'

objections to the injustices inflicted by the system can be demonstrated. The body can also subvert state power in more everyday ways. Asylum seeker's engagement in embodied behaviours and encounters that the state did not anticipate, such as clandestine work, volunteering, and leisure activities, can enable them to subtly subvert the system's control by physically acting in ways that do not correspond to the state's demands. The types of acts that constitute embodied agency within the asylum system are wide-ranging, but all involve asylum seekers using the body to engage with practices of governance, and often, to contest the precarity that the state produces in their lives.

The body can also influence asylum seekers' abilities to *speak* politically. Sometimes, asylum seekers' experiences of physical illness and injury can inhibit their ability to articulate their experiences and grievances, or to engage with their asylum claim or social environment, preventing them from raising complaints about their treatment or developing social lives. In other cases, the physical condition of the body can *facilitate* political expression. Asylum seekers' experiences of illness or injury can form the basis of narratives which enable them to articulate their political subjectivity, or to voice their experiences of and grievances with the asylum system. In these cases, asylum seekers use the body as a referent through which to voice political subjectivity and critique. The body's relationship to political voice is variable, but in both cases the physical condition of the body has implications for how asylum seekers are able to speak as political subjects, and engage with their social and legal environment.

The body functions in various ways within the context of the asylum system. Despite the varied and multifaceted nature of the body's functions in this context, what they share is that they are all *political*. The body is a deeply political site at which power and resistance are inscribed, contested, and articulated; where identifications are

imposed, challenged, and enacted; and through which political subjectivity is expressed and stifled. It is central to the experience of claiming asylum, and pivotal in the process of legal determination.

In this thesis, references to the body as a political *site* and the ways that the body *functions* within the system refer to distinct, but related, ideas. Discussions of the body as a political site refer to the idea that the material surface of the body is politically important within the asylum system. This encompasses the fact that the body can be both an object of governance and a site of agency, and refers in a more overarching sense to the body's rendering as a political entity within the system. However, the precise way(s) that the body is a political site is not singular or linear: the body can fulfil a number of political roles in the system. The *function* of the body refers to the *specific* manner(s) that it works as a political site: the purpose of the body's rendering as a political site, the precise ways it is implicated in the system. The body can function as a site of governance or agency, and indeed, often in both ways simultaneously.

### **Bodies as Political Entities**

There is a burgeoning literature on the political nature of bodies. On the theoretical level, discussions in critical theory and feminist scholarship have acknowledged the importance of the body as a political site, at which governance is directed, and subjectivity is manifest (see, for example, Butler, 1993; Grosz, 1994; Bordo, 1993). This has consolidated a view of the body not as passive flesh, but as being defined and constituted by political power. This thesis adopts a similar understanding. As opposed to understanding the body as a solely physiological entity, I posit a view of it as a political site at which power and identity are enforced, materialised, and contested.

This is essentially a biopolitical understanding, rooted in the work of Michel Foucault. Foucault understood power as productive and disciplinary: it works to regulate and control lives and behaviours (Foucault, 2006). Power works to constitute and regulate normative embodied subjects, whose identities and lifestyles are brought to support power's aims. In this thesis, references to normative embodied identifications or normative embodied subjectivities refer to the identifications that the state compels asylum seekers to assume on a bodily level. These are normative inasmuch as they reflect the state's understandings of asylum seekers' identities, and reflect the state's political goals vis-à-vis asylum. The state effectively identifies and regulates particular kinds of embodied political subjects. This produces certainty for the state, and can facilitate more efficient and effective governance. However, these norms rarely reflect the ways that asylum seekers understand themselves, and often create significant uncertainty in their lives.

Foucault's understanding has been developed by Judith Butler, whose work is central to the understanding of the body developed in this thesis. Butler understands embodied subjects as the effects of material discursive practices: subjects are compelled to adopt particular practices on an embodied level, to physically embody the norms established by power. This *performative* perspective understands bodies as being produced and controlled by power. However, the bodies that power materialises can, at moments, challenge power's norms by behaving in subversive or defiant ways, reconfiguring power relations (Butler, 1993: 40). This thesis draws on Butler's performative perspective to build a theoretical framework which understands the body as a site whose material surface is constituted and controlled by power, but which can also be brought to reconfigure power relations by physically acting in ways that subvert what power produces.

## **Locating the Thesis within Existing Research**

A significant amount of academic literature discusses the experience of seeking asylum. Despite this focus on asylum seeker's lived experiences, little academic work has explicitly focused on the body and embodiment. Given the prominence of the body in the policies, techniques of governance, and asylum seekers expressions of agency, this is a striking lacuna.

This is not to say that no scholarship has addressed the body. A small number of contributions have recognised the importance of the body to the process of claiming asylum. Some literature has discussed the body as an object of governance. For example, Franko Aas's work on biometric technologies (Aas, 2005), and Puumala's discussion of how biometric information enables the state to label asylum seekers' bodies, so that they come to be understood in particular ways (Puumala, 2010). The idea of the body as an object of control has also been addressed: for example, Welch and Schuster discuss how detention represents a 'culture of control' (Welch and Schuster, 2005), whereby the state disciplines bodies to demand compliance. Other work focuses on the body's potential to function as a conduit for agency. Puumala and Pehkonen's discussion of political agency in detention shows how individuals' interactions and movements can subvert the identities imposed by the state, and enact unanticipated behaviours which challenge governance (Puumala and Pehkonen, 2010). Discussions of resistance also focus on how embodied actions confront the governance of the system. For example, Puggioni discusses how acts such as self-mutilation and hunger striking make the body highlight subjugation and "[react] against dominant practices of citizenship" (Puggioni, 2014).

This thesis seeks to engage with this sociological understanding of the asylum system, which focuses on the lived experiences of asylum seekers — moving beyond

understanding the asylum system as an abstract structure that governs ‘from above’, in favour of thinking about it as interactive and heterogeneous, and as including a variety of actors. This more complex understanding of the system makes it easier to see how the experience of claiming asylum is not solely legal but deeply embodied, and highlights the different ways that the power of the system interacts with asylum seekers on a lived, embodied level. The thesis provides an account of the various ways that the body functions politically within the asylum system, and how this affects asylum seekers’ lives and self-understandings. The thesis is inherently qualitative, drawing on primary field research: 800 hours of participant observation and 25 in-depth interviews, conducted during fieldwork in the South West of England; and engagement with policy and the practices of the asylum system, academic literature, and the outputs and practices of non-academic actors, such as NGOs, legal and medical actors, and advocates within the asylum system.

### **Research Questions and Aims of the Thesis**

The research is driven by three questions:

- How is the body an important political site in the British asylum system?
- How do everyday practices in the asylum system bring bodies to perform particular political functions?
- How does the body’s implication in the asylum system impact asylum seekers’ experiences and understandings?

In responding to these research questions, the thesis seeks to fulfil three aims:

Firstly, it provides a systematic analysis of how the body is implicated in the asylum system, outlining the various ways that the body functions in a political way; illustrating the techniques of governance that the state employs in order to govern bodies; and the types of embodied agency that asylum seekers employ to engage with the state.

Secondly, the thesis develops a distinctive theoretical perspective on the importance of the body as a political site within asylum systems, capable of illustrating, in more general terms, how the power of the system brings bodies to behave in certain ways, and how asylum seekers' agency interacts with state power. Thirdly, the thesis presents an understanding of the body as a site at which *precarity* is produced and contested within the asylum system: state governance often instils fundamental uncertainty into asylum seekers' lives, whereas embodied agency often attempts to contest precarity. This production and contestation of precarity often occurs on and through the body.

### **The Thesis**

Three overarching arguments run through this thesis, which mirror the aims outlined above:

The first is that the body is a site of central political importance in the asylum systems. However, the exact ways that the body functions politically are not predetermined or straightforward. The body functions in a variety of ways, and often in different, sometimes contradictory, ways. I show that when the body is objectified as a site of governance, it is often also functioning as a site of agency: the body is heterogeneous, multifaceted, cross-cutting and contradictory in its political functioning.

Secondly, the thesis suggests that the importance of the body in the asylum system can be understood in *performative* terms. Drawing on concepts from Butler, I develop a theoretical perspective which highlights how power both produces and is contested on the body. On the one hand, state governance asserts power over asylum seekers' bodies, discursively 'producing' them in ways which support the states' political aims and make asylum seekers 'manageable'. On the other, asylum seekers use their bodies to physically perform identities and activities that exceed, subvert, or explicitly

challenge the system. I argue that performativity provides a useful conceptual lexicon for thinking about the body in the context of the asylum system.

Thirdly, I argue that the body's political importance in the asylum system has significant effects. These impacts affect the body, but also go beyond it. The state's governance of the body not only controls and regulates asylum seekers' day-to-day activities, it can also produce significant precarity in their lives, leading them to fall into destitution and face uncertainty about their futures. Here, precarity refers to the uncertainty and unpredictability faced by many asylum seekers. This does not only refer to their financial lives, or their ability to materially sustain themselves, but also to the uncertainty they face with regards to their rights, legal status, social position, and future. Asylum seekers' agency, on the other hand, enables bodies to subvert the system, physically reclaiming the body from power's domination. This can enable asylum seekers to contest precarity, by allowing them to regain a sense of control over their lives. These impacts are both physical – in terms of their effects on asylum seekers' everyday lives and behaviours – and political, inasmuch as they impact their subjectivities and rights.

### **Contributions of the Thesis**

The main contribution to knowledge made by this research is to demonstrate the importance of the body within the asylum system. I provide a full and holistic account of the various ways that the body is implicated in the asylum system, and the effects of the body's centrality within the system.

The thesis also contributes an understanding of the asylum system as a performative political milieu, providing an alternative way of understanding the system as a political environment in which state power constitutes and materialises bodies and subjects, and whereby asylum seekers' embodied behaviours and practices destabilise and

challenge this process. Although a limited number of studies have used performative concepts to explain aspects of the asylum experience (for example McKinnon, 2009; Bhimji, 2015) no existing studies have discussed how asylum systems more generally can be understood in performative terms. The thesis seeks to lay the foundations of this perspective, and provides empirical examples. This also allows me to outline how precarity can be a performative phenomenon, something that has not yet been explored.

I also hope for the research to make a small practical contribution to knowledge. Fieldwork has left me well-placed to identify the experiences and challenges that many asylum seekers commonly face, as well as the policies and support that they feel most affect them. Furthermore, my work with support-providers has given me insight into what they feel are the most significant problems and opportunities. As such, I offer some suggestions of how policies could be altered in order for the bodily aspects of the system to be more effective for the state, and less burdensome for asylum seekers. I also provide thoughts on how support services could respond to the challenges posed by the body's involvement in the asylum system. This seeks to find ways to create a systemic environment that does not exert unnecessary violence onto bodies.

### **Plan of the Thesis**

The first two chapters locate the thesis within existing literature and develop its conceptual perspective. Chapter 1 provides a critical outline of the political context of the asylum system, and of the body's implication therein. It provides a critical summary of asylum policy, charting how the body has become central to a number of policy processes, before going on to explore the other, non-state, elements of the 'system' which bear on asylum seekers' embodied experiences. The chapter goes on to consider the different ways that the body functions in the system, suggesting that

although the body functions in a variety of different ways, existing discussions have tended to present it as possessing one function within the system. I then set out a conceptual schema for thinking about the body – centred around four overarching conceptual ‘functions’ of the body – which allows for an understanding of the political functions of the body as multivalent, variable, and contradictory, but which also stresses how they are often related.

Chapter 2 presents the thesis’ theoretical perspective. I first develop a view of power within the asylum system, which incorporates both state power and non-state actors within the system. I go on to conceptualise agency in this context, and its intimate relationship to power. I then relate this to the body with reference to performative theory. The theoretical perspective developed here underpins the thesis as a whole. However, each of the empirical chapters develops and nuances it in order to develop their own analyses.

Chapter 3 provides a detailed outline of the methodological approach of the thesis, and addresses the ethical questions confronted while carrying out this research.

The following four empirical chapters are based on the conceptual categories developed in Chapter 1. These four categories are presented in separate chapters to structure the thesis, however, given the aim to overcome a reductive or singular understanding of the body’s function, the chapters are interlinked, highlighting relationships and contradictions. Chapter 4 discusses how the asylum system utilises asylum seekers’ bodies as sources of *identification and evidence*. I suggest that the techniques that draw on the body as a source of identification and evidence function not to seek the truth of the body, but to enable the state to efficiently label bodies in ways which effectively produce ‘truth’, and which broadly determine how claims are

judged and how bodies — and subjects — are understood. The chapter then provides an empirical discussion of specific techniques of governance that seek to identify asylum seekers, and those aimed at gleaning evidence from the body, showing how these techniques effectively ‘produce’ bodies along lines amenable to the state.

Chapter 5 addresses how the body functions as a site of *control*. It focuses on how state governance can materialise and regulate the labels discussed in the previous chapter. The analysis focuses on how, through utilising various forms of control and a threat of violence towards those who do not comply, the state compels asylum seekers to identify and behave in ways that are amenable to its aims, and which monitor bodies in order to ensure that they comply with the labels propagated by the state. While this produces certainty for the state, it often results in precarity for asylum seekers.

Chapter 6 moves to focus on how the body can function as a site of *agency*. I discuss Butler’s reading of Irigaray, which illustrates how governance can never *fully* subsume the subject – there is always an excess which power cannot capture, and which the body can re-invoke to destabilise and challenge power. I provide examples, arguing that although these are varied, they are all instances in which asylum seekers use the body to challenge state-imposed norms, with the aim of highlighting the injustices imposed by the system, and achieving a more liveable life from within an often-violent context.

Chapter 7 discusses the body’s involvement in asylum seekers’ ability to *narrate their identities and political experiences*, and how these narratives function within the system. I first focus on how asylum seekers’ experiences of physical illness or injury can *inhibit* their ability to speak and act politically. I then discuss how, on other occasions, the injured or ill body can provide a way for asylum seekers to express

political voice: through discussions of the injured or ill body, asylum seekers can articulate criticisms of the state, and understandings of their identities and experiences that differs from the understandings of the state. I argue that these narratives constitute deeply political speech, and can be efficacious in allowing asylum seekers to express agency and resistance. The chapter concludes by considering the relationship between such narratives and the material processes addressed in previous chapters. I argue that although these perspectives differ, they are not contradictory or mutually exclusive. Rather, both function to manifest forms of political subjectivity that can exceed, subvert, or resist the system, and are often aimed at achieving a more liveable life in a context of exclusion and violence.

The concluding chapter reiterates the thesis' key findings and conclusions, highlighting how the thesis has developed the three core arguments outlined above. It reassesses the thesis' contributions and considers its implications in both academic and practical terms. This is followed by a series of appendices, and a full bibliography of source material consulted.

## Chapter One

### The Body in the Asylum System

This chapter discusses the different political functions that bodies perform within the asylum system. It also explores the extent to which the body has become implicated in the system, and the impact of the embodied aspects of the system on asylum seekers' embodied experiences and subjectivities. Here, *embodied subjectivities* are understood as the lived forms of identification that result from the production and contestation of embodied subjects. This encompasses the idea that bodily experiences go beyond the body itself; subjects interiorize power's domination of their bodies so that it becomes part of the 'self', and exteriorize facets of the 'self' on the body. *Embodied experiences* refers to the lived experiences that result from these processes.

The chapter makes three arguments and contributions. First, I argue that the body is a central site within the asylum system – that it is important to the process of claiming asylum, and that this importance manifests in a number of different ways, often simultaneously. I show that many techniques of governance and expressions of agency fundamentally involve the body. The materiality of the body is a site at which abstract political processes are manifest.

Secondly, I argue in favour of understanding 'the asylum system' as broader than the state, and for a more expansive understanding of how the system relates to the body. This involves an understanding of 'the system' which encompasses non-state actors and asylum seekers themselves. This reflects contemporary understandings of migration systems as 'regimes' or 'industries', made up of varied and shifting configurations of actors with different interests and behaviours (see Hess and Tsianos,

2010; Hernandez-Leon et. al., 2013; Andersson, 2014; Hess et. al., 2016). This allows for a more nuanced view, acknowledging that power is not simply wielded by the state, but is diffuse, enacted, and contested by a variety of actors. As such, the 'system' does not relate to the body in a unidirectional or predictable way, but impacts it in a number of different and changing manners. This view of the system enables the thesis to overcome a bureaucratic understanding of the state imposing its will over asylum seekers' embodied lives, and allows for a view in which the body is a site at which power, identity, and norms are constantly materialised, re-materialised, and contested in accordance with the aims of different actors within the system.

Thirdly, I argue that the body is a crucial site at which precarity can be produced and instilled into asylum seekers' lives, and at which asylum seekers can resist and overcome that precarity. I show how the techniques of governance that bodies are subjected to within the asylum system often render them knowable and compliant with the state's aims; however, in doing so, instil significant uncertainty and instability into asylum seekers' lives. On the other hand, the agency of asylum seekers and their advocates can function to overcome precarity and strive for a more liveable, meaningful life from within the context of the system.

The chapter begins with a critical summary of the policies and practices that characterise the state's role in the UK asylum system. This highlights how the body has become increasingly central within the system and how, through directing increasingly intense governance towards the body, policy has also increased the extent to which it produces precarity in asylum seekers' lives. I go on to discuss the system as a broader entity, showing how – although state policy holds significant influence over the ways that bodies are brought to function – there are a number of other actors who impact the body, either by encouraging the reproduction or

contestation of norms, or by perpetuating or contesting the precarity that state policy instils.

I go on to identify four ways that bodies function within the system: as objects from which identity and evidence can be discerned; as objects of control; as sites of resistance and autonomous behaviour; and as objects through which asylum seekers can narrate their subjectivities, or which can frustrate their ability to narrate. I show that much existing literature generally focuses on one of these, providing a limited impression of the body's role, and establishing the need for a perspective that addresses the varied ways that the body functions. Based on this, I set out a conceptual framework designed to illustrate how the political functions of the body are multivalent and variable. I argue that this provides an effective way to understand both the importance and variant functions of the body in this context, and can elucidate what the body and its political functions reveal about the nature of power, governmentality and subjectivity within asylum systems. I conclude with a discussion of how the body can be understood as a locus of asylum politics, where governance and resistance are enacted, and subjectivity is enforced and performed.

### **The Body in Asylum Policy and State Practices**

While this thesis advocates in favour of a broader understanding of the asylum system, encompassing a range of actors and processes, it is clear that the state – via its policies, bureaucracy, and practices – has a significant impact on how asylum seekers' bodies are understood and treated, and how asylum seekers' embodied experiences are produced and regulated. A review of state policy and practice demonstrates how reliance upon the body as a site of governance has intensified over time, and how this has led to a corresponding intensification of the production of precarity in asylum seekers' lives.

The state's policies and practices regarding asylum are complex. On the one hand, UK asylum practices are governed by international agreements. The United Nations' 'Convention Relating to the Status of Refugees' (United Nations, 1951) and 'Protocol Relating to the Status of Refugees' (United Nations, 1967)<sup>3</sup> remain key pieces of international legislation, defining who constitutes a refugee, the rights that they hold, and states' obligations to assist them. The UK is signatory to both agreements.

The 1951 Convention establishes several precedents. Most importantly, it provides a definition of a refugee, as a person who:

*“owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside of the country of his former habitual residence as a result of such events, is unable to or, owing to such fear, is unwilling to return to it”.* (United Nations, 1951: Article 1).

This remains the definitive standard by which signatory states judge asylum applications. The Convention also sets out minimum standards for the protection of stateless people, and several obligations for states. The standards that apply to those who have not yet been granted refugee status are less substantive, but the Convention specifies that states cannot impose penalties on asylum seekers (ibid, article 31), that their movements should not be restricted beyond “necessary” levels (ibid), and that they should not be expelled “save on grounds of national security or public order” (ibid, article 32). Most critically, states must observe the principle of non-*refoulement*: they

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<sup>3</sup> The 1967 Protocol broadened the geographical and temporal scope of the 1951 Convention, meaning that it no longer solely applied to European refugees from the Second World War.

cannot “expel or return a person to territories where their life or freedom would be threatened on account of race, religion, nationality, membership of a particular social group or political opinion” (ibid, article 33).

While these provisions are crucial, they are basic. It is only after an individual has been recognised as a refugee that they are afforded further rights. The humanitarian notion of protection at the heart of the Convention is dependent on the juridical recognition of an individual as a refugee, and the power of decision over who should be granted recognition rests in the hands of states. In the UK, this decision is made through a system consisting of various legislative acts, and a series of institutions and organisations which implement policies. While the state is a unitary actor in the sense that its policies and practices are often aimed at achieving overall political aims, in the context of the asylum system it is a diffuse and diverse ensemble of law, bureaucracy, and practice.

The UK has been a signatory to the 1951 Convention since it was passed, however it was not ratified by Parliament until 2000. As such, while political action concerning asylum often conformed to the spirit of international rules, the government had some discretion in its approach to asylum. Moreover, until the 1990s, asylum was not the subject of any legislation, but was managed under more general immigration policy; the primary political concern regarding immigration until the 1990s was regulating Commonwealth immigrants. Although immigration policies passed from the 1960s-80s generally sought to restrict foreign-born individuals’ ability to reside in the UK, legislation had little to say about asylum.

Before 1993, the task of deciding on the status of refugees in the UK fell to the Home Office, and was decided under procedural immigration rules as opposed to a dedicated

system (Schuster and Solomos, 2001). Asylum seekers were entitled to welfare such as housing, income support, education, and healthcare (ibid). However, this remained at the discretion of the Home Office, and the number of individuals granted refugee status was limited by quotas. Schuster and Solomos note that the UK's approach to asylum at this time was exceptional (ibid), reflecting neither strict abidance to international law nor a fully developed system. This continued until the late 1980s, when the number of refugees entering the UK began to rise, prompting the introduction of legislation tending solely to asylum. Concerned with rising numbers of asylum seekers, John Major's government introduced the Asylum and Immigration Appeals Act in 1993. The government's desire to monitor and control asylum seekers catalysed the introduction of policies on asylum.

On the one hand, the 1993 act affirmed the primacy of the 1951 Convention and ensured that no British policy could contradict it (UK Government, 1993: Article 2). It galvanised asylum seekers' rights to appeal decisions they felt contradicted the Convention (ibid, articles 8-11), providing greater access to legal process. On the other hand, Bloch assesses the 1993 Act as "designed to reduce the numbers [of asylum seekers] arriving in Britain" (Bloch, 2000). The Act made it difficult for undocumented asylum seekers to enter the UK (UK Government, 1993: Article 12), and introduced the compulsory taking of fingerprints (ibid, article 3). It also removed the obligation that local authorities provide accommodation to asylum seekers (ibid, article 4). Even the earliest asylum policies drew on the body as a site of identification and control: the reliance on biometric technologies to establish identity, and the state's ability to physically control movements and accommodation was present from the beginning. The legislation proved controversial, as the heightened restrictions on entering the country removed asylum seekers' ability to enter a safe country without the necessary

documentation. The revocation of the right to state housing also “marked the first time that asylum seekers [were] specifically separated from the rest of the population with the same level of need” (Fletcher, 2008:9), and was criticised for causing destitution (ibid). Even the earliest legislation exposed asylum seekers to precarity and physical risk in the service of reducing both the number of asylum seekers and the cost of managing them.

The debate surrounding the 1993 Act also saw the notion of the ‘bogus’ or fraudulent asylum seeker enter political discourse. Home Secretary Kenneth Baker described the purpose of the act as “to ensure that genuine refugees are not returned to countries where they may face persecution, and...to curb misuse of the asylum process by people who are not genuine refugees” (Hansard, January 1993). This concern with abuse of the system — and the implication that some asylum seekers are disingenuous — would become a pervasive part of the debate around asylum, and a justification for restrictive policymaking and increasingly invasive forms of regulation and governance which often rely upon the body’s material surface as a site of information of control. This debate also inaugurated a policy climate in which asylum seekers are forced to prove that they are ‘deserving’ of state support, instilling precarity into their lives by making their access to financial and legal support uncertain, and dependent upon their compliance with state rules.

However, the 1993 Act did little to reduce the number of people claiming asylum in the UK, and by 1995 the government sought to introduce further controls. The Home Secretary reiterated concern about abuses of the system, stating that “Britain is far too attractive a destination for bogus asylum seekers... the reason is simple: it is far easier to obtain access to jobs and benefits here than anywhere else” (Hansard, November 1995). He also expressed concern at the cost of providing welfare to asylum seekers,

which he estimated at £200 million annually (ibid). The Asylum and Immigration Act (1996) aimed to streamline the system, and place heightened restrictions on asylum seekers. This limited the right to appeal, a move that was justified by the need to expedite the asylum process (Schuster and Solomos, 2001). The Act also established 'safe states' to which asylum seekers could be legally deported (Nicholson, 1996).

Attracting more criticism was the Act's reduction of welfare: prohibiting asylum seekers from engaging in paid employment (UK Government, 1996: Article 8); reducing their entitlement to benefits (ibid, article 9); and stipulating that only those who applied for asylum at a port of entry were eligible to receive support (Bloch, 2000). This was justified as preventing economic migrants from using the asylum system to claim welfare (Hansard, January 1996). However, it had significant impacts on asylum seekers, leaving many facing destitution. After a legal challenge, the government backpedalled, making it the obligation of local authorities to support asylum seekers, and provide support to asylum seeking minors and families (Nicholson, 1996). The 1996 Glidewell Panel – set up to examine the impacts of the legislation – concluded that “withdrawing benefits [from asylum seekers] must invariably throw them into destitution” (ibid), highlighting the mounting discontinuity between the state's political agenda and asylum seekers' needs. From the earliest legislation on asylum, the state used its ability to provide and withhold financial and practical support as a way to govern the asylum system, effectively instilling precarity in asylum seekers' lives, and instilling their material and legal futures with uncertainty.

The period of Tony Blair's Labour government (1997-2007) saw colossal changes in both the international and domestic political climate, which were reflected in asylum policy. However, for asylum seekers, the increasing demands and punitive nature of

the system only intensified. The government focused on streamlining the system as opposed to changing its approach. Home Secretary Jack Straw criticised the system he inherited, claiming “piecemeal and ill-considered changes have left our immigration control struggling...the system has become too complex and slow... it is often the genuine applicants who have suffered, whilst abusive claimants have profited. The cost to the taxpayer...is increasing” (Home Office, 1998: 3). The White Paper *Fairer, Faster and Firmer* detailed plans to maximise the efficiency of the system, and minimise the scope for abuse.

This coincided with the introduction of the Dublin Convention, an EU-level initiative which came into force in 1997. This integrated European asylum systems by ensuring that an individual could only claim asylum in one member-state, and created a system to determine which state was responsible for processing claims. The Convention also encouraged information sharing and co-operation on asylum. The impact on UK policy was multifaceted. On the one hand, it encouraged the government to write the 1951 Convention into law. However, it was criticised for overriding asylum seekers’ wishes, potentially leaving them stuck in a country in which they did not want to be (Jesuit Refugee Service Europe, 2013). Notably, the Dublin Convention is supported by EURODAC, an EU-wide fingerprint database, which assists in determining which state is responsible for assessing claims. The introduction of EURODAC increased the propensity for biometric data to impact upon the course of a claim, and come to act as ‘proof’ of asylum seekers’ identity and eligibility. On the EU level too, bodily information is used to establish asylum seekers’ identities, and facilitate in the processing of claims.

The plans outlined in the white paper and the introduction of European legislation came to fruition with the Immigration and Asylum Act (1999). This reaffirmed the legality of sending asylum applicants back to 'safe' third countries and other EU states (UK Government, 1999: Article 11). The Act stipulated that asylum seekers present themselves to the immigration authorities "without delay" and made it an offence for them to use false documents or lie in their applications (ibid, article 31), meaning that they could now be accused of immigration offences if they couldn't adequately prove their identities and backgrounds. This aimed to make asylum a "one-stop procedure" (ibid, article 73) whereby individuals would only need to appeal once before a final decision was reached, expediting the system, and helping the Government reach its target of deciding on cases within six months.

The 1999 Act also made significant alterations to the support system. It stated that support could only be provided to asylum seekers who were destitute, and that this was limited to the provision of accommodation, essential living needs, and legal expenses (ibid, article 105). Individuals who required state accommodation were given no choice over where they lived and moved to government-selected "reception zones" (ibid, article 101). This reduced the burden on the South East (Home Office, 1998: Section 8), but resulted in asylum seekers being sent to unfamiliar areas. Asylum seekers were completely excluded from the benefits system (UK Government, 1999: Article 135), and were instead provided with vouchers to spend at certain retailers. Refused asylum seekers were now entitled only to 'Section 4' support, which met only basic needs (Home Office, 2018). This came under criticism for further stigmatising them, and placing many below the poverty line (Hansard, February 1999). In 2000, the National Asylum Support Service (NASS) was created, with the aim of consolidating

the administration of asylum seekers under a single organisation. While the state ensured that asylum seekers' basic physical and material needs were met, the provision of support was minimal, and asylum seekers often faced destitution and precarity. This was not limited to financial precarity; rather, the State's demand that asylum seekers remained compliant with regards to where they lived and how they spent money also instilled a more generalised uncertainty into their lives and futures.

Other changes introduced by the 1999 Act included increasing the powers of immigration officers to search, arrest, and fingerprint immigrants (UK Government, 1999: Part VIII) heightening the association between immigrants and criminality. The capacity of detention was almost quadrupled, and began to be routinely used against individuals who could not provide proof of their identity, who were to be removed, or who were perceived as risky. Stringent regulations on bail were introduced, making it difficult for detainees to be released unless they were granted refugee status or removed. This rise in detention and removal highlights an increase in asylum seekers being subjected to techniques which regiment them on a bodily level, in order to monitor the perceived threat they pose, and ensure compliance.

The 1999 Act introduced substantial changes, but as Bloch notes, largely continued existing trends, including a "dual strategy...of restricting access to the UK and reducing social citizenship rights for asylum seekers" (Bloch, 2000: 40). The implementation of European policies removed the right of asylum seekers to choose where to claim, and increased the government's ability to detain and remove individuals. Schuster and Solomon comment that that the curtailment of appeal rights and the reduction of welfare highlight how asylum policy in the 1990s gradually made life worse for asylum seekers; that it increasingly failed to embody universal ideals and

made it more difficult to obtain refuge (Schuster and Solomos, 2001). In a number of ways, including the heightening use of detention and biometric technologies, this was achieved through the intensification of forms of governance that focused on the body.

In the aftermath of 9/11, the British Government introduced the Anti-terrorism, Crime and Security Act (2001), part of which was directed at Asylum and Immigration. This stipulated that any foreign national who was suspected of being a terror threat could be indefinitely detained (UK Government, 2001: Part IV). Simultaneously, the discovery of the bodies of 58 people in a lorry arriving in Dover (BBC, 2000) reignited debate about people entering the UK illegally. In response, the 2000 White Paper *Safe Borders, Safe Haven* recommended the introduction of a new approach to migration management (Home Office, 2002). These changes were introduced by the Nationality, Immigration and Asylum Act of 2002.

The 2002 Act introduced some measures to support asylum seekers, including “accommodation centres” where they could live while their claims were processed, which provided a range of support (UK Government, 2002: Article 16). The Act also introduced an induction process, to inform asylum seekers about the system (ibid, article 70). However, in order to access support, asylum seekers had to prove that they were destitute, and that they had applied for asylum as soon as they entered the UK (ibid, article 44), forcing many into poverty. In 2004, the courts ruled that this breached the European Convention on Human Rights, forcing the Government to rescind it (The Guardian, 2003). One of the most fiercely controversial aspects of the Act was its introduction of increased powers of detention, meaning that asylum seekers could now be detained at any point during their claim, with limited access to bail (UK Government, 2000: Article 65). Asylum seekers were also made legally

obliged to provide 'physical data' to the Home Office (ibid, article 126), including biometrics and information about their physical characteristics. This heightened the state's reliance on the body to identify and govern asylum seekers, enshrining the idea that the body is a source of truth, and a site for the state to monitor asylum seekers' movements and behaviours.

Despite these efforts to regulate the asylum process and address concerns about abuse of the system, public opinion was fervent: in 2003, *The Sun* ran a petition calling on the government to take tougher action on asylum, attracting 300,000 signatures (Greenslade, 2003). At Party Conference that year, Blair promised to "go further" on asylum by "[cutting] back the ludicrously complicated appeals process, [de-railing] the gravy train of legal aid, [fast-tracking] those from democratic countries, and [removing] those who fail in their claims without further juridical interference" (Blair, 2003). This resulted in the 2004 Asylum and Immigration (Treatment of Claimants) Act, which introduced harsh new measures.

The 2004 Act placed a higher demand on asylum seekers to provide proof. It became compulsory to present a valid passport, unless an individual could provide a strong excuse for not doing so. This focus on identity was complemented by a new focus on credibility, stipulating that the state could decide whether a claimant's statements were believable, and whether they were attempting to conceal, mislead, obstruct, or delay the handling of their claim. This had a distinctly embodied facet. The Act established some behaviours seen as indicators of dishonesty, including failure to produce a passport, producing a false document, destroying a document without explanation, or failing to answer questions (UK Government, 2004), and also meant that individuals'

embodied behaviour and comportment came to be seen as indicators of credibility. The Act also gave the state discretion over whether to continue providing accommodation for rejected asylum seekers (ibid, article 10), and introduced more stringent rules to govern their removal (ibid, article 34). Moreover, it introduced the use of electronic monitoring for asylum seekers, which could be enforced on individuals who were the subjects of restricted residence (ibid, article 36). This renewed emphasis on 'proof' and 'credibility' marked a significant moment in British asylum legislation. Failure to remember details or provide an accurate chronology could be construed as attempted deception; and individuals who had suffered trauma were made to describe their experiences to Immigration Officers, which could evoke emotional responses that could be interpreted as insincere or dishonest (Bohmer and Schuman, 2007: 146).

One outcome of this is a rising reliance on 'proof' from the body, such as medical reports, age assessments, and the visual assessments of officials. While these practices are underpinned by the assumption that the body can provide accurate information about identities and experiences, bodily information is interrogated, discounted, or interpreted by the state in ways that support its political aims. The demand for proof increasingly implicates the body, but this is not straightforward – these policies rendered the body less an object of truth as much as an object of interpretation.

A 2005 White Paper (Home Office, 2005) set out a five-year plan based on three principles: rooting out abuse of the system, ensuring Britain continued to benefit from migration, and putting forward workable solutions (ibid, page 10). Based on this, the

2006 Immigration, Asylum and Nationality Act made several new provisions, including giving the state the discretion to change or reduce the support offered to asylum seekers in accommodation centres (UK Government, 2006: Article 43). It also saw the coming into force of a revised version of the Dublin Regulation, Dublin II (UNHCR, 2006), which outlined a clearer system for determining which state was responsible for assessing a claim (EU, 2003: Article 6). This faced criticism, since high levels of detention and removal posed a threat to welfare (European Council on Refugees and Exiles, 2002), and imbalanced numbers of claims between states placed heavy burdens on the states at the borders of the Union. In response, the EU announced “Dublin III” in 2008, a plan to achieve better parity and alignment between states, and heightened practical co-operation and information-sharing. However, the refugee ‘crisis’ that began in 2015 suggests these changes were of mixed success. Both the heightened use of detention in the UK and the newly introduced EU-level policies utilised the body as a site of governance: in the case of detention, the body increasingly functioned as an object that the state could incarcerate and regulate, whereas the Dublin Convention continued to rely on fingerprints as a means of determining eligibility.

The 2007 Borders Act granted the Border Agency new powers, including allowing immigration officers to search and detain people at UK ports (UK Government, 2007: Article 2) and increased powers of arrest (*ibid*, article 18). It also introduced biometric documents which all non-EU immigrants had to apply for, which were used to identify immigrants (*ibid*, article 8), enforcing criminal penalties on those who refused to comply (*ibid*, articles 9-14). In 2009, the government strengthened these measures in the Borders, Citizenship and Immigration Act.

These new policies concretised the conflation of asylum seekers with criminality. Bosworth and Guild suggest that such measures indicate a “culture of control” (Bosworth and Guild, 2008) in which non-citizens are seen as a source of risk (ibid, page 10). The government justified its increasing reliance on biometrics as a way to identify and control people entering the country, thus transforming the border from a physical entity to a “more electronic, invisible, and impalpable ‘global network of border security’” (Vaughan-Williams, 2010: 1073). While acknowledging that biometric information can have some positive consequences for refugees, such as providing a way to establish their identity, Farraj notes that it has concerning effects: it can violate privacy, and potentially block meritorious asylum claims by reducing the applicant to a legal category (Farraj, 2011: 891). This Act reinforced the reification of bodily information introduced in previous legislation. Moreover, it coincided with the Conservative government’s introduction of the ‘hostile environment’ policy,<sup>4</sup> which began in 2010 under Theresa May’s tenure as Home Secretary and aimed to make it punishing for people without legal leave to remain in the UK (Conserdine, 2018). Through legislation and a series of newly-introduced administrative measures, the Home Office sought to make life “as difficult as possible” (Hill, 2017)<sup>5</sup> for people who were in the UK illegally, with the aim of encouraging voluntary departures. Although this policy did not technically extend to asylum seekers – who are legally allowed to remain in the UK until their case has been decided and all appeal rights exhausted – the policy had clear ramifications for rejected asylum seekers who remained in the country after their case had been denied, and arguably permeated social and political

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<sup>4</sup> It should be noted that, as of 2018, the Home Office has ‘rebranded’ the hostile environment as the ‘compliant environment’, perhaps in response to widespread criticism of the hostile environment policy following the Windrush scandal (<https://www.ein.org.uk/news/immigration-minister-government-keeping-compliant-environment-policies-despite-windrush>)

<sup>5</sup> <https://www.theguardian.com/uk-news/2017/nov/28/hostile-environment-the-hardline-home-office-policy-tearing-families-apart>

discourses in a manner that made life more challenging even for asylum seekers who were in the UK legally, for example by reinforcing the longstanding culture of disbelief, and demanding that asylum seekers comply with stricter reporting rules if they wanted to retain their access to state support.

As this policy overview suggests, British policy regarding immigration and asylum had arguably been 'hostile' for many years prior to the concretisation of the hostile environment as a policy. Moreover, it is important to note at this stage that while many of the professional participants I engaged with in the course of this study noted the hostile environment as a factor that made their jobs more challenging and frustrating – for example on account of the increased risk of victims of torture being detained, or due to the fact that asylum seekers whose appeals have been rejected being denied access to healthcare – my participants who were asylum seekers rarely spoke about the hostile environment as a reason for their difficulties and frustrations. However, it is important to note that the rollout of the policy in the 2009, 2014, and 2016 Immigration Acts broadly coincided with the time that the fieldwork for this thesis took place, and with the time at which the majority of the participants interviewed in this study arrived in the UK. As such, the hostile environment policy ought to be understood as an ever-present spectre, which informed the policy environment which underpinned this research, and many of the state actions that are described in this thesis. In addition, it is important to note that the organisations I worked with were located within 'sanctuary' cities, meaning that local organisations within the cities work to foster a welcoming environment where migrants – including those living in the UK illegally – can both feel safe, and access public services such as schools and healthcare with comparatively fewer barriers. This may have mitigated some of the impacts of the hostile environment policy, and enabled my participants to feel more secure in the cities, and to access

fundamental services more easily. Nonetheless, the hostile environment, combined with the increasing association of asylum seekers with criminality, created the most punitive environment yet within the asylum system — ensuring that asylum seekers who were unable to ‘prove’ their claim, or who were deemed to be unsuitable or illegal, could be exposed to significant precarity, both in terms of their material lives and legal status.

The Immigration Act (2014) perpetuated the hostile environment, aiming to prevent migrants from accessing public services, and making it easier for the state to conduct removals. It made further reforms to the Appeals and Removals processes: reducing asylum seekers’ right to appeal only to cases whereby deportation would put them at risk of ‘serious irreversible harm’ (UK Government, 2014: Article 17). The Act also introduced legislation to prevent asylum seekers from accessing the labour market and public services, making it more difficult for them to access services such as bank accounts and driving licences (ibid, part III). By controlling where asylum seekers live and what services they can access, the state can increase its demand for compliance, and regulate asylum seekers’ behaviour. By heightening asylum seekers’ exclusion from paid work, the state also increased their exposure to financial uncertainty, making them almost entirely reliant upon state support.

The Immigration Act (2016) – the most recent piece of legislation on asylum – strengthened many of these agenda. This reiterated the illegality of asylum seekers engaging in paid work, and extended the restrictions on their accessing private rental accommodation, driving licences, and bank accounts (UK Government, 2016: Part II). It granted immigration officers greater powers of search in order to locate individuals who were living in the UK illegally. These facets of the Act heighten the hostile

environment, regulating the activities and spaces that asylum seekers are permitted to access.

The 2016 Act also made significant changes both to the rules regarding detention and support. Following the Shaw Review, which was published in January 2016 and outlined concerns about the welfare of detainees (Shaw, 2016), the government introduced new guidelines on who could be detained (UK Government, 2016: Articles 59-60). However, the Act also heightened the deportation measures introduced in 2014, including the strengthening of a 'deport first, appeal later' clause, which meant that asylum seekers whose cases were unsuccessful or who were considered a threat could be removed before their right to appeal had been exhausted, although this was deemed illegal and revoked in 2017 (BBC, 2017). Despite these guidelines, as many as 3,500 people remain in immigration detention in the UK at any given time (Silverman and Griffiths, 2017). The Act also changed the ways that asylum seekers are supported. While destitute asylum seekers are still entitled to 'Section 95' state support, they now face a time limit to submit an application for support, and support for asylum seekers whose claims have been denied is restricted (UK Government, 2016: Article 66). Support for families was also made the responsibility of local authorities (ibid, article 68). Once again, the reduction of and introduction of conditions on support upheld the state's ability to demand compliant behaviour via instilling precarity and uncertainty into their lives.

This overview of the policy landscape highlights several things. Firstly, since the government began to implement legislation pertaining to asylum, the policy context has become vastly more complex. The current bureaucratic system, as illustrated below, is incredibly convoluted.



Figure 1: Claiming Asylum in the UK

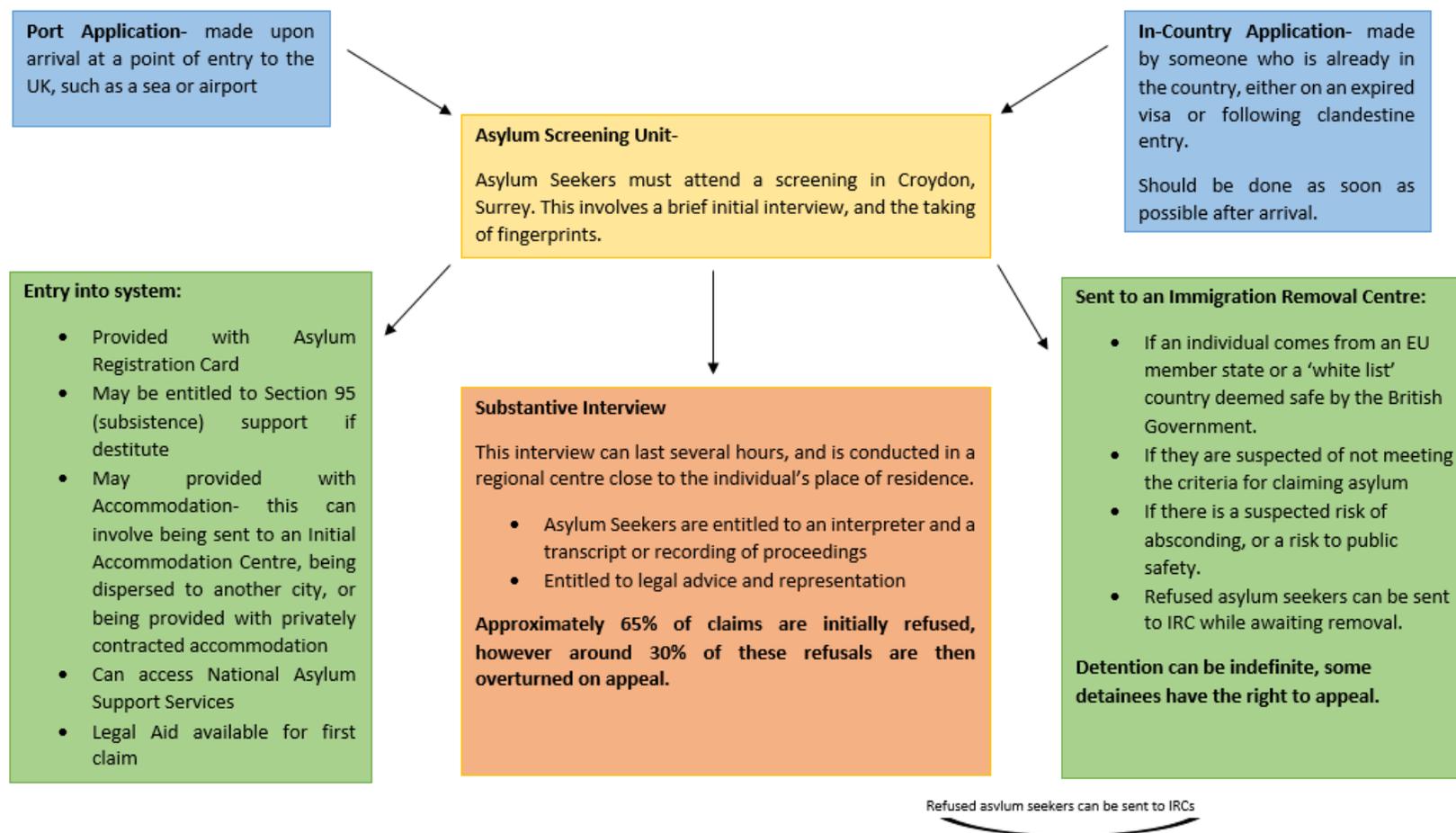
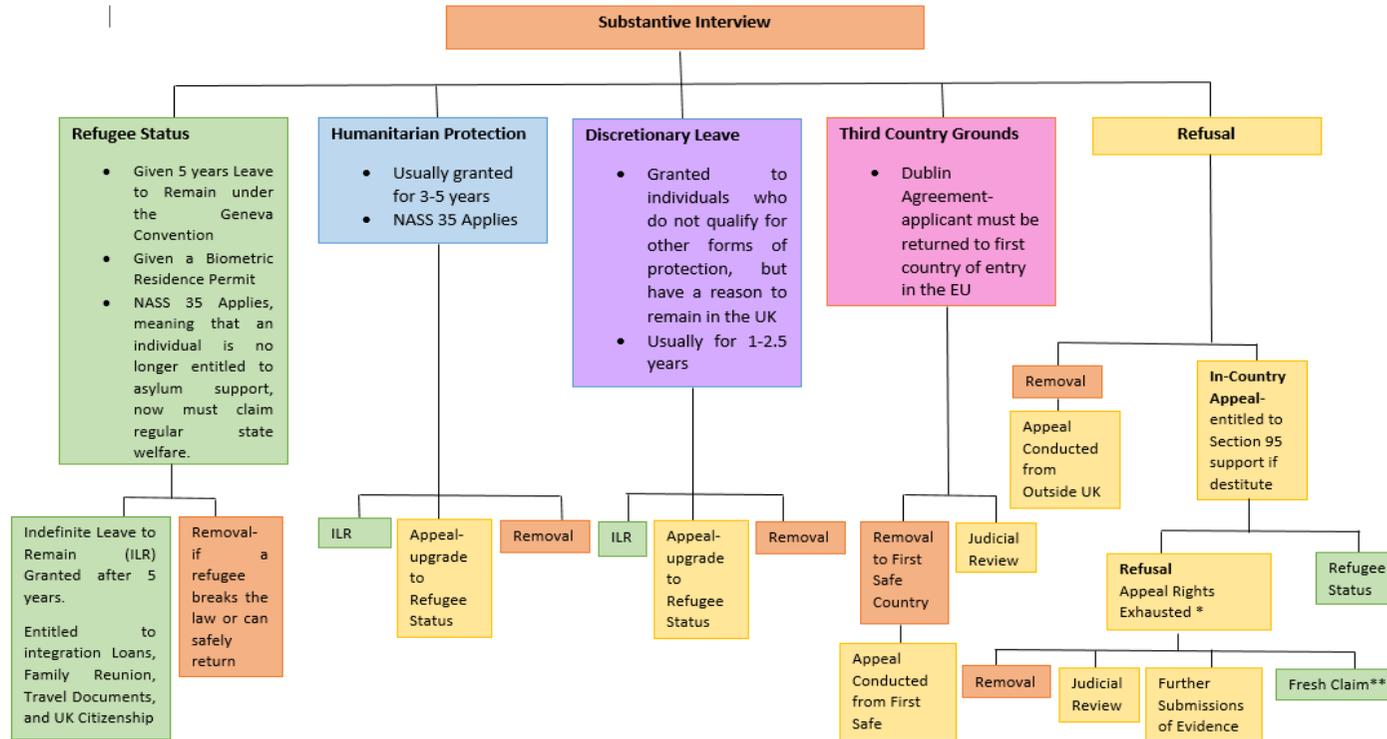


Figure 2: Asylum Claim Outcomes



\* Refused asylum seekers who are destitute are entitled to Section 4 support

\*\* A fresh claim can only be made after a change in an individual’s personal circumstances or changes in their home country’s situation.

Moreover, we can note several trends with regards to asylum policy. First, policy has become increasingly embodied, in a number of ways. The rising sophistication and ubiquity of technologies such as biometrics, and the culture of suspicion and demand for 'objective' evidence, mean that the body is an increasingly important site of evidence. Moreover, the increase in techniques – such as detention, accommodation dispersal, and removal – that seek to control and regulate asylum seekers' behaviours, are also distinctly embodied. While the system is clearly not an exclusively embodied milieu, it can nonetheless be seen to have a distinct, and increasing, embodied facet.

Second, the state's control of embodied life and monopoly over the provision and denial of support for asylum seekers intensifies its ability to instil precarity into asylum seekers' lives. This can have significant impact on asylum seekers' ability to sustain an adequate standard of living, and over what kinds of activities and spaces they can access. For the state, limiting asylum seekers' abilities to engage in certain embodied activities produces a manageable, compliant, predictable population. Conversely, for asylum seekers, this can often leave them vulnerable to destitution, isolation, and precarity, and can prevent them from finding stability and continuity in their lives, policy in this regard can be seen to actively produce precarious life in the context of the asylum system.

### **The 'System' as a Broader Entity**

In many regards, the state is the primary actor in the asylum system. It is the state's political aims which influence the direction of policy, and state actors who apply policy directives and are responsible for making decisions on asylum cases. This said, the state is not a unitary actor: different state actors – the Home Office, the judiciary, the police, and the Border Agency – each have their own agendas and norms, and often display significant discretion in their behaviour (Borelli and Lindberg, 2018). Moreover,

non-state actors, such as NGO's, legal and advocacy organisations, and asylum seekers themselves, have significant roles in the system. This means that the body is impacted by a range of different actors and often-contradictory forces.

This broader view of the asylum system is supported by much recent scholarship, which has moved beyond understanding migration as governed by systems, which implies sustained coherence, and has conceptualised migration management as an industry or regime (Martin, 2000; Rutledge and Roble, 2010; Betts, 2012; Andersson, 2014). The notion of a regime moves beyond the idea of a unitary, coherent power, to understand migration as managed by “[a] system of laws, both national and international, as well as regulations and policies that have an impact on the lives of migrants” (Rutledge and Roble, 2010: 153). This acknowledges that migration management occurs on a number of levels, and involves various actors and strategies. The notion of an industry goes even further, acknowledging that the ‘system’ is not only politically-oriented, but includes economically driven actors – companies that provide transportation and security, managers of detention and accommodation facilities, and clandestine networks of traffickers (Betts, 2012) who seek to profit from migration, and whose practices impact upon asylum seekers’ experiences. As Andersson notes, such actors do not only control – but also produce – different categories of migrants (Andersson, 2014). This further broadens the system, recognising that it is constituted by a wide variety of actors with differing motivations.

Although many of these discussions pertain to the management of migration on an international level, the argument is applicable in the context of the British system, and to understanding how bodies are caught up within this system. Alongside state actors in the system, there are also various for-profit companies (Darling, 2016) which influence how policy is interpreted and applied, with vested interests in the

continuation of certain policies and practices. The British system also encompasses NGOs and support agencies, which work to provide information and act as advocates for asylum seekers. These actors also influence policies, although perhaps not to the same extent as state and economically-driven actors. While they are separate from the state, the fact that they have a significant influence over asylum seekers' experiences, legal status, and everyday experiences leads me to understand them as part of a broader asylum 'industry'. Then there are asylum seekers themselves. There is a long and diverse history of asylum seekers using the body to engage with the process of claiming asylum in various ways: from complying with the state's demands and providing information to support their claim, to engaging in subversive relationships and behaviours, to explicitly resistant behaviours such as protests or strikes aimed at challenging policies.

This perspective requires understanding of power within the asylum system not as concentrated, coherent, or unidirectional, but as a diverse array of actors and techniques with different aims and interests, which effect the body in different ways. Agency, on the other hand, reacts and respond to power in varied and incoherent ways, often on a bodily level.

### **The Body in the Asylum System: Four Facets of Embodiment in the Asylum System**

This begs the questions of precisely how the body functions as a political site within the asylum system. Based on both a critical review of the literature and some preliminary insights from fieldwork, I identify four ways that the body functions within the system: as an object from which identity and evidence can be discerned; an object of control; a site of autonomous behaviour and resistance; and as a site through which asylum seekers can narrate their grievances and experiences, or which can frustrate

narrative. I argue that although bodies function in these ways, the literature often presents them as singular ways to understand the body. This is reductive, inasmuch as it obscures the fact that the body plays a variety of differing, and sometimes contradictory, roles during asylum claims.

### Identification and Evidence

One way that the body is understood is as an object which can provide information about an asylum seekers' identity, or which can provide evidence to support or contest their claims.

This has been explored by Puumala. Based on the idea that asylum systems function using a binary logic, distinguishing between inclusion and exclusion, she asserts that those who arrive at the border are assessed and labelled, and only certain "categories" of people are admitted (Puumala, 2010: 76). This relies on the body: biometric identification and visual assessments play a significant role in how individuals are identified. The state then presents these labels as indisputable 'realities'. However, they are neither static nor permanent. By embedding labels into discourse, states can construct homogenous, politicised categories of identity and bring them to represent the "marginality, dishonesty, threat and [unwelcomeness]" of asylum applicants who have been labelled as bogus, and dictate what happens to them. These "labels" are not solely linguistic, but "body political" (ibid). They identify a person and condition their bodies so that this identity is materialised (ibid, page 78). By forcing bodies to represent certain things, inclusion and exclusion are materialised through the bodies of asylum applicants.

Bodily identification is perhaps most pronounced in the use of biometric technologies, which are routinely used within the system. As Franco Aas writes, these technologies allow states to identify and regulate people entering the country (Aas, 2005). However,

this rests on the assumption that bodily information represents an unchanging and indisputable identity, that asylum seekers' biometric information reveals them to be fundamentally 'legal' or 'illegal'. Muller suggests that the body provides information that dictates "access to rights, [other] bodies, spaces and so forth" (Muller, 2004). Such an understanding renders the body as little more than a source of identity that can be operationalised to serve political aims. The notion of a fixed, infallible identity reduces the value of an individual's self-understanding in favour of facilitating an easy decision over who an individual is and whether they can be included.

The resolution of age disputes is another example of bodily identification. In the UK, the age determination process occurs when an asylum seeker claims to be a minor but cannot provide proof. Government guidelines specify that assessments should not be based purely on physical appearance, and recognises that medical tests which can help to determine age – such as X-rays, measurements and dental exams – are unreliable (Crawley, 2007: 4; Smith and Marmo, 2013). Nevertheless, the body plays a significant role in the assessment process. On some occasions, age assessments are based almost entirely on appearance, or cultural assumptions about how a child 'ought' to behave, leading to arbitrary and inconsistent outcomes. Secondly, medical evidence is often considered, no matter how unreliable it might be.

Biometrics and age assessment understand asylum seekers' bodies as sources of a categorical identity, and assume that an individual's embodied behaviour will reflect this identity. While these are flawed assumptions, they allow state actors within the asylum system to use bodily information to identify asylum seekers, albeit reductively, and to easily resolve their claims. The labels and categories applied to asylum seekers are static and rigid, and inevitably obscure the ways that identity is multi-layered, intersectional and transient.

The body is understood similarly in terms of its ability to act as a source of evidence. This is especially relevant in cases where an individual claims to have been abused, as the bodily consequences of this are often viewed as proving or disproving such claims. Fassin and D'Halluin detail this (Fassin and D'Halluin, 2005), examining asylum seekers' rising demand for medical certification. They note how asylum seekers understand medical certificates as authoritative, since it is assumed the body can provide indisputable evidence (Fassin and D'Halluin, 2007). However, this is not the case: the state can interrogate physical evidence, and cast doubt on its validity. At other moments, bodily evidence can be construed as evidence of genuine victimhood, and brought to represent the efficacy of the system. Pettitt also shows that there are inconsistencies in the ways that medical reports are treated by asylum tribunals (Pettitt, 2011), indicating that while the body is conceptualised as a source of evidence, the meaning of that evidence often lies firmly in the hands of the state.

Fassin and D'Halluin view this as "tragically paradoxical" (Fassin and D'Halluin, 2005: 598). Torture does not necessarily leave physical signs, meaning that individuals could be denied protection due to a lack of bodily 'evidence' (ibid). Moreover, over-reliance on physical evidence reifies the body, which "attempts [asylum seekers'] objectification through experts' words and ends up desubjectifying them" (ibid). This suggests that the body is 'read' by state authorities to produce an understanding of who an individual is. Understanding the body as a source of evidence reduces the body to one thing, which may or may not be an accurate reflection of who an asylum seeker is or what has happened to them, and which obscures complex history and circumstances, reducing them to a normative 'label' which determines who they are and how their claim will be judged.

### Control

Similar understandings are displayed in practices that use the body as an object of control within the asylum system, which can be governed and regulated to render it docile, compliant, or normative.

Detention and the dispersal process, which moves asylum seekers to select areas around the country, are arguably the most obvious forms of physical control within the system. Darling notes that control of asylum seekers using detention and dispersal has produced a new sort of authority, which frames asylum as a burden that must be monitored and regulated. He suggests that the state's "calculation, regulation and discipline" (Darling, 2011) controls bodies and spaces, conditioning asylum seekers and preserving security. Similarly, Gill understands the state's use of enforced mobility and stillness in its accommodation provision as something which, despite being psychologically damaging, represents a purposeful form of governance aimed at making asylum seekers supplicant to the state, and controlling their day-to-day movements (Gill, 2009). While the control of bodies functions to monitor and regulate the individual, it also works to regulate the broader population of asylum seekers and render their bodies compliant with its demands.

Most techniques of control are inherently embodied. For example, Welch and Schuster (Welch and Schuster, 2005) discuss how detention has become routine, suggesting that the panic surrounding asylum has led to the perception that incarceration is an effective way to deal with asylum seekers, who are "characterised as menacing strangers who threaten not only individual safety but also the entire social order" (ibid, page 334). The body is deeply implicated in this control: detention confines and disciplines the body, removing it from the public sphere and conditioning it to behave in 'safe' ways. Insecurity is projected onto the body, justifying the control of that body

in order to abet the 'threat'. Alger and Phelps also highlight how detention uses the body as a locus of control and the injurious effects this has (Alger and Phelps, 2011), outlining how it causes confusion and distress, and subjects asylum seekers to high levels of physical control, including being constantly moved and having their activities heavily regimented (ibid. pages 15-17). This is further discussed by Mountz, Coddington, Catania and Lloyd, who discuss how the spatial tactics used to control asylum seekers reinforce binaries between 'innocent' civilians and 'suspect' foreigners, and materialise exclusion by containing and regulating 'unruly' bodies (Mountz et.al, 2012). While these identities and exclusions are discursive, they are realised in the use of detention, reducing the body to a site at which asylum seekers can be controlled.

Discussions of deportation present a similar understanding. Gibney (Gibney, 2008) highlights the growing use of removal, arguing that this is motivated by concerns about abuse of the system, and achieved through policies that allow the government to more strictly interpret non-compliance rules and limit the right of appeal. Feteke argues that states' ability to remove asylum seekers allows them to prioritise political agenda over humanitarian obligations. Moreover, deportation can inflict bodily abuses: the act of removal is physically forceful, employing restraints and the use of sedatives (Feteke, 2005). This points towards the ways that deportation utilises the body as a site at which they can be controlled.

Such understandings of the body's implication in this 'culture of control' often present a view of asylum seekers' embodied experiences as regulated by the system, leaving little space for how they experience and respond to the system. In an article examining the experiences of detainees, Khosravi focusses on how strategies of governance impact asylum seekers' lived experiences. He understands the detention centre as

“nothing more than a site for punishment and the removal of ‘wasted’ bodies” (Khosravi, 2009: 53), leading to an understanding of asylum seekers’ lived experiences as permeated by coercion and punishment. This overlooks the myriad ways that detainees’ embodied behaviour can challenge these controls, and reduces embodied experiences to something homogenous.

Understandings of the body as a site of control, identification or evidence differ in how they conceptualise the function of the body within the system. What all of them have in common, however, is an understanding of the body as an object which can be ‘read’ or controlled, that can be brought to represent the norms that the state has established. While the body often functions in these ways, I suggest that understanding the body as a source of a categorical identity or truth, or as a material site that can be controlled, is reductive. It obscures the fact that the body is also the site of a subject that interacts with these controls, and the ways that an individual’s body is often performing several roles at any given time, excluding asylum seekers’ own understandings and autonomous behaviour from consideration.

### Agency

The body can also function in a more subjective manner, as a site at which asylum seekers’ agency is materialised and performed.

Puumala has explored this. As discussed above, she initially detailed the ways that asylum systems use bodies as a source of identification. However, her subsequent work explores how this inevitably fails to contain the totality of the person. She therefore questions how asylum seekers deploy political agency within and despite the restrictive context of the system (Puumala and Pekkonen, 2010). She understands agency as fundamentally bodily, consisting in the relations between embodied subjects. These relations sometimes resonate with the requirements of power, but

often exceed it and forward alternative understandings of political life – reclaiming their bodies from the political definition that had been enforced onto them, and articulating alternative subjectivities (Puumala, 2013). The body can fill spaces in ways unanticipated by governmental practices (ibid, page 60), and relate to others in ways that the system cannot intend, challenging the norms established by the state.

Writing on refugees in Italian ‘holding centres’, Puggioni makes a similar claim: that the body is a powerful tool with which refugees can enact dissent (Puggioni, 2014). She focuses on acts of bodily resistance, namely how self-mutilation and hunger-striking use the body to highlight subjugation and “[react] against dominant practices of citizenship, founded on an exclusionary understanding of belonging and membership” (ibid, page 563). Conlon discusses hunger-striking in similar terms, understanding it using the Foucauldian concept of counter-conduct – asylum seekers using their bodily activities to critique their treatment at the hands of the system (Conlon, 2013).

While these writings employ different theoretical perspectives, they all understand the body as a vehicle through which asylum seekers can enact meaningful agency that subverts or resists the system by invoking an alternative form of subjectivity which challenges those established by the state. This encourages a less reductive analysis of the body in this context, however there are still several problematic aspects. First, it can imply a deterministic relationship between action and its meaning. For example, when discussing one asylum seeker’s disruptive behaviour, Puumala brands it “wanton disregard of the regulative ambitions [of the system]” and “a protest against the rationale that has debased him...and his body strictly in terms of a political order, which he himself is not ready to accept” (Puumala, 2013: 164). However, it is unlikely that this is how the man involved understood his behaviour. Secondly, this view risks

overstating the extent to which such agency can be efficacious. While the body *can* potentially exceed and challenge the system, that very same body is constantly being interpreted, disciplined and reproduced in line with the system's aims. The idea that asylum seekers can simply 'act otherwise' is appealing, but in reality this agency is often limited by systemic power.

Other perspectives provide a more nuanced view on asylum seekers' acts of agency. Darling has discussed asylum seekers' ability to appropriate their position of exclusion in order to make modest ethical demands, or to attract support from citizens. He explores how, while a complete overturning of the system's norms is not possible, asylum seekers can highlight their needs and attract support on a grassroots level (Darling, 2009b). Acts of resistance might be ineffectual on a large-scale, but they can act as powerful forms of political interruption, constructing new ways of understanding asylum seekers and enabling asylum seekers to make their everyday lives more comfortable.

Understanding the body as a site of agency displays another facet of the body's functioning – its ability to invoke subjectivities that subvert or challenge norms – but often still follows this reductive trend in some crucial aspects. Much literature on this topic is deeply theoretical, leading to interpretations of embodied behaviour which do not correspond to asylum seekers' understandings. Moreover, some of this literature overlooks the constraints and restrictions that state power places on asylum seekers' agency. Such acts of embodied agency need to be located within the political context in order to understand them in a manner which avoids dismissing them as either anarchical or completely ineffectual (Darling, 2014) and must take a more measured and nuanced approach that attempts to understand the variety of forces that affect asylum seekers' embodied agency, and the multifaceted impacts that it can have.

### Narrative

The final facet – the body as an object through which asylum seekers can narrate their grievances and experiences, or which can frustrate narrative – is somewhat more complex, and less well discussed in existing literature.

On the one hand, medical sociological literature illustrates how the experience of physical illness or injury can inhibit asylum seekers from narrating their experiences, obtaining a stable sense of self, and participating in broader society (Gergen and Gergen, 1997). This is relatively common within the system: experiences of injury or serious illness can leave asylum seekers both physically and emotionally unable to engage with their claim or participate in society.

At other moments, the injured or ill body can *enable* asylum seekers to express their subjective experiences or articulate political positions, and to challenge the norms enforced by the state. The propensity of the body to act as an object through which individuals can narrate their political subjectivities has been noted with reference to other contexts – in particular, Skultans' work on Post-Soviet Latvia. Skultans notes how many Latvians discuss their experiences of bodily illness and injury with reference to political developments and injustices: the body enables individuals to represent their experiences, and to voice political subjectivity when they otherwise might be unable to. In this regard, it functions as a 'yardstick' (Skultans, 1999: 310) against which politics is judged. This idea has not yet been discussed with reference to asylum systems. However, given the number of asylum seekers who suffer from physical illnesses and injuries, combined with lack of opportunities for them to voice their grievances within the system, this phenomenon was perhaps unsurprisingly something that I often witnessed in the field. The thesis develops this idea by exploring how the body can be both inhibitory and conducive to political narrative: how the

relationship between the body and political narrative impacts asylum seekers' experiences, and how this might complement and challenge the performative view set out above.

This overview has identified four main ways that bodies function within the asylum system, and how this has been understood in existing literature. Much of the existing work has provided useful insights into the body's role within the system. However, much of it displays a tendency to focus on one aspect of the body's role, presenting a blinkered and truncated view of the ways that it is implicated in the system. This often reinforces a binary understanding: if the body is understood in objective terms, there is infrequently space for the acting subject. On the other hand, approaches that understand the body as the site of a subjective agent are likely to understand embodied actions as freely chosen, and to overlook systemic constraints.

### **'Non-Systemic' Factors**

Beyond these conceptual functions that the body can take in the asylum system, asylum seekers' bodies and embodied experiences are also influenced by other factors, outside of their encounter with the state.

Some of these are individual factors, such as health and personal history. Asylum seekers are likely to suffer health issues; as many as 1 in 6 have a serious health condition that impacts their everyday life (Burnett and Peel, 2001). This is often compounded by factors such as malnutrition, substance abuse, and a history of inadequate medical care. Pre-migration stressors, such as torture or poverty, can also exacerbate health complaints. Illness and injury affect how a person experiences and understands the world around them, and can change how they perceive and respond to their experiences (Bury, 2008). This can fundamentally alter experiences of the asylum system, amplifying the impacts of the system's regulatory practices.

Asylum seekers' embodied experiences are also affected by the wider socio-political context. Perhaps most significantly, the linking of migration and insecurity has led asylum seekers to be viewed with suspicion (Bigo, 2002; Husymans, 2006; Bigo, 2008). By stressing the supposed dangers of migration, security professionals justify increased surveillance and suspicion of migrants, producing unease and 'securitizing' the issue, and mobilising ideas of crisis to justify restrictive policies (Mountz and Heimstra, 2014; Mountz, 2015), which clearly impact on asylum seekers' lives.

The rising prominence of far-right parties has also impacted asylum seekers' experiences, given their restrictive attitude towards immigration (van Spanje, 2011: 293). The so-termed migrant 'crisis', and the debate surrounding how many people can be allowed to settle in the UK has emboldened this discourse. Moreover, the UK's decision to exit the European Union has sparked heightened anti-immigration sentiments. Such attitudes can result in contention over who can be recognised as a 'legitimate' member of society (Gibney, 2006; Gibney, 2009). Minority groups often face difficulties gaining recognition because they are perceived as dangerous, or because they are seen as posing a challenge to the dominant group. Exclusion can result from domestic political concerns, and can lead to a lack of rights that fundamentally affects asylum seekers' day-to-day experiences.

A number of social factors are closely associated. Racism is one such force. Schuster notes that bans on people from certain countries from claiming asylum in Europe constitute a form of racism that constructs some asylum seekers as undesirable, and leads to discriminatory practices (Schuster, 2003). These attitudes are pervasive, evidenced by widespread resentment of asylum seekers in general, or groups from certain backgrounds. Grillo details an example of protests against the opening of an

asylum 'induction centre' in East Sussex (Grillo, 2005), showing how race played a role in the debate. Moreover, in 2015 a charity noted high levels of Islamophobic incidents involving migrants (Littler and Feldman, 2015). While Islamophobic sentiment is not exclusive to asylum seekers, the combination of Islamophobia and the discursive linking of asylum and insecurity means that they are especially vulnerable.

These discourses can shape the ways that asylum seekers are understood in wider society. Lynn and Lea examine the attitudes of the British public towards asylum seekers, finding that many consider asylum seekers socially problematic, and that their ethnic origin represents a "tangible barrier to acceptance" (Lea and Lynn, 2003: 248). Other common concerns are: the threat of 'bogus' asylum seekers; the idea that asylum seekers take up resources that could go to British citizens; or the idea that asylum seekers represent a potential threat. These discourses construct asylum seekers as undesirable 'others' and imply a need for discriminatory practices; they have distinct impacts on how asylum seekers are conceptualised, and on widespread understandings of how they ought to be entitled to behave.

These external factors may not affect asylum seekers' embodied experiences in the same way as their encounter with the system. However, the ways that asylum seekers are commonly constructed has distinct impacts on how they are understood, and the nature of their experiences. As such, it is important to acknowledge these external, contextual factors alongside the political processes that constitute the asylum system.

### *Asylum Seekers' Lived Experiences*

The problems of reductionism and blindness to broader context have been overcome in discussions of asylum seekers' more general lived experiences, many of which offer

more multifaceted analyses and thus provide useful reference points for building a more nuanced perspective on embodied experiences.

Many studies have taken an overarching approach to discussing asylum seekers' common experiences, and the impacts that claiming asylum has on their lives – encompassing both the impacts of policy, as well as of asylum seekers' personal circumstances (McLuhan, 1995; Showler, 2006). Others have focussed on particular groups. For example, Bloch, Sigona and Zetter's study of the lives of undocumented migrants (Bloch et al., 2014) discusses the commonalities and variation in lived experiences, and considers the wider socio-political context. There are also studies of national communities (Valentine et.al, 2009) and how cultural norms can impact asylum seekers' experiences (Papadopolous et.al. 2004). Some studies take a geographic approach (Hunt, 2008), exploring the intersection of socio-political context and agency. Healey examines the impact of gender norms (Healey, 2010), and how they influence individuals' experiences and coping strategies (Healey, 2006). Other work examines how asylum seekers experience certain aspects of the system. Griffiths looks at 'failed' asylum seekers in detention centres (Griffiths, 2012; Griffiths, 2013), weaving discussions of policy with observations of their everyday lives. Others have examined different issues: for example, experiences of dispersal (Hynes, 2011); housing and settlement (Kissoon, 2010); integrating into local neighbourhoods (Spicer, 2008); and employment and social exclusion (Phillimore and Goodson, 2006). Each of these provide multifaceted analyses, highlighting the varied nature of experiences, and how asylum seekers' lives are both under the control of the system and conditioned by factors specific to the individual or group.

Other ethnographic work also illustrates this, often capturing the dynamics of individual and community life, the impact of external forces, and the flux in experiences. Rotter's

study of asylum seekers' experiences of waiting for their claims to be processed illustrates this (Rotter, 2016), showing how while waiting is often characterised as a passive activity, it is actually affective inasmuch as it involves asylum seekers structuring their time with activities that transform 'empty' time into something meaningful. Piacentini's work on asylum seekers' associational lives illustrates how involvement in support groups provides "an alternative context for reception" (Piacentini, 2012: 261), providing a sense social life, but how this is always in a state of flux due to the fluidity of individual circumstances and community dynamics.

The ways that asylum seekers can take control of their experiences has also been studied. Zetter and Pearl's study on community groups (Zetter and Pearl, 2000) shows how, in the face of restrictive policies, asylum seekers come together to articulate their needs and expand their activities. Relatedly, Gill, Conlon, Tyler and Oeppen (Gill et al., 2014) discuss how support groups employ 'spatial tactics', appropriating spaces within which asylum seekers can assert agency, highlighting how asylum seekers demonstrate agency without overstating its efficacy. Coutin illustrates how asylum seekers use 'legalisation strategies' to gain recognition, despite possessing no claim to citizenship (Coutin, 1998). This shows how they can "shape their own identities and futures" (ibid, page 903) while recognising how the system frames and constrains such action. Conlon and Gill's work on detainees' protests similarly highlights the potential efficacy of protest, as well as its limits (Conlon and Gill, 2013). They see protest as arising from policy's aim to 'train' migrants into the liberal order, and suggest that agency can challenge this by highlighting paradoxical and unreasonable requirements, understanding expressions of agency as productive but fundamentally limited.

Mountz also examines transgressive struggle. She turns to feminist scholarship to highlight how bodies that are ‘trapped’ in liminal positions of exclusion can express themselves via “organis[ing], network[ing], speak[ing] out and using technologies to garner attention” (Mountz, 2011: 383), enabling asylum seekers to assert personhood and forge a sense of community despite their exclusionary environment. She recognises the capacity of such acts to bring disenfranchised migrants’ experiences into view. However, she remains cognisant of how they are always limited by state power, and sees their value in their ability to expose the struggles of marginalised communities, as opposed to fundamentally challenging authority. This is arguably a more realistic notion of the effectiveness of bodily agency, without overstating its impacts.

This literature on the lived experiences of asylum seekers shows how scholarship can reflect the multifaceted and varied nature of experience, which cannot be interpreted in a singular manner or solely with reference to the asylum system. Behaviours and experiences change over time, respond to developing circumstances, and are impacted by individuals’ history and worldviews; how systemic power interacts with individuals’ day-to-day lives is complex and transient. This approach could benefit analysis of the body: to gain a full understanding of the ways that the body is implicated in the system and the impacts of this, it is necessary to adopt a more overarching approach which does not reduce the body to one thing or overlook its complexity.

### **Developing a Conceptual Schema**

An overarching conceptual perspective can achieve two things. Firstly, it will provide a workable framework for understanding the nature of the body in this context, the functions it can take, and the embodied experiences and behaviours that asylum seekers display. Secondly, it will allow for consideration of the variability in the ways

that the body functions in the asylum system, the relationships between bodily processes and phenomena, and the impact of socio-political influences on embodied phenomena. At the same time, it facilitates organisation of empirical material, providing conceptual coherence to discussion of varied embodied phenomena, while remaining loose enough to highlight diversity. As such, it could enable discussions of the body to engage in similarly nuanced and robust discussions as those of asylum seekers' lived experiences identified above.

The schema I have developed can be presented as follows:

	<b>Individual</b>	<b>Collective</b>
<b>Governance</b>	The body as a site of identification and evidence	The body as an object of control
<b>Agency</b>	The body as a source of narrative	The body as a site of autonomy or resistance

Figure 3- Functions of the Body in the Asylum System

The four ways that the body functions as a political site (identified above) have been retained as conceptual categories. Although reductive when considered in isolation, they represent important ways that asylum seekers' bodies function at different moments in the system. Their validity was further confirmed during the fieldwork process. These categories are presented as part of a broader conceptual landscape, illustrating that they are neither totalising nor mutually exclusive, and providing a common theoretical parlance. This leaves the schema well-placed to illustrate the body's multiplicity: to show that while it may function as an object that can be governed, it is usually always also a subjective entity capable of subverting and challenging systemic control. Likewise, while individual bodies are subjected to governance and

used to enact agency, they are always also part of a broader, more collective, configuration.

### Governance and Agency

The rows labelled 'governance' and 'agency' correspond to the distinction between techniques of governance – which understand the body as an object which can provide information or be controlled, and through which precarity can be produced – and practices that bring the body to function as a site of agency, or as a referent upon which political voice can be based, capable of contesting precarity.

While governmental practices and agency are separate, they are also intertwined and mutually dependent. Agency does not exist outside of the milieu of discursive power. Rather, it is a necessary by-product of power. Placing governance and agency side-by-side enables analyses that appreciate that agency occurs as a result of power, and the two almost always coexist on and through the body, contesting and contradicting one another, and influencing asylum seekers' embodied experiences. Moreover, it enables discussion of how practices of governance are often productive of precarity in asylum seekers' lives, whereas agency can function as a way to contest and attempt to overcome that precarity.

### Individuals and Collectives

The columns correspond to the asylum system's ability to govern bodies at the level of both the individual and the collective.

This is based on the distinction between biopolitics and anatomo-politics drawn by Foucault: anatomo-politics refers to the techniques of power that are "essentially centred on the...*individual* body" (Foucault, 2004: 242) used to "ensure the spatial distribution of individual bodies....and to take control of those bodies" (ibid). This is disciplinary: it works to glean information from the body, and to govern that body. In

contrast, biopolitics refers to techniques of power which “apply not to man-as-body....but to man-as-species” (ibid). This uses institutions to centralise and coordinate power, and to instil knowledge that reproduces power’s aims. It is more regulatory than disciplinary, dealing with the population on a collective level, intervening in a more generalised manner. Although Foucault draws this distinction, he recognises that they are not mutually exclusive, and understands biopower as “dovetail[ing] into...integrat[ing] into...modify[ing] to some extent” anatomo-political techniques (Foucault, 2004: 242). The biopolitical regulation of bodies occurs alongside and as a result of anatomo-political discipline. In the asylum system, bodies subjected to forms of governance that function on an individual level are almost always also affected by those aimed at regulating the broader population. Similarly, asylum seekers’ bodily behaviours that display opposition often function on both the individual and collective levels: while an asylum seeker may act in response to their own circumstances, the implications of their actions can be more widespread. Placing these phenomena alongside one another recognises that they can often inform and affect one another.

### **The Body as a Locus of Asylum Politics**

This final section draws out some of the key advantages of the schema developed above, as well as addressing some limitations. I also highlight how its conceptual categories elucidate how the physical body is a site at which the more latent politics of asylum are manifest and enacted on an everyday level.

The schema’s main utility lies in the fact that clearly it sets out the extent to which the body is a crucial political site in the asylum system. Each of its conceptual categories represent political processes that manifest on and through the body. The schema can organise a varied array of empirical phenomena around common conceptual

categories, as well as highlighting the connections and comparisons between them. This illustrates that the body does not have one fixed role or function in the context of the asylum system. The schema can properly illustrate the body's heterogeneity of functions within the asylum system: how it is a site of both governance and agency, on both the individual and collective levels, and how these political processes are often co-occurring and variable, and influenced by a wide variety of factors.

In highlighting the centrality of the body to the process of claiming asylum, and the diverse nature of the processes in which it is involved, the schema points towards how the body is a microcosm of the broader politics of asylum; a site at which abstract political battles are waged, and intangible political subjectivities are materialised. Bodies are central to the process of claiming asylum, but in a multiple, contradictory ways. Embodied subjectivities are enforced upon, performed with, and challenged using the body. The processes of governance that asylum seekers are subjected to can function to produce certainty and mastery for the state, while instilling asylum seekers' lives with material and symbolic precarity. On the other hand, asylum seekers' acts of agency can expose this precarity, and show that they are striving for a more liveable life. The political processes that determine the boundaries of inclusion and exclusion into society, that demand specific forms of embodied subjectivity and behaviour, and that enable individuals to express themselves politically all occur on and through the body in the asylum system. Social and political tensions are waged on and through asylum seekers' bodies: the humanitarian demand to assist victims of torture versus the political impulse to deny the validity of injuries; the demand that asylum seekers be allowed to move freely, versus the state's desire to control their lives. In many ways, it is the body and embodied experiences which materialise

notions of protection and suspicion within the system. The schema presented here highlights this, bringing the centrality of the body as a political to the fore of analysis.

However, the propensity of such techniques to influence the body does not end with their ability to affect the body. They also have distinct effects on subjects' understandings and embodied experiences – their behaviours, interactions with others, and day-to-day routines. The conceptual categories used here are attentive to how the governance of the body goes beyond the body itself, and can structure experiences and subjectivities more generally. Through governing the body, the state instils norms, so that asylum seekers come to *be* certain ways; in agency, asylum seekers can use their bodies to contest these norms. As a result, while the body can be understood as a material site at which multiple political processes play out, asylum seekers embodied subjectivities – the non-material ways in which they understand themselves and identify – are similarly affected. The impact of the body's implication in the asylum system both transcends and produces its own materiality.

As such, it is possible to see how this understanding of the body relates to the broader understanding of the system set out above. The perspective of the body set out here is sensitive to how power in the system comes from various actors and operates in various ways, and thus that the body is implicated in the process of claiming asylum in varied and intersecting ways. This emphasises how the body's relationship to power is not unidirectional, but rather that power and materiality interact in various ways, on numerous levels, and to differing ends.

It is also important to consider any shortcomings. One potential limitation lies in the difference between the relationship between the body and narrative and the other categories. Identity and Evidence, Control, and Agency and Resistance are all

concerned with material embodied phenomena, but the connection between the body and political voice is more concentrated on language about the body and embodied experience. This is examined in chapter 7, which concludes that while the material and narrative facets of resistance exhibit crucial differences and highlight one another's limitations, they are ultimately more complimentary than contradictory. While this demands careful consideration, it does not prohibit the schema presented here from generating useful analyses.

This chapter has set out the thesis' understanding of the importance of the body in the context of the asylum system. It has encompassed both its increasing centrality in the system, and the different political functions that it takes – presenting a view of the body as a material site that is caught up in multiple, and often contradictory political processes, and which is both constituted by and capable of challenging state power. It has also provided a conceptual framework conducive to producing analyses that adapted and interrogated this theoretical perspective in the context of the asylum system. The following chapter goes on to frame this in more explicitly theoretical terms, with the aim of developing a unique theoretical perspective to underpin the empirical analyses which follow.

## Chapter Two

### The Biosovereign State and the Performative Body: A Theoretical Perspective

The previous chapter discussed the body's political functions, and the actors that constitute the system in a tangible sense. This chapter seeks to build on those insights in order to develop a theoretical perspective to underpin the thesis' empirical analyses. This aims to facilitate deeper analysis of embodied phenomena, which goes beyond the ways that the body's observable movements and behaviours impact the process of claiming asylum, and attends to how these embodied processes also have intangible, political effects. It also facilitates moving from the particular to the general: providing a theoretical parlance to frame empirical phenomena enables the analysis to discuss the nature and function of both the body and the asylum system in more abstract, generalisable terms.

This chapter develops an understanding of power in the asylum system based on Banu Bargu's work (Bargu, 2014). Power, including state power, is understood as a *biosovereign assemblage*, a diverse arrangement of techniques and processes of governance – often operating in different manners and on different levels – which often complement one another and cohere in the service of the various political aims regarding asylum. This enables me to argue that power is not one unified entity, but a shifting articulation of different entities. I also present a theoretical view of the body. This develops an understanding of the body within the asylum system as performative, based on Judith Butler's understanding. I argue that Butler's perspective enables an understanding which encompasses how the material surface of the body is produced and contested within the asylum system, and how this is indicative of more abstract debates concerning identity, inclusion, and norms within the politics of asylum. This

enables me to contribute an understanding of the system as *biosovereign and performative*. The biosovereign assemblage governs bodies by performatively compelling normative forms of embodied subjectivity; on the other hand, asylum seekers' performative expressions of agency can challenge these norms and assert alternative forms of subjectivity.

The chapter also posits an integrated understanding of processes within the system, discussing how processes of governance and the agential responses that they prompt are deeply related. Agency is conceptualised as a necessary consequence of systemic power, as opposed to an oppositional or separate process.

I first outline a theoretical understanding of power in the asylum system as biosovereign – outlining how this combines ideas from a Foucauldian biopolitical perspective and a more sovereign view of power – in order to posit a more multifaceted understanding. This more diffuse and multifaceted understanding of power helps to theorise the heterogeneous understanding of the system developed in the previous chapter. I go on to develop a theoretical understanding of the body as a political site, based on Butler's work, outlining how the materiality of the body is both formed by power, and a crucial site at which power and the precarity it produces are contested. This section also addresses how this biosovereign, performative perspective links to the conceptual framework developed in the previous chapter, showing how the theoretical perspective developed here underpins and develops the concepts discussed previously. The chapter concludes with a discussion of agency, outlining an understanding of agency as responses to the wider structural milieu in which subjects exist. Returning to concepts from Butler's work, I also discuss the potential for agency to function as a way for asylum seekers to strive for a more liveable life from within a punishing system, addressing the normative facet of agency.

## **Biosovereign power in the Asylum System**

The understanding of power put forward in this thesis is rooted in Bargu's idea of the biosovereign assemblage. This can accommodate both an understanding of the diversity of state power within the asylum system, as well as recognising that other actors within the system also articulate and challenge power, reflecting the broader view of the system discussed in the previous chapter. Bargu's concept of power is based on a reconciliation of Foucauldian biopolitics and Agamben's understanding of sovereignty, and thus provides a way to conceptualise power in the system as diffuse and diverse, while also recognising the state's propensity to enact a certain level of sovereignty. Moreover, Bargu explicitly outlines how power relates to the body, making it especially appropriate for this research.

Foucault's theorisation of the nature of contemporary power, and its relationship to the body, underpins the biosovereign assemblage. For Foucault, power is less an object to be wielded than a relationship between entities that is omnipresent throughout the social order, albeit often an asymmetric relationship. The state and its officaries hold an abundance of power over the social order and the lives of subjects, and deploy this in a strategic fashion in order to realise political agenda. However, other actors also hold power, and can direct this alongside and against state power.

Inherent to Foucault's argument is his historical 'genealogy' of power, tracing the development of power from what he perceives as its traditional, sovereign iteration, towards its modern form, which is more disparate and productive. Foucault characterizes sovereign power as centralized (Foucault, 1991: 36) and functioning chiefly in a repressive sense (Foucault, 1990: 15-17), employing violence to extract obedience from the populace. In this view, the body is broadly non-political, but can be killed by the sovereign should a subject threaten its authority. Foucault understands

this as having given way to a more democratic and dispersed iteration, in which power is enshrined in legal process and the political techniques of the state. Disciplinary power pervades society and functions panoptically, observing and regulating subjects' lives and behaviour (Foucault, 2006: 73-79). It enables the state to proliferate normative forms of knowledge, behaviour, and subjectivity – disciplining subjects into acceding to them, and regulating behaviour to ensure that the preferred form of socio-political order is normalized and upheld. This power is invisible and ubiquitous: it penetrates society and is actively productive of life (Foucault, 1991: 86). The body is central to disciplinary powers operation. Bodies are observed, differentiated, and dominated to bring them into line with power's aims. Discipline and punishment occur on and through the body, meaning that the control and regulation of embodied life, becomes the chief object of power.

Foucault sees contemporary power as culminating in its biopolitical iteration. Where disciplinary power is concerned with the individual, biopower involves the governance of the bodies of the population. It proliferates knowledge and subjectivity on a large scale; polices the social domain; and governs society in a fashion that is conducive to the aims of power. This technical form of governance does not replace discipline, but exists alongside it (ibid, page 144). Contemporary power is biopower, the “explosion of numerous and diverse techniques for achieving the subjugation of bodies and the control of populations (ibid, page 140). Through discursive techniques and institutions, power regulates life to produce subjects who embody and reproduce the norms and political realities of the order constituted by power. Biopower functions both through the disciplining and controlling of individual subjects on a bodily level (anatomopolitics), and the institutional regulation of the population (biopolitics) (Foucault, 2007),

functioning as an all-encompassing strategy that brings life to acquiesce to the aims of power.

Closely related is the idea of governmentality, which describes the methods and techniques used to govern a population — not only the law, but also disciplinary institutions, and the production of knowledge that individuals internalise and use to discipline themselves (Burchell et. al., 1991: 102-103). The state and its institutions create and regulate normative subjects, who in turn reproduce – and, on some occasions, contest – the power relations that govern them.

Foucault's conceptualization of power is applicable to the context of the asylum system, given its propensity to elucidate both how the state utilizes a complex configuration of policies, actors, and techniques within the system to govern asylum seekers, and how other actors in the system intervene in this operation of power. Moreover, it elucidates how state power does not simply function punitively: rather, it fashions and proliferates normative forms of subjectivity that correspond to the state's political aims. And, crucially, a Foucauldian perspective enables explicit acknowledgement of how the body is a key site for the exercise of power. Foucault explicitly notes how bodies are targets of power, and how power seeks to produce particular, normative kinds of bodies which reflect and reproduce the state's understandings and political goals, enabling a form of governance which is – from the state's perspective – efficient and effective. On the other hand, bodies are also sites at which these norms can be subverted and challenged.

However, while this biopolitical understanding presents several advantages, there are some drawbacks. Perhaps most prominent is the argument that sovereign power is

still a dominant force within asylum systems, given the state's ability to demarcate between individuals who can be included and excluded. Foucault understands sovereign power as continuing to exist as a counterpart of biopower (Foucault, 1991: 137). This said, Foucault does little to establish a clear view of what modern sovereignty entails, or precisely how it relates to biopolitical power.

In contrast, Agamben's work provides an account of sovereign power and its relationship to the body. Contra Foucault, Agamben understands sovereign power as the *raison d'être* of politics (Agamben, 1998:11). He begins by distinguishing between *zoe*, the natural fact of living, 'bare life', and *bios*, politically qualified life (ibid, page 9). Rather than positing that state power engages solely with *bios*, or the politically legible facets of subjects, Agamben suggests that *zoe* is fundamentally implicated in politics (ibid, page 11) in a relationship of inclusive exclusion. All political beings possess 'bare life', but exclude it from themselves by assuming *bios* and living in the political domain. The biopolitics of modernity inscribes itself onto life, granting it rights. Under normal conditions, political subjects exist in a reciprocal relationship with the state, in which they are governed by the state's laws and techniques, and the state upholds their political rights. However, with this politicization of life comes the ability for the sovereign to identify life devoid of value (ibid, page 81). Bare life remains inherent to humans; leaving them liable to be reduced to it at any moment should a person be stripped of their political rights at the behest of the sovereign. This life is included in the juridical order only by means of its exclusion, existing in a state of exception whereby their exposure to death and the full force of sovereign power is not mediated by the normative political order.

Agamben elucidates the structure and contemporary relevance of sovereignty in relation to its propensity to decide on the state of exception, and to employ violence

against those which it excludes. This lies in the fact that the sovereign exists in a paradoxical form, possessing both constituting and constituted power (ibid, pages 29-31): the potential power to determine that there is law at all (or, the 'force of the law', irrespective of its actual application) (Agamben, 2005: 33-41), and the capacity to enforce the law in an everyday sense. This is underpinned by power over the exception, whereby the sovereign decides what is to be excluded from the rule of law and abandons it, leaving it to exist outside of constituted law and politics. However, due to its constituting power, the sovereign remains related to what it has excluded (ibid, page 38), and maintains it in a context where the law is in force without significance (Agamben, 1998: 35). In being abandoned by the sovereign, it is simultaneously abandoned *to* the sovereign, turned over to the entirety of the law as it exists in potentiality. For Agamben, this sovereign ban is what constitutes politics, since it displays the ability to decide what constitutes the inside and – by way of abandonment – simultaneously exclude and monopolise the outside. Bare life is not bodily life *per se*, but the politicized form of bodily life – biological, bodily life as it exists when it has been abandoned by and to the sovereign, a physical being devoid of political identity and rights. This is the most authentic form of political life (ibid, page 65), since it is that to which the sovereign decision directly applies. Agamben therefore reasserts the ongoing relevance of sovereignty, and the vulnerability of life to sovereign power.

Agamben's position is set out to illustrate the differences between his position and Foucault's, and to pose the question of the extent to which sovereign power can be said to operate within the asylum system, and how such power functions. Ostensibly, such a notion of sovereign power is relevant within the asylum system. The state possesses constituted sovereign power inasmuch as it can govern asylum within the

bounds of the regular limitations of the law-making process, representing a form of de facto sovereignty.<sup>6</sup> However, there are several ways in which sovereign power can be seen to transcend this constituted, juridical form, and instead represent something like what Agamben terms constituting power. The state's ability to exclude certain asylum seekers from political life – by physically removing them from the public sphere, or denying rights – is a reflection of the sovereign decision, inasmuch as it effectively turns them over to the full force of the law without the mediations provided by the rights of citizenship. While detained or deported asylum seekers are still protected by human rights rules to a certain extent, in crucial ways they are subjected to the sovereign ban and reduced to something approaching bare life, effectively turned over to the law, their political subjectivities negated, reducing them to living beings that the sovereign state simultaneously excludes and renders precarious. This sovereign aspect of the system enables the state to determine the boundaries of inclusion and exclusion, and to exclude individuals who are seen as posing a threat. In this regard, Agamben's understanding of sovereign power provides a useful theoretical conceptualisation of certain aspects of power within the system. However, there are notable limitations to his view: notably, Mountz criticises how Agamben's concept of bare life posits an undifferentiated abject body, which overlooks how racial and gendered prejudices often pre-empt and consolidate exclusion (Mountz, 2011); whereas Owens rejects Agamben's understanding of the state of exception as something totalizing and inescapable (Owens, 2009). While the notion of sovereign power goes some way in

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<sup>6</sup> Political geographers, such as Murphy and Agnew, have suggested that views like Agamben's posit sovereignty as *de jure*, an ontological given which does not adequately capture the de facto, or actual, manifestations of sovereignty in the modern world, and as such argue in favour of highlighting the specific forms that sovereignty takes up on its localisation in any given context. (See Murphy, 1996 and Agnew, 2005).

conceptualizing how state power functions within the asylum system, it cannot fully explain the nature and function of power in this context.

While Foucault retains a notion of sovereignty as coexisting and mutually reinforcing biopower, this is undertheorized and does not explain how the different facets of power relate, and how sovereignty functions in modern contexts. Agamben's view, on the other hand, is useful for bringing sovereignty to the fore, but does not adequately explain those exercises of power that don't enact the state of exception, and is excessively totalizing in terms of both its lack of attention to specificity, and its lack of space for agency.

Combining Foucault and Agamben's conceptualisations of power – and its relationship to the body – may seem cavalier, given the differences between the two. However, while reconciling these two theorists may not be possible, it is feasible to posit a view that incorporates both sovereign and biopower, and articulates the relationships between them. Banu Bargu's notion of the 'biosovereign assemblage' provides a useful starting point for articulating how these modalities of power co-exist and mutually reinforce one another. Sovereign and biopower, she argues, do not replace or supplant one another, but co-exist through a "significant and specific transfiguration through the interrelation of different modalities of power" (Bargu, 2014: page 50). Neither are singularly dominant, they coexist alongside and through one another in a formulation she dubs biosovereignty (ibid, page 51).

The articulation of biosovereign power – the precise ways that different facets of power are co-constituted and co-dependent in any given context, and how they relate to one another, act through one another, and reinforce one another – is not fixed, but

emergent, ongoing, and contextually dependent. It can be analysed according to the “specific histories, spaces, practices, discourses, forces, and counter-forces that determine the characteristics of each power formation” (ibid, page 52). Bargu dubs the concrete form of the articulation of power the *assemblage*, denoting “a formation that is characterized by novel qualities that cannot be attributed to the individual multiplicities prior to their intersection” (ibid). The assemblage is the shifting and contextual articulation of different modes of power, the totality of power within the system, made up of a variety of techniques and processes, and greater than the sum of its parts. The biopolitical assemblage refers to the discourses and practices that characterize the power regime, and its localization in particular contexts.

While Bargu’s analysis focuses on Turkish prisons, her understanding of power and its relationship to the body is applicable here. It articulates how sovereign and biopolitical power coexist within the asylum system, mutually reinforcing one another, while also providing the space to interrogate the particular articulation that biosovereign power takes at any given moment. It also enables the broader view of power outlined above: while the focus on sovereignty pertains to the state, the biopolitical aspect allows for consideration of how non-state actors can intervene in processes of governance. The notion of an assemblage recognizes that power is not a coherent or unilateral entity, but rather is articulated and performed by a variety of actors, in diverse and changing manners. Given the clear embodied focus of both sovereign and biopolitical notions of power, the biosovereign assemblage provides a clear route to focusing on how power is directly performed on and through the body. By utilizing Bargu’s understanding to guide the analyses presented here, I hope to present an understanding of power in the system as broad and not necessarily

coherent, constituted by a number of actors, and as changeable and deeply tied to the broader socio-political context.

### **The Body as a Political Site in the Asylum System**

While this theoretical view of power is attentive to the role of the body as a political object, it does not fully articulate the nature of the body in conceptual terms.

Traditionally, political theory has adopted the dualism inherent to Western philosophy, and prioritised discussion of the mind in analyses of political subjectivity, considering the body as a biological 'given' whose nature is pre-cultural and unchanging. However, recent discussions have acknowledged the importance of the body as a political site. This has consolidated a view of the body not as passive flesh, but as a site which is defined and constituted by political power.

Much of this work has adopted a biopolitical perspective, asking how power constitutes how we understand bodies (Dudrick, 2005: 277), and their material surface. This highlights "that life processes are transformable and controllable... life is not only the object of politics and external to political decision-making; it affects the core of politics — the political subject" (Lemke, 2011: 4). Political power is not abstract, but affects living subjects; embodied life is not the outcome of political decision-making, it is the very domain in which politics is enacted.

Within this biopolitical milieu, Judith Butler's work on performativity provides a strong conceptual perspective on how the materiality of the body is implicated in the workings of power, and also accommodates an understanding of state power as biosovereign. That Butler's original discussion pertains to gender necessitates a rethinking of some aspects of her understanding. However, Butler is keen to encourage the use of her

theory in exploring how “other regimes of regulatory production contour the materiality of bodies” (Butler, 1993:1).

Butler begins by critiquing the ontological status granted to categories of identity. She argues that such categorical understandings of identity do not reflect natural classifications, but should be understood as constructions that produce the subjects that they claim to represent (Butler, 1990:2). This presupposes a Foucauldian understanding of power, whereby “the subjects regulated by structures are... formed, defined, and reproduced in accordance with the requirements of those structures” (ibid, page 3), the subjects we perceive to be ontologically natural are in fact discursively constituted by political power. While influential, this was criticised for being too theoretically focussed (for example, Bordo, 1993: 291). In response (Butler, 1993: xii), Butler refined her position with reference to how the material surface of bodies are caught up in this discursive milieu of power.

When discussing embodied life, Butler retains an understanding of the discursive production of subjects. Power produces normative notions of identity, and materialises bodies in line with these norms – constituting subjectivity and controlling who a subject is understood as being, and the ways that their bodily information is understood – while simultaneously concealing its role in their production. It therefore makes sense to ask how these constructed forms of identification materialise themselves on the body; how individuals are compelled to adhere to them; and how subjects can use their bodies to unsettle and challenge the normative forms of subjectivity that power compels.

Butler understands the production of subjects as inherently bodily: identity is an effect of *discursive practice* (Butler, 1990:24), produced through lived engagement with *regulatory practices* that signal identification with culturally instituted norms. In this

sense, identity is *performative*: subjects gain an intelligible identity by assuming the norms espoused by power on an embodied level. The concept of performativity captures the forcible materialisation of a bodily identity through the subject's compelled conformity to regulatory ideals (Butler, 1993:1). This is not "a singular or deliberate 'act', but rather...the reiterative and citational practice through which discourse produces the effects that it names" (ibid, page 2). This is achieved through the subject's accession to an idealised *bodily morphology*,<sup>7</sup> whereby a normative idea of the self is assumed on the body, bestowing it with socially recognisable meaning, and is maintained through the subject's ongoing performative enactment of the norm. Performativity is "political constraints registered physically" (ibid, page 94): power produces normative forms of subjectivity, and subjects are compelled to behave in specific ways, so that these identifications are materialised in subjects' performative citations. By utilising the techniques that constitute the biosovereign assemblage, the state can constitute, materialise, and regulate normative embodied subjects on an individual and collective level.

This has two outcomes: for the state, it achieves a level of certainty about bodies. It is conducive to the biosovereign aim of regulating subjects on a bodily level, and of delineating between subjects who can be included and excluded in the socio-political order. For asylum seekers, this can produce significant precarity in their lives: uncertainty with regards to the sustainability of their material and symbolic position. Butler sees precarity as an inevitable by-product of state power (Butler, 2009): while states seek to limit precarity through ensuring the populace can access the means to secure life, this protection only applies to forms of life that supports the normative

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<sup>7</sup> For Butler, the bodily morphology is the recognisable form the physical body comes to take when it is materialised in line with the subject's normative psychic identifications. As such, it is the discursively materialised body as it represents the subject's internal, idealised identification.

order. Precarity emerges because life that does not support this order is exposed to uncertainty and violence. The performative process produces precarity in asylum seekers' lives: they face a risk of being denied recognition or support should they fail to meet power's demands, or should the state suspect they have breached systemic rules. In many cases, this can prevent them from meeting their basic needs, rendering their lives 'unliveable' – that is, without the material and social conditions necessary for life to be viable and fulfilling (Butler, 2009).

However, the normative forms of embodied subjectivity posited by power are not immutable, but contestable. Butler's perspective encompasses how embodied practices can destabilise and challenge power's norms. Her reading of Luce Irigaray addresses how the performative process can prompt embodied expressions that do not comply with power's norms, providing a way to think about how the body functions when it enacts agency. Agency is deeply "implicated in the very relations of power [they] seek to rival" (Butler, 1993: 241). The system produces acting subjects, and the embodied practices these subjects engage in emerge from and respond to the system. Acts that appear to be autonomous or resistant to power's norms do not come from outside this milieu, but emerge from this relationship to power. They represent a turning of power against itself, and effect new meanings *within* the constraints of discourse. This is possible since performativity is a repetitive process, subjects reiterate norms on an embodied level. Performative 'citations' of the law are not only the condition of the subject's emergence (ibid, page 7); the repetition of norms enables the law to retrench its symbolic domain (ibid, page 115). Paradoxically, this reiterative aspect of performativity that is the location of its weakness: that repetition is necessary implies that "bodies never *quite* comply with norms" (ibid, page 2) and provides the moment at which the law can be subverted.

When a subject accedes to the normative mark, they exclude facets of their identification that do not comply with the norm. Butler, following Irigaray, characterises this as 'excess'. Power can never capture the entirety of the subject, so hegemonic categories of identity invariably produce excess: the performative process produces of a domain of unintelligibility which does not comply with the norm, and which is forcibly excluded (Irigaray, 1977: 78). Due to the instability of the performative reproduction of the law, re-invoking this disavowed abjection can "threaten to expose the self-grounding presumptions of the... subject" (Butler, 1993:3), and provides the possibility of "[rearticulating] the very terms of symbolic legitimacy and illegitimacy" (ibid).

Subjects' performative interpretations of norms habitually fail to satisfy the symbolic demand — even in faithful approximations of the law, excess threatens to destabilise normative identifications. Excess can also be purposefully invoked on the body to oppose power, by acting in ways that are not dictated by norms: individuals can use their performative enactments to re-articulate normative identifications in subversive or resistant ways. This is a "radical citational practice" (ibid, page 42), a claiming of political subjectivity from a position of domination (ibid, page 51). Irigaray captures this in the concept of the mime, and Butler develops this (Irigaray, 1977: 76; Butler, 1993: 48). The mime refers to citing the law improperly, invoking the excess and calling the economy's pretences into question. This critical appropriation of normative subjectivities does not institute a rival ontology (Butler, 1993: 48) but redeploys norms to show that what is disavowed is still present. Mimicry responds to governance by performatively invoking the very norms used by the system in subversive ways.

Such agency is not only *materially* notable. It can also be understood as an attempt to overcome the precarity instilled by the system. Such acts can enable asylum seekers to access material resources that would not otherwise be available to them, or engage in activities, relationships, and forms of life that exceed what the system anticipates. This said, the consequences of such acts are uncertain, and it is possible for resistant behaviours to result in punishments that actually increase precarity.

This performative perspective can elucidate the centrality of the body to the operation of power and agency, and the variety of ways that the body functions within political milieux. However, using it here is dependent on considering how the specificities of the asylum system might nuance Butler's understanding. Butler understands the performative production of subjects as a pre-social process, in which the subject's embodied identity is instituted at the level of the ego.<sup>8</sup> The threat of symbolic castration – being unable to signify as a subject – exists at the imaginary level, and functions as the threat of punishment that ensures individuals comply with the symbolic law (Butler, 1993:99). As such, categorical understandings of identity are phantasmic fictions, but they are fictions that we cannot live without due to their capacity to “[constitute] the very terrain of cultural intelligibility” (ibid, page 6). In the case of the asylum system, this process cannot be understood as pre-social. Rather, the system takes ‘fully formed’ subjects, and enforces new, idealised embodied identities. Moreover, the law is enforced in concrete ways, which compel the performative assumption of identity, and control life and behaviour. Likewise, while agency does involve democratic contestation – that is, misappropriation of the symbolic law (ibid, page 261) – it is also distinct responses to the material conditions of the asylum system.

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<sup>8</sup> As in the work of Freud and Lacan, from whom she draws (see Freud, 1990 and Lacan, 2006).

Despite these differences, the system can be seen to function in a similar fashion: it produces and materialises a set of reductive, symbolic identifications under the threat of punishment. Moreover, these identities can be understood as normative constructions that are regulated by the force of the law, and that function by making individuals knowable and malleable to the system. The identifications produced by the asylum system supplant individual's understandings of their identity, and impose new ones which are forcibly materialised as they move through the system. These identifications structure how asylum seekers are understood, and the forms of governance that they are subjected to. However, they infrequently correspond to asylum seekers' self-understandings, and can thus be sites of contestation. Despite some caveats, Butler's theoretical perspective provides a fruitful way to think about the nature of the body in the context of the asylum system.

Additionally, a performative perspective compliments an understanding of the state as biosovereign. Although Butler critiques the idea of sovereignty in favour of a biopolitical understanding of power, the reincorporation of sovereignty into an understanding of state power does not contradict the performative perspective. Compared to Foucault, who focuses on power's minute, localised workings (ibid, 267), Butler's understanding is more generalised, and more conducive to considering the propensity of state power to posit sweeping symbolic norms that fulfil the sovereign function of delimiting the boundaries of inclusion and exclusion, *and* localised techniques of power that perform more conventionally biopolitical functions. While the biosovereign assemblage characterises the nature of power within the asylum system, performativity captures its relationship to the body: the techniques deployed by power compel and regulate

normative embodied subjects, whereas acts of agency performatively challenge the biosovereign state.

The conceptual framework developed in the previous chapter is underpinned by this performative, biosovereign perspective: systemic practices and techniques that fall under the rubric of 'governance' can be understood as those which posit and materialise power's norms, whereas agential practices and narratives appropriate and re-articulate norms in ways that subvert or challenge the system, drawing on and articulating the excess that power cannot contain. Moreover, understanding the body as a site of *both* governance and agency clearly fits with an understanding of power as biosovereign. Performativity acknowledges how the body is at once subjected to the assemblage of techniques used by biosovereign power, and simultaneously able to be turned against power (Bargu, 2014: chapter 1). Loosely grouping techniques of identification and control under the rubric of governance acknowledges that power is constituted by an assemblage of diverse techniques, targeting different aspects of life. Conversely, the understanding of agency here encompasses the idea that the body can be turned back against biosovereign power, and utilised as a disruptive, subversive force.

Distinguishing between individual and collective embodied phenomena can also be rooted in Butler's theoretical perspective, and helps to develop her ideas in the context of the asylum system. While Butler does not specifically take up the distinction between anatomo- and bio-politics, it is implicit in her discussions of governance and resistance. The notion of the symbolic law and the way that bodies are compelled to assume normative subjectivities clearly apply on both the individual and collective levels. Indeed, the very notion of a symbolic law implies a more regulatory facet of power, which monitors the population on a more general level to ensure the

reproduction of normative social configurations. In the asylum system, the processes of identification and control that asylum seekers are subjected to implicate both the individual body, and ensure the maintenance of an amenable population. Moreover, Butler's later discussions of dispossession and resistance (Butler 2009; Butler, 2013) turn more explicitly to the collective facet of these phenomena, addressing how individuals and social groups can be rendered dispossessed by power, and how bodies – both individual and collective – can organise to contest precarity and demand political regard. As such, Butler provides concepts which inform the framework developed above, and which prove helpful in considering empirical phenomena within the asylum system: the performative process can be seen to function on the level of both the individual and the collective. Additionally, the relationship between the individual and collective facets of both governance and agency resonate with an understanding of power as biosovereign. The understanding of the asylum system as biosovereign *and* performative is developed in this thesis, and informs the following analyses.

### *The Body and Agency*

The biosovereign assemblage is helpful in conceptualising power in the context of the asylum system, and Butler's understanding of performativity provides a useful framework for thinking about how the body is implicated in this milieu of power. However, while Butler provides an account of the structure of agency, neither theoretical perspective fully articulates an understanding of agency – both in terms of subjects' capacity to enact agency, and how particular acts of agency can be efficacious. It is important to clarify this, given the contested nature of the term.

As McNay notes, agency is, on the one hand, a straightforward concept denoting “the ability of individuals to have some kind of transforming effect or impact on the world”

(McNay, 2015: 39). However, there are several complicating factors. First, agency is not homogenous or equally distributed: some subjects have the capacity to act more freely than others, and subjects' agency is conditioned by their social context. Moreover, there is a tension between prescriptive accounts of agency – the observation that subjects act autonomously, and thus “displace problematic ideas of sovereignty” (ibid) – and normative understandings, which make prescriptive judgements about how agency is and ought to be used. Given the contestation of this term, it makes sense to stipulate how this thesis does *not* seek to understand agency.

First, agency cannot be considered as a fundamentally separate or oppositional to power. Agency is not ‘asocial individualism’ (Ratner, 2000) representing a subject that is external to power. Rather, power and agency are co-constituting and co-dependent, and agency is culturally imbued – that is, affected by social reality, norms, and notions of justice. It is more than “unreflexive, habitual and instinctual behaviours which are held to be quasi-automatic responses to external structural forces” (McNay, 2015: 40) but it is intimately tethered to the broader context of power from which it emerges. However, while this overcomes the view of an entirely voluntarist, sovereign subject, it does not seek to imply determinism. While agency is situated in the dominant social configuration, subjects' actions are not determined by power. Nonetheless, significant elements of asylum seekers' political subjectivity is formed through their engagement with the system, and many agential acts respond to this.

Secondly, I am keen to avoid an understanding of agency that reflects Agamben's understanding of ‘bare life’. This understands asylum seekers as fundamentally disempowered, and unable to engage in meaningful agency or resistance (Agamben, 1998). This is clearly not the case: although asylum seekers are constrained by state power, there are moments at which they can behave in ways that subvert systemic

power, and these moments transcend passively assuming bare life, as Edkins and Pin-Fat – following Agamben – have argued (Edkins and Pin-Fat, 2005). While Agamben is right to highlight the increasing importance of the body as a site of governance, a theoretical perspective based on of bare life risks underestimating asylum seekers' capacity for agency, and overlooking the political importance of such behaviours.

Finally, I stress that agency, much like governance, can take a variety of forms and have a number of outcomes. It can purposefully or subconsciously reproduce power and normative power relations; subtly subvert power; or it can constitute overt acts of resistance. While this thesis is more focussed on acts of agency that function to contest or overcome the precarity that the asylum system produces in asylum seekers' lives, I do not wish to make the claim that *all* agency is subversive.

Here, I develop an understanding of agency as a co-production of power, which is informed by and informs the workings of the biosovereign assemblage. Power and agency are characterised as deeply interrelated and co-dependent, reflecting the biopolitical understanding. This accommodates an understanding of agency as emerging from the practices of subjects who are constituted and regulated by power, while simultaneously recognising that this milieu of power does not determine nor prevent these subjects from expressing agency. I also show how this agency is often performed on and through the body.

Complementing the performative perspective developed above, I work with Butler's understanding of agency as the purposeful re-articulation of the norms established by power, to highlight the violence of norms, and to achieve a more liveable life from within a punitive system. Bodily agency, in particular resistant expressions thereof, is

the necessary product of bodily forms of governance, and the two are understood as occurring simultaneously and influencing one another. This is not to valorise every mundane, everyday practice as meaningful agency, but rather to acknowledge that many actions and practices can be seen as expressions of agency, and that they interact with the structures of the system and affect subjects in various ways. In this sense, “agency need not involve an outright rejection of oppressive norms but rather operates through displacement from within, receiving its specific form and rationale from the constraint itself...it is a particular way of inhabiting social structures” (McNay, 2015: 45-46). Understanding asylum seekers’ agency as part of the system leaves this thesis better-placed to interrogate both the meaning and motivations of agency, and the relationship such expressions have to both structures of governance within the system, and asylum seekers as individual subjects.

This chapter has developed the thesis’ theoretical perspective. This centres on an understanding of the asylum system as both biosovereign and performative: power is diffuse and multifaceted, and interacts with the body in a number of ways. Bodies, on the other hand, are sites which are both constructed *by* power, and capable of re-articulating norms and expressing agency that can destabilise power. These two processes are closely related and integrated. This theoretical perspective underpins this thesis, and guides the empirical analyses that follow.

## **Chapter Three**

### **Methods and Methodology**

This chapter outlines the methods used in this research, and the ways that they allowed me to access and analyse the topic at hand.

#### **Overall Methodological Approach**

This thesis adopts a qualitative approach to addressing the research questions set out in the introduction. Gathering qualitative data enabled me to collect rich accounts that are not only descriptive, but which also encompass participants' perceptions, emotions, and understandings, expressed in their own words (Lincoln and Guba, 1985). This recognises that social phenomena are not objective, but subjective experiences which structure how individuals understand and engage in the world (Gergen, 2001). Given that this research addresses embodiment — which is inherently experiential and subjective, and difficult to measure or quantify — a qualitative approach proved suitable for generating the kind of in-depth, nuanced data that the thesis sought to produce and analyse. This approach is also suitable since the thesis aims to highlight the diversity of the body's roles and functions in the asylum system and the different ways that asylum seekers' behaviours and understandings are affected by the body's implication in the system. It enables the thesis to provide a wide variety of rich descriptions of phenomena, and to engage with asylum seekers' understandings and motivations. Qualitative methods provide the tools to engage with the specificity and subjectivity of individual accounts, while also identifying trends and commonalities, allowing for discussion of the broader significance of events.

In designing this research, I faced the challenge of how to access and capture the body – fundamentally a tangible, non-linguistic entity – in language, if indeed this is

possible at all. Expressing embodied experiences in language is challenging, and I had to carefully consider whether it was possible for words (in particular, the words of someone who has not been through the experiences that are being described) to fully capture subjects' embodied experiences, or whether language always somehow reduces experience, or fails to evoke it in its entirety. Of course, this is not to say that individuals cannot narrate their own embodied experiences, and such narratives will form a significant part of this thesis. However, these narratives are always partial, subjective accounts, and cannot be considered to be objective or absolute – much like embodied actions, they function to express participants' subjective positions, opinions, memories, and political positions, but they cannot be considered to be whole, impartial accounts. Rather, much like observations of embodied phenomena, they are subjective, perceptual, and largely individual parts of discourse. As such, in order to capture data on the body and embodied experiences in the most thorough and representative manner possible, I spent time considering what research methods were most appropriate, and eventually adopted a dual approach of engaging in ethnographic observation *and* in-depth conversation with individuals in the field.

On the one hand, observation enabled me to experience and witness the field, and not simply read second-hand reports or engage in abstract discussions. Fieldwork itself was an embodied encounter in which I was able to witness and participate in asylum seekers' embodied experiences of the system. This meant that, somewhat oddly, I physically experienced the topic of my research as I was conducting it; as I observed asylum seekers' embodied experiences of the system, I was also partially constituting those experiences. Of course, as an outside observer who has never gone through an asylum claim, my insights were always conditioned by this externality, and were thus somewhat imperfect. Just because I witnessed certain embodied events

does not mean that I experienced or understood them in the same way as the asylum seekers involved. Ethnographic research is never entirely authoritative nor wholly objective, especially in contexts where the subjects of the research come from different cultural backgrounds; it can be extremely difficult to avoid reductionism or presenting subjects in terms of their 'otherness' (Clifford, 1983: 119). That said, by constantly, reflexively grappling with one's position and relationships, it is possible to build up a picture that conveys life and its social processes. I spent time reflecting on my observations, interrogating my representations of the subjects and embodied phenomena that I encountered, and on how my own position might be impacting upon those interpretations. While my observations and commentaries about the embodied phenomena I witnessed cannot be understood as objective or total depictions of events, they nonetheless represent particular, located experiences of bodies being used and impacted in a variety of ways within the context of the asylum system, and thus represent valuable data of a kind which is suitable to address the research questions that underpin this project.

On the other hand, in-depth conversations with people in the field, whether in the form of formal interviews or informal exchanges, constitute linguistic discussions, and thus risk failing to capture the material, physical facets of embodied experience that cannot be reduced to language. However, despite the fact that language cannot capture embodied experiences in their entirety, there is a strong argument for not dismissing linguistic accounts. Writing from the domain of medical sociology, Charon notes that listening to people talk about their bodies and embodied experiences is a source of "fertile and salient" information about their bodily states and the nature of their experiences (Charon, 2009: 192), and it is arguable that this view is more widely applicable. Narratives and discussions about the body can help us to enter peoples'

worlds, understand their experiences and perspectives, and gain some insight into what they are going through and how it has affected them. Moreover, engaging people in conversation about their embodied experiences allows them to be in control of the narrative, and to provide a subjective account of their experiences. Creating a space for asylum seekers and refugees to discuss their experiences and how they have understood them can also function to unsettle the power dynamics at work in the system, which often cast them as the passive objects of governance and control. As such, while there are legitimate concerns that linguistic discourse cannot entirely capture the body or embodied experience, this is not to say that the data that comes from interviews and discussions cannot be valuable in addressing the research questions that underpin this thesis. This data provides useful insights into the experiences that people have had, how they understand those experiences, and how their lives have been affected.

### **Research Site**

The empirical data presented in this thesis were gathered during eighteen months of fieldwork, from February 2016 to August 2017, in the South West of England. During this fieldwork, I engaged with three organisations that work with asylum seekers and refugees – a brief overview of the organisations' histories and work is provided in Appendix 2. The names and specific details of these organisations have been omitted to uphold confidentiality. I also maintained contact with other NGOs, including with contacts working in national-level refugee advocacy and support organisations and an immigration law firm, who provided valuable contextual information.

The three organisations I worked with were based in the same area, and were part of the same local context. The city where the majority of my fieldwork took place is a dispersal area, and since the early 2000's has been home to several thousand asylum

seekers at any given time, and has witnessed the setup of a variety of organisations and support services. While these operate independently, they cooperate under the rubric of the city's Sanctuary status. The asylum seekers and refugees with whom I worked were a diverse group, but all of them had spent time living in the South West, and were involved with at least one of the organisations that made up my research context.

### **Methods: Data Collection**

Primary data collection was conducted through participant observation and semi-structured interviewing, with secondary data being collected via critical reviews of literature and policy documents. Triangulating a variety of methods enabled me to collect the most detailed data possible, and facilitated cross-checking the validity of my findings (Berg, 2011: Chapter 1).

#### *Participant Observation*

This thesis is partially based on over 800 hours of participant observation. This involved spending time working within the organisations I partnered with, sometimes in 'formal' voluntary roles and sometimes in a less structured manner. For example, at one organisation I worked as a teacher of English as a second language, and provided informal advice and support to members. At the other organisations, my role was exclusively to socialise with members, perhaps helping them improve their conversational English or engaging in general discussions. I often shared meals and coffee with both members and other staff, and regularly got involved in other activities within the organisations, ranging from music and art activities, to cooking and sports.

I began my participant observation by making preliminary contact with organisations that were potentially suitable fieldwork sites. While I thought carefully about the organisations I made contact with, to a certain extent, the decision over which

organisations to work with was made based on those receptive to my initial contact. After receiving positive responses, I negotiated access. I fully explained the nature of my project, what I hoped to obtain from them, and what I might be able to contribute. I initially planned to remain in the field for one year, but fieldwork became an 18-month process: at the end of the initial year, I found that I was still gathering new and useful data.

Conducting this observation allowed me to personally experience the field over an extended period, granting deeper understanding. It meant that I was able to observe everyday minutiae, and helped me to move beyond selective perceptions, and to gain an organic view of how people behave in a particular social setting (Patton, 2002: 261). Moreover, it gave me access to more intangible forms of knowledge, including how people define phenomena, attribute meaning and values, organise their behaviour, understand themselves and others, and speak; and how dominant norms structure understandings and influence behaviour (Burgess, 1984: 78). These are topics that can be difficult to articulate in interviews. Given the focus on embodiment, participant observation was appropriate for two reasons: firstly, it helped me build rapport with individuals in the field, which meant that when I conducted formal interviews or engaged in discussions, they were more likely to be able to describe and discuss difficult or painful experiences. Secondly, it meant that I was able to actually observe certain embodied experiences as they happened. For example, I was able to witness some participants' unease as they went to report to the Home Office, and to see their concern as they went to work a shift of a clandestine job. Not every phenomena discussed here was witnessed first-hand. However, I was able to experience certain phenomena and their consequences, which gave me a better insight into how the body

was involved in asylum seekers' experiences, and how their experiences affected them on an embodied level, than simply asking them might have.

My participant observation was conducted overtly, meaning I was transparent about my identity and purposes. I also chose to have a reasonably high level of involvement in the field, deciding to participate in the day-to-day activities of the organisations I worked with. This decision was made for a number of reasons: firstly, I wanted to gather detailed data, encompassing the knowledge I was able to access only because I became so heavily involved in the field. I was also keen to build rapport, something that participating more deeply in the field helped me to achieve. Many NGO's and community groups risk 'research fatigue' if they are constantly the object of researchers' observations. By actively contributing, I hoped to avoid giving the impression of a detached researcher, who was only interested in the community for data. While I became an active participant in the field, I ensured that my behaviour consistently met the standards required of researchers – that everyone was aware of my identity, and that my relationships and activities remained professional.

Throughout my fieldwork, I kept detailed notes which included things I had seen, conversations I had, and my own feelings, in order to remain as reflexive as possible. This helped me to reflect on any preconceptions and uninformed hypotheses, and to think in a more unencumbered way (Spradley, 1980: Chapter 9). Early encounters in the field directed my research focus, and helped me begin to spot patterns. This was vital for refining my research agenda, enlightening me to issues that I had not considered, and uncovering the full relevance of phenomena. Some data was collected through informal conversations. On other occasions, I approached staff members with specific questions. I kept detailed notes about these encounters. While

this data is not as in-depth as interviews, informal conversations often provided useful contextual information, or descriptive accounts of the field.

Participant observation raised concerns about remaining as unobtrusive as possible, and not negatively impacting day-to-day life in the field. To manage this, I worked to become a familiar, 'routine' figure, and to develop relationships. This enabled me to ask questions and observe behaviour, and increased the naturalness of interactions. I was also careful to avoid asking questions or observing at moments when it felt inappropriate, or when my undivided attention was needed. While the observer will always alter the context that is being observed to some extent (Burgess, 1984: 80) through blending in to the day-to-day rhythms of the field and inhabiting the organisational way of life, I was able to conduct this observational research with minimal disruption.

Overall, the period of participant observation was invaluable: it allowed me to become familiar with the field and the people in it, and helped me to gather significant amounts of data. Participant observation also helped me to refine my research questions and approach to answering them, often by exposing me to unexpected realities in the field. While the period I spent conducting participant observation was very busy – and on many occasions, emotionally challenging – I did not encounter any serious difficulties, and the relationships I cultivated during this time were productive.

### *Semi-structured Interviews*

Interviews were also a key method of data collection. Between July 2016 and April 2017, I conducted 25 in-depth, semi-structured interviews: 11 with individuals who were in the process of claiming asylum at the time of interviewing, and 8 with individuals who had been granted asylum. A further six interviews were conducted with professionals working in support roles. The interview participants were all based

in the South West. A more detailed outline of my participants, which shows a breakdown of their ages, nationalities, gender and legal status, can be found in Appendix 4.

Interviews provided a way to access information that couldn't be observed: such as participants' feelings, thoughts, previous experiences, and worldviews — expressed in their own words. While interviews did not allow me to witness asylum seekers' embodied experiences, they still provided a valuable tool for investigating the body and embodied experiences. They allowed me to hear about experiences that had happened outside of the fieldwork context, and to access participants' understandings of their experiences.

The interview process began by identifying potentially appropriate participants, and making contact with them. My sampling process when recruiting interview participants was purposive: participants were selected both on account of their suitability (for example, their ability to speak English, or their ability to be interviewed without this causing trauma) and in order to reflect particular features from within the population (Burgess, 1984: 44). Sampling in this way helped to assure that “all the key constituencies of relevance to the subject are covered... [and] within each of the key criteria, some diversity is included so that the impact of the characteristic concerned can be explored” (Ritchie et.al, 2003: 79), allowing for analysis of the “contributory elements or influences” (ibid, page 83) on individuals' embodied experiences. In this case, this was aimed at helping me to unpick the impact that factors such as age, gender, nationality, religion, and family circumstances had on asylum seekers' experiences and understandings. This technique is appropriate for a small-scale qualitative study, as it allows for the obtaining of rich, in-depth data, and displays a diverse variety of phenomena.

The participants who were members of staff or volunteers at the organisations I worked with were approached in person or by email and asked to take part. If they were willing, we then mutually agreed on a convenient time and location to conduct the interview. These were a relatively diverse group in terms of their age, gender, and background. However, most were British or long-term UK residents, and had spent significant time working with asylum seekers.

Recruiting participants who were asylum seekers or refugees was more sensitive. I sought to identify participants who could be interviewed in English and who were able to discuss their experiences without this causing them distress. I did this by having discussions with staff members, in order to identify appropriate potential participants. I then approached these people, explaining what I was doing, and asking them if they would be happy to take part.

The asylum seekers and refugees interviewed were a diverse group, however the host population meant that I faced some restrictions: the fact that there were more male asylum seekers involved with the organisations I worked with meant that I interviewed a greater number of men. This perhaps meant that certain phenomena which are more prevalently seen among male asylum seekers, such as detention (Turnbull, 2015), are overrepresented. While I am aware of this and have striven not to make overly generalising inferences from my data, I feel that I ultimately collected varied data, even among my male participants, which does not overly represent any given phenomena. Secondly, working with predominantly male participants may have influenced the information they were willing to discuss with me. Again, while I am aware of this potential limitation, and thus do not try to claim that I am presenting a total or objective account of participants' experiences and feelings. I worked hard to build strong rapport with my participants, and feel that, irrespective of gender, we were able to engage in

frank and productive discussions. Beyond this, as far as possible, I endeavoured for my sample to include a range of different nationalities and backgrounds, and to represent a diversity of experiences. Choosing to work with participants who are capable of being interviewed in English means that my sample is at risk of over-representing asylum seekers who are more educated or who have been in the UK for longer. However, I elected to do this since I was largely asking about personal experiences, and I did not want to risk meaning becoming distorted through translation. Despite the potential limits of interviewing in English, I was able to recruit participants with a broad range of backgrounds, and who have been in the UK for varying lengths of time.

Developing interview questions to address the issue of the body and embodiment was challenging. Many of the processes and phenomena I sought to access are difficult to describe, or not immediately noticeable to people who experience them. For example, while an asylum seeker would be aware of being asked to provide biometric information, they may not necessarily understand this as the body being rendered a source of identification or evidence in their claim. Moreover, articulating physical experiences can be inherently challenging. On the other hand, experiences such as detention or the threat of removal are highly traumatic, and asking participants to discuss these experiences and their consequences risked re-traumatising them. As such, I faced the challenge of developing interview questions that both enabled me to access the kind of data that I wanted, while also remaining sensitive to participants' circumstances and needs.

I began to formulate questions using 'sensitizing concepts'. As opposed to providing rigid directions for research, sensitising concepts guide the research by 'suggesting directions along which to look' (Blumer, 1954: 7) drawing attention to important

features in the field. This helped me to use my preliminary research questions and literature review, along with early observations, to identify important areas and topics that my interview questions ought to address. A major advantage of sensitising concepts is the ability to change, improve and refine them as more data is gathered and a more detailed picture of the field emerges, ensuring that the interview questions are always grounded. As a result, I decided to base my interview questions loosely around the four conceptual categories that underpin the thesis, discussed in Chapter 1, in order to ensure that they captured a variety of bodily processes and experiences. I also identified several more general topics – encompassing how participants felt about the asylum system, and how claiming asylum had affected how they felt about themselves – which accompanied the questions that were focussed on embodied issues.

Before beginning to interview, I conducted two ‘pilot’ interviews, one with a staff member and one with a refugee who had been in the UK for over 20 years. This enabled me to modify any questions which did not work effectively, or which were unclear. During these pilot interviews, it became apparent that the clearest way to approach the issue of embodiment was to ask participants about their experiences more generally, and then follow-up with probing questions about how this had physically affected them. For example, rather than asking participants if they felt their bodies had ever been used as a site of control — which is a relatively abstract and inaccessible question — I asked if they felt they had been controlled during their claim and if they responded that they did, I asked if precisely how they felt they had been controlled, and if they had ever felt *physically* controlled. This enabled me to ask about abstract embodied processes in a way that was not alienating. Sensitising concepts were a valuable tool in generating interview questions, as they allowed me to identify

general conceptual themes and areas of enquiry, which could then be translated into more easily communicable questions. Moreover, pilot interviews proved useful in testing and refining these questions, and making sure they were as effective as possible.

The interviews were semi-structured. I produced a topic guide, which sketched out areas to cover, and some specific questions that I planned to ask [a copy of these interview guides can be found in Appendix 3.] This ensured that the data I gathered across the interviews would be comparable, and that the interviews covered each of the relevant areas identified above. However, questions were open-ended, and enabled me to use probes and follow-up questions to gain the most detailed data possible. I was careful to avoid imposing any specific language or values in my questions, so that participants were able to answer in their own words. Interviews lasted 60-90 minutes. Although my sample size is relatively small, because I was careful to select participants from a range of different backgrounds and who had had a range of different experiences of the system, I was able to gather sufficiently varied data, which covered each of the important topics I had identified in adequate depth. As Ritchie et al. suggest, in a qualitative study, “if the data are properly analysed, there will come a point where very little new evidence is obtained from every new fieldwork unit. This is because phenomena need only to appear once to be part of the analytical map” (ibid).

There were several issues I considered when conducting interviews. The first was the potential for misunderstanding, given that many interviewees came from different cultural backgrounds and spoke English as a second language. I was careful to clarify meaning if participants said anything unclear, to make sure that I did not misunderstand or misinterpret their answers. I also triangulated participants’ narratives

against data from participant observation, expert interviews, and my knowledge of the systems (Flick, 1992). Of course, all interview data are essentially subjective accounts, but this helped me to ensure that any demonstrably uncertain data was removed. I also monitored my own manner during interviews, being careful to avoid interjecting in ways that might influence participants: I avoided leading or double-barrelled questions, and kept my speaking to a minimum. I made an effort to appear engaged, but not judgemental or overly demanding, to allow participants to define things in their own terms, and to make them feel comfortable. Many participants had been victims of trauma, thus it was especially important to me that they did not feel judged or pressured (Arksey and Knight, 1999: Chapter 1).

Overall, the interviewing process went well. Careful planning and piloting meant that I was able to gather a significant amount of rich data, while also ensuring that the interview encounter was as productive and pleasant as possible, preventing the research from causing any detrimental impacts. I transcribed each interview as soon as possible, so that I could add annotations that were still fresh in my memory. Transcriptions were verbatim. I included significant pauses, emphases, laughter, discursive markers, repetition, and non-verbal cues. However, I elected not to include indications of pronunciation, inflection, or the specific lengths of pauses, as this was not relevant for my purposes.

### **Data Analysis**

This research largely relies upon a thematic analysis of the primary data gleaned from fieldwork, as well as critical analysis of policy. While qualitative analysis deals with subjective data, I took care to ensure that the processes involved were systematic and rigorous (Berg, 2011: Chapter 8).

### Thematic Analysis

Most of the analytical work in this thesis is organised around key themes that emerged from the research questions, literature review, and fieldwork. Thematic analysis is suitable since it involves working to identify themes, the relationships between them, and their relationships to the broader context (Gest et. al., 2012), and thus allows me to explore the intricacies of each of the themes, as well as their role within the wider context of the system.

I began to identify and develop themes in the earliest stages of the research, during my literature review and early participant observation. This allowed me to develop loose, broad themes, which I then worked to refine and develop as I gathered more data and became more familiar with the field. Each time I returned to the field to conduct further observations or interviews, I was able to build on the themes I had developed, reject themes that no longer seemed to be relevant, or introduce new sub-themes as they emerged. This ensured that categories of analysis were drawn from the field, and not imposed on the data. As such, I took a grounded approach, data collection and analysis took place simultaneously and informed one another; the interpretive frames for analysis were not derived from external sources, but from the data themselves (Charmaz, 2005: 508).

Once I was satisfied with my themes, data was coded using the analysis software Nvivo 10. I began with a process of 'open coding', which established the broad relevance of the themes I had developed, and allowed me to consider the data with as few preconceptions as possible. I then proceeded with a closer reading of the data and more selective coding, in which sub-codes and more specific codes were developed, and I began to locate specific patterns and relationships (Marcus, 1998). Some codes were descriptive, for example, instances of phenomena occurring

– such as a participant discussing their experiences of detention – whereas others were more to do with expressions of emotions or viewpoints. Others were more abstract, for example, referring to the more theoretical concepts I was working with. The act of coding is subjective, it involves assessments of the meaning and importance of data, and reliance on broader contextual knowledge. To keep codes consistent, I returned to each data source several times, refining my coding as my work developed.

Developing my analysis around these grounded themes provided a useful way to organise my data in a coherent manner. It allowed me to discuss individual instances in an in-depth manner, while also enabling me to identify commonalities and patterns within my data. This meant that I was able to generate more overarching and general conclusions from my data, and to begin to link it more coherently to my theoretical perspective.

### *Critical Policy Analysis*

Alongside the thematic analysis, the thesis also provides a critical analysis of the policy in the asylum system, as was seen in chapter 1.

Analysing these documents allowed me to assess both the ways that policies and practices within the system a) display presuppositions about the body, and thus implicate and materialise the body in particular ways, and b) impact the lives of asylum seekers, in particular their embodied experiences. As such, my analysis of policy is not solely focused on evaluation, but is more sociologically-focused: policy is read alongside a full appreciation of the social context, paying attention not only to its effectiveness and bureaucratic feasibility, but also to its lived impact, and its relationship to oppressive political structures and political debate (Taylor, 1997).

These modes of analysis were also conducive to the generation of theory. Through observing and thematically engaging with my empirical data, I was able to develop more general insights into practices of governance and agency, relations of power, and normative identities and behaviours. I was able to move beyond the particularities, and develop conceptual categories and relationships that illustrate how the governance and autonomy of bodies works on a more general, theoretical level. This was not solely an interpretive activity, it was also inherently critical: as Tully notes, by developing theory from empirical data, we can highlight the contingency, limitations, and problems of existing practices of governance, and consider new possibilities, that normative practices may “ignore, disqualify, or overlook” (Tully, 2002: 541). As such, the methods of data collection and forms of analysis adopted by the thesis, while primarily aimed at enabling me to access rich, robust data on the topic of the body and embodiment, had the secondary aim of providing empirical data which could be used in the development of a unique theoretical perspective, aimed at highlighting the problems and possibilities pertaining to the body’s role in the asylum system in a more general way.

### **Thematic Analysis**

Most of the analytical work in this thesis is organised around key themes that emerged from the research questions, literature review, and fieldwork. For these purposes, thematic analysis refers to the process of identifying and developing themes in the data, which were then used as the jumping-off point for analysis.

Boyatzis defines themes as “[patterns] in the information that at minimum [describe] and [organise] the possible observations and at maximum [interpret] aspects of the

phenomenon” (Boyatzis, 1998: 161) <sup>9</sup>and indeed, in this study the themes I identified and developed were used *both* as a way to categorise data and organise the thesis as a whole, and as a way to generate analytical insights and begin to build a theoretical perspective. Thematic analysis was especially suitable for a project such as this one, since it enabled me to work to identify themes in complex and multifaceted data, highlight the relationships between them and the relationship to the broader context (Gest et. al., 2012), and thus allowed me to explore the intricacies of each of the themes, as well as their role within the wider context of the system. However, these themes also provided me with the beginnings of my more conceptual interpretive framework: as I sifted through the data identifying empirical commonalities and trends, I was also able to begin to link these to more generalising conceptual and theoretical themes, and draw out their relevance in my data. This means that the conceptual and theoretical frameworks used in the thesis were also developed out of the empirical data, and thus that the conceptual framework presented in Chapter 1 and the theoretical perspective outlined in the previous chapter are intimately tethered to and – in some instances, developed from – the empirical data the thesis is based on, providing an overall thematic coherence, and an overarching synthesis between the thesis’ empirical data and conceptual perspective.

In order to conduct such thematic analysis, I engaged in a process of thematic coding, in which themes were inductively identified and utilised in the analysis of my qualitative data. This coding process involved “recognizing...an important moment and encoding it...prior to a process of interpretation” in a manner that “captures the qualitative richness of the phenomenon [and] organizes the data to identify and develop themes from them.” (Boyatzis, 1998: 1) By developing a series of themes and

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<sup>9</sup> <https://journals.sagepub.com/doi/full/10.1177/160940690600500107>

instrumentalizing them as codes with which I used to categorise and organise my empirical data, I could more easily categorise my empirical data, and was able to identify the overarching conceptual similarities that went on to become the basis for my analysis. In this study, I therefore adopted a grounded approach, whereby the interpretive frames for analysis were not derived from external sources, but from the data themselves (Charmaz, 2005: 508).

The process of thematic coding was four-fold. I began to identify and develop themes in the earliest stages of the research, drawing on ideas gleaned during my literature review, and from early participant observation and discussions with participants – chiefly staff members from the organisations I was working with. This early engagement allowed me to develop a series of loose, broad themes. Using the analysis software NVivo 10, I began a process of ‘open coding’, that is, applying these general codes to my data. This allowed me to begin to organise my data, and established the general relevance of the codes I had developed. This was also valuable as it enabled me to approach my data with as few preconceptions as possible, and to identify and draw out codes as I went, ensuring that they were drawn from the data itself.

I then worked to further develop these themes as I progressed with my fieldwork and became more familiar with the field. Each time I returned to the field and conducted further observations and discussions, I was able to build on the themes I had identified, reject themes that no longer seemed relevant, and introduce new themes and sub-themes as they emerged. For example, I initially had identified ‘resistance’ as a broad theme. Over time, however, I began to note that – while some instances of bodily agency was outright resistant – many other instances were compliant or subtly subversive. I therefore revised the code to ‘agency,’ and added sub-codes for

resistance, subversive agency, and compliance. Another example involves rejecting a code: early in my fieldwork, I hypothesised that family and romantic relationships would be a major theme, given their propensity to structure embodied experiences. Over time, however, I noticed that while these relationships are undoubtedly important, other phenomena – such as sporting activities and creative pursuits – emerged to be more relevant. I therefore discarded the idea of family and romantic relationships as a major theme, and retained it only as a sub-theme to consider within other themes. Taking this approach ensured that my categories of organisation and analysis were drawn from the field, and not imposed on the data from without- the exercise of thematic coding directly informed the narrative of the thesis and the development of the conceptual framework for analysis that I employed.

At this point, I tested my thematic codes more robustly. I used two pilot interviews, discussions with staff members in the field in which I solicited feedback, feedback from peers and supervisors, and – of course – data gleaned from my ongoing participant observation. This helped me not only to test the relevance of the codes, and therefore themes, that I had developed, but also to remain theoretically sensitive, staying open to new ideas and directions for interpretation. It also facilitated me in grouping phenomena together and developing fewer, more conceptual codes that were more conducive to analysis. These broader codes – for example, the body as a site of control – were expansive enough to encompass the various variations of this theme in the data, and thus ensure that my codes were able to conceptually saturate my data, and that no interesting element in the data was not captured in the coding process.

This meant that I was able to develop a more specific list of codes, and – as I gathered more data from interviews and participant observation – proceed with a closer reading of my data and more selective coding, in which sub-codes and more specific codes

were developed and applied. Some of these codes were descriptive, for example instances of phenomena – such as participants discussing experiences of detention – or overall topics – such as examples of the body being used as an object of control. Other codes were more to do with outcomes and viewpoints – for example, those pertaining to the consequences of claiming asylum on the lives of asylum seekers. Finally, I also identified some more conceptual and theoretical codes. These were generally drawn from the theoretical literature I was working with, and included concepts such as performativity, precarity, and biosovereignty. Including these codes enabled me to identify moments in the data at which these concepts appeared to be especially prominent or relevant, and also points at which the data challenged or nuanced these ideas, and thus helped me to caveat and develop my theoretical and conceptual framework. This process enabled me to achieve several things: firstly, I was able to begin to locate specific patterns and relationships in the data, and to reflect these in my codes and thus my analysis (Marcus, 1998). Secondly, when applying codes to the data, I was able to continually develop and refine them, to make them as grounded and accurate as possible, ensuring that the subsequent analysis was as reflective of the data as possible. Finally, this more focussed coding enabled me to ensure that I developed my theoretical framework in a manner that was rooted in my empirical data, and thus helped to ensure that the more general theoretical analysis complemented and developed the empirical information.

A full list of the codes used is presented in Appendix X, and a chart showing the coding exercise was undertaken is shown in Appendix X. Of course, the act of coding is subjective: it involves assessments of the meaning and importance of data, and reliance on broader contextual knowledge. To keep codes as consistent as possible,

I returned to each data source several times, checking and refining my coding as I went.

I made several findings during this process. Firstly, this thematic coding exercise enabled me to identify the empirical phenomena that were most prevalent in my data, and thus important to my thesis. Perhaps more importantly, however, it enabled me to identify more overarching categories and trends, and thus to develop the four conceptual categories which I subsequently used to organise my coding, and eventually the thesis overall. This meant that these overall categories were developed from the empirical data, and enabled me to both interrogate individual phenomena and instances, while also linking them to the broader conceptual landscape and highlighting the connections and relationships between them. Going back and forth between the field and the process of developing thematic codes was also helpful, as it meant I remained constantly reflexive and sensitive to the field and the empirical reality upon which the thesis is based. As such, the research was inherently grounded inasmuch as the observations I made during the fieldwork process fed directly into the development of thematic codes, which were then used to structure the thesis and as the starting point for my analysis – the fieldwork and coding exercised fundamentally fed into the empirical narrative and conceptual framework of the thesis. Moreover, as my coding process progressed, I began to introduce more inherently theoretical codes, which allowed me to test the relevance of the theoretical perspective I was developing, and identify contradictions, caveats, and moments at which I could extend or develop my theoretical concepts. As such, the thematic coding process and the findings it wrought also fed in to the theoretical framework of the thesis, inasmuch as it enabled me to establish and develop the relevance of my theory to my empirical material, and

ensure that the theory and empirical data were more comprehensively embedded in one another.

### **Data Presentation**

Data from participant observation is presented in a manner that reflects my field notes as faithfully as possible. Given that my notes often jumped between topics or contained lengthy descriptions, I have edited and summarised them. This was done solely for the purposes of clarity or brevity, not to distort meaning.

Interview data is presented as quotations. Long excerpts are presented as indented paragraphs, whereas shorter quotes are presented in-text. I have presented interview data faithfully to the original transcripts. However, if answers were lengthy or incoherent, quotations have been lightly edited. I have taken care not to alter meaning, and have only edited answers for clarity. Instances where I have removed repetition or irrelevant aspects of the discussion are represented in the quotes by ellipses [...], and instances where I have chosen to edit phrasing are presented in square brackets: for example “*Yesterday I go to the solicitor*” becomes “*Yesterday I [went] to the Solicitor*”.

### **Ethics**

Given that this research relies upon engagement with asylum seekers and refugees, who constitute a vulnerable population, extensive ethical measures were put in place to avoid disrupting the field or causing harm to participants.

### **Participant Observation**

While conducting participant observation, I aimed to keep my activities minimally intrusive. My contact with participants consisted of informal and unstructured discussions aimed at familiarising me with the day-to-day realities of asylum seekers, and the common issues that they face, as opposed to direct questioning.

Before and during my fieldwork, I spent time engaging with staff members, familiarising myself with their day-to-day operations, and the issues they face. I also ensured that I fully explained the nature of my project, and what I was hoping to achieve, to these 'gatekeepers' before conducting any fieldwork. As gatekeepers were generally native English speakers, this was relatively easy to explain. Once they had approved my presence, I was sure to regularly 'check in', to make sure that I was up to date with any developments, and to check that they were still happy with me working within their organisations. This allowed me to negotiate the extent of my observation, and allowed leaders to inform individuals in the field of my presence prior to my arrival. I also ensured that any individual I came into contact with was informed of my identity, and provided with a brief description of my identity and the project I was working on. This varied depending on the extent of the contact I had with an individual: if I was having an in-depth conversation with someone in the field, I would provide them with information about the topic of my research and what I was hoping to achieve, whereas in briefer exchanges I simply introduced myself as a researcher, and answered any questions that this prompted. This enabled people in the field to verbally consent to their participation and to ask questions, preventing participation from feeling obligatory. Nobody declined to participate in the observation aspect of the research.

Explaining that the research was about the body and embodiment was somewhat more challenging when speaking with asylum seekers and refugees, who often did not speak fluent English. In these situations, I provided an explanation in language that felt suitable. Some participants in the field could easily comprehend relatively abstract ideas, and so when speaking with them I would explain the research in the same way that I did to staff members. However, when speaking to individuals whose comprehension of English was less extensive, I adapted my explanation of the

research. For example, I explained that I was researching people's experiences of claiming asylum, especially their physical experiences. This involved some level of subjective judgement, but allowed me to ensure that individuals I encountered in the field were informed of my identity and purposes in a way that was appropriate for them.

While I made sure that participants in the field were aware of my identity, I did not continually remind them of my role as a researcher, to avoid encouraging them to alter their behaviour due to awareness of my presence. This allowed me to observe as effectively as possible, without jeopardising informed consent.

### Interviews

During interviews, I took measures to ensure that consent was both voluntary and informed.

When interviewing participants who were professionals or volunteers, I provided them with an information sheet which clearly outlined the nature of the research, what their participation involved, and the fact that they were free to withdraw their consent at any time. I also outlined how data would be used and stored, and reassured participants about anonymity and confidentiality. A copy of this sheet can be found in Appendix 3. I went through the sheet with participants, clarifying any areas of uncertainty and answering their questions.

Since many asylum seekers and refugees are not fluent in English, and since many of them are suspicious of procedures that appear to be bureaucratic, I elected to obtain verbal consent from participants who were asylum seekers or refugees. Verbal consent was informed in the same way as written consent: at the outset of the interview, I told participants who I was and what I did. I went on to clearly explain the research and what I was hoping to achieve in language that was appropriate for the

participant. I made sure that each participant understood that they were not obliged to take part, and understood that they could stop the interview or withdraw their consent at any time. I also took the time to clearly explain that I would anonymise participants, and to reassure them that I had no association with the state. After answering any questions, I asked participants to confirm, on tape, that they were happy to participate. Where verbal consent was obtained, I was sure to check and reiterate consent for the duration of the encounter, to ensure it was sustained. All participants were asked to consent to the interview being recorded.

Due to the vulnerable nature of my participants, I offered the opportunity to have a neutral third-party sit in on an interview, however no participants requested this. Post-interview, I confirmed that participants still consented to being involved. I ensured that participants were aware that they could retroactively withdraw all or some of their data at any point.

Throughout the research process, I upheld strict confidentiality. In the thesis, all participants remain anonymous. On some occasions the nationality, age, or other identifying details of participants has been omitted or altered in order to uphold anonymity. Where details have been changed, I ensured that this did not affect the content of their statements.

### **Possible Harm**

The research involved the discussion of sensitive topics and included vulnerable participants. As such, participation presented a risk of causing psychological stress or anxiety. There was also a risk that participants may reveal details of their involvement in criminal activity, or that participation might have caused legal harm to participants.

With regards to preventing psychological harm, I took a range of measures. Before I began conducting interviews, I conferred with organisation staff to identify suitable individuals. I also shared drafts of my interview questions with staff, asking for feedback to ensure that questions were appropriate.

During the interview process, I put several measures in place to minimise the risk of causing psychological harm. If a participant became distressed or reticent, I asked if they were happy to continue discussing the topic. If they said no, I moved on to another topic. If they wanted to continue, I facilitated this, and continued to monitor the situation. If a participant had become emotionally distressed, I had plans to halt the discussion. I would have then provided the option of continuing the interview, omitting certain topics; or withdrawing their participation. I made sure to be aware of who I could direct participants to if they asked for support or advice. Luckily no participants became significantly distressed during the interview process.

With regards to the legal ramifications of participating, I avoided asking any direct questions pertaining to criminal activity. However, if a participant had revealed details of criminal activities, as a researcher I would not have been legally obliged to report this information to the Home Office or police. The only exception would have been if a participant revealed information that implied a risk of harm to themselves, myself, or a third party. While I did not directly ask if participants had broken the law in this way, if it was reported, I omitted details from my notes. My main ethical priority was ensuring that participants are not harmed by their involvement, and that I honoured their trust. I was fortunate not to encounter any situations where I considered breaching confidentiality.

## **Data Protection and Storage**

I worked to ensure that my data was protected and stored in line with the requirements of the Data Protection Act, and with ESRC and University policies. I informed participants of how their data may be used, ensured that data was not shared with any other parties, and that data was stored securely.

### *Maintaining Confidentiality*

Participant's personal details and any information they shared with me were kept strictly confidential.

Given the nature of the research, I chose to maintain the anonymity of all participants. Their personal details were stored in a separate folder to any data they provided, and this data was only linked to their data by a code (Participant A, B, C etc.). At the end of the research project, their personal details will be destroyed, and only their anonymised data will be submitted in the final version of the thesis and any publications that may arise from it. In this document, participants are either anonymised (e.g. "One asylum seeker with whom I spoke...") or given a pseudonym.

### *The use, security, and storage of data*

Data collected during this research is used in this thesis. It has also been used in presentations and papers throughout the course of my PhD study.

I took care to ensure that all data was stored securely. Given the sensitive nature of my data, it was stored in password protected files on Dropbox and on the University U-Drive.

The ESRC's data policy specifies that all data collected by ESRC funded researchers must be added to their online data depository, where it will be stored and may be used

by another researcher. Participants were made aware of this, and anonymised data will be submitted to ensure that data-sharing will not breach confidentiality.

### **Researcher Positionality**

It is important to consider the impacts that my own identity and positionality had on the research process.

Firstly, my identity as a female researcher and as a British citizen likely had some impact on my relationships with participants, and the kind of data I was able to gather. With regards to gender, as noted above, this could have led male participants to feel uncomfortable sharing certain types of information, or may have led them not to see me as a 'serious' researcher. I was also mindful of the fact that many participants have been through extensive interviews at the hands of the British state, and so may have some reservations about interacting with a British person asking them questions about their lives and asylum claims. I was sure to explain to participants that I had no affiliation with the Home Office. However, there was still a fundamental inequality in power relations that might have impacted what participants felt they could say, or led them to withhold or change some information. I remained mindful of these limitations, and was careful not to make any claims that imply I was able to uncover any objective, unqualified information, or that I have a full and uninhibited understanding of what the experience of claiming asylum in the UK involves.

Secondly, my role as a researcher was complicated by the fact that I also spent time volunteering with the organisations I was involved with, meaning I occupied a blurred position where I was both partially insider and outsider (Ritchie et. al., 2003). I was involved with the everyday workings of life in the field; developed close working relationships; and became familiar with the language, norms, and shared

understandings in the field. On the other hand, I was a researcher striving to make academic assessments of the phenomena I witnessed. This dual position complicated both my engagement in the field, and my understanding of what I witnessed during fieldwork. It is not possible to overcome the fact that my 'outsiderness' impacted how I approached the field, while my involvement in the field affected how I understood and responded to what I witnessed during my time in the field. However, while it is important to acknowledge this tension, and the fact that it may have affected my perceptions, I feel I was able to manage this dual role well, and that it did not fundamentally inhibit the integrity of my research or my practical work in the field.

Finally, it is important to note how my personal and professional commitments may have impacted the research process. During the latter stages of this research, I also conducted some work for the British Civil Service, effectively rendering me an employee of the state. This meant that I had no choice but to temporarily avoid being overly critical of the state or politically partisan when publicly discussing this research, in line with the requirements of my job. However, I was not affiliated with the Home Office, and did not work on any issues that overlap with those discussed in this thesis. Moreover, prior to and during this research, I worked with groups supporting asylum seekers and refugees, and have been involved in various activist activities and networks pertaining to asylum and immigration justice. It is inevitable that this has had some impact on my approach to conducting research and my analytical standpoint. Moreover, it means that I have striven to produce academic research that can also contribute to an activist agenda. In this regard, the findings of research are intended to have a role beyond academia: for example, in informing policy agendas, the practices of NGO's, or public understanding. Such scholar-activism comes with its own set of challenges and debates (Faist, 2010; Andersson, 2018), and it is not possible

to predict precisely how activist communities will interpret and deploy scholarly work, or the impact it will have. However, while I have worked hard to ensure that my scholarly practices met the necessary standards of rigour, it is important to acknowledge the fact that these commitments had an impact on the nature of my relationships and activities in the field, and may also influence the kind of impact that I attempt to achieve.

## Chapter Four

### Bodies of Evidence: The Body as a Source of Identification and Proof within Asylum Claims

This chapter discusses the ways that state techniques in the asylum system utilise asylum seekers' bodies as sources of identification and evidence.

When a person claims asylum, the Home Office initially focuses on establishing two things. First, identity, age, and country of origin. This pertains to *identification*. Second, asylum seekers must provide a narrative of what has happened to them and why they require protection, in the form of *evidence* which enables state officials to ascertain whether they are eligible for asylum. The resultant information is paramount in informing the decision on whether an individual will be granted protection. Government guidelines state that decisions ought to be based on individuals' statements concerning how they were persecuted and why they cannot return to their country, as well as any corroborating documents, such as passports, birth certificates, or medical records (UK Government, 2018).

Irrespective of the fact that many asylum seekers are unable to provide such documentary evidence, the Home Office demands that asylum seekers corroborate their claims. Additionally, the hostile environment policy – discussed in chapter two – has arguably exacerbated this trend, enforcing heightened demands that asylum seekers prove their identities and claims in order to access basic services and avoid being detained. The state's default assumption is “predicated on the notion that the majority of asylum seekers are ‘bogus’ and therefore undeserving of entry” (Sales, 2002), thus the inability to corroborate claims can negatively impact their outcomes.

Moreover, even when an asylum seeker *does* provide evidence, it does not follow that the Home Office will accept these – the validity of evidence is decided at the state’s discretion. Perhaps because of these difficulties in ascertaining and verifying evidence, combined with the state’s ambition to robustly assess claims, decision-makers have come to rely upon other sources of information in their assessments of asylum seekers’ eligibility and veracity. The asylum seekers’ body is one such source. The increasing use of techniques that draw on the body to ‘confirm’ identification and experiences have rendered the materiality of the body an important site in verifying or challenging asylum seekers’ claims about who they are and what has happened to them.

This may be due to the heightening sophistication and ubiquity of technologies that utilise the body as a source of information, such as the increasing use of biometrics, or medical technologies that enable physicians to assess bodily injuries in ever-more detail. It might also be an outcome of the state’s desire to identify asylum seekers in ways perceived as robust. By presenting evidence from the body as more truthful or reliable than asylum seekers’ narratives, the state can achieve this. Information from the body is used to label bodies — and individuals — despite the fact that the body cannot tell the entirety of an asylum seeker’s story. Bodily information is neither objective nor absolute, but rather is unstable and interpretable. However, the state can utilise this information to discursively construct the meaning of asylum seekers’ bodies, and posit these constructed meanings as a more reliable form of truth. Rather than questioning how the body’s truth is utilised in the asylum system’s processes of identification and evidence-gathering, I instead question how the body’s truth is *produced* through processes of identification and evidence-gathering within the asylum system.

## Chapter Plan

This chapter makes three arguments. First, I suggest that the techniques that draw on the body as a source of identification and evidence function not to seek the truth of the body. Rather, they enable the state to label asylum seekers' bodies, effectively producing normative versions of 'truth' and making claims easier to process for the state, while also forwarding the idea that the state's interpretations of asylum seekers' bodies are objectively correct, and thus that its decisions are valid. Although the information provided by these techniques is partial and context-dependent, the state presents it as being more meaningfully true than asylum seekers' narratives, and uses it to apply deeply politicised, reductive labels that are conducive to actualising their political ambitions concerning asylum. I show how this functions both as a simplifying mechanism which allows the state to manage claims more easily, and how the application of reductive labels is often damaging to asylum seekers.

Secondly, I argue that this process of labelling is productive of distinct categories of identity, which can determine how claims are judged. Information from the body can be used to label bodies in ways that are empty *and* efficacious – these labels attribute normative subjectivities to asylum seekers, which affect how their bodies and selves are understood and treated as they move through the system. For example, 'genuineness' and 'bogusness' have no stable meaning, but can be applied to bodies following arbitrary assessments. Once applied, they have clear political implications and can dictate how an asylum seeker is understood, and what they will be subjected to.

Finally, I show how these labels, which are drawn *from* the body, are not merely linguistic, but are productive *of* those bodies. The state does not only dictate how an asylum seeker is understood, or how to intervene in their case on a bureaucratic level.

Rather, through the use of various techniques that constitute the biosovereign assemblage, these identities are inscribed back onto the body, compelling particular performative identifications and effectively producing its truth.

This discussion hopes to contribute an understanding of how identification and evidence-gathering within the asylum system are embodied and *performative* processes, inasmuch as they inscribe labels onto the body in ways which make them appear to be natural and obviously true. Labelling is not solely linguistic, it produces particular material effects. The processes of identification and evidence-gathering will be shown to be aspects of the biosovereign assemblage within the asylum system, capable of demarcating between bodies that should be included and excluded, while also performing a biopolitical function of producing normative embodied subjects.

The chapter proceeds in three parts: I first set out the theoretical context in more detail, outlining how techniques that pertain to gather identification and evidence from the body do not function to seek truth, but to facilitate a simplifying process of labelling. I also show how these labels can be understood as performative, referring back to Butler's understanding. I then link this to the empirical context through two subsequent sections: the first focusing on bodily techniques of identification, and the second on those which are used to ascertain evidence. The concluding section reaffirms the tension between the state's stated aim of seeking bodily truth, and the alternative view — supported here — that these processes facilitate a process of labelling which actively produces the bodies that they name.

### **Conceptualising the Body: A Source of Truth or a Site of Construction?**

David, an asylum seeker from the Democratic Republic of Congo (DRC), paid almost all of the money he possessed to traffickers for passage to the UK. He arrived in 2012, after a journey which involved stowing away in vehicles, before reporting to the Home

Office to claim asylum. David felt he had a strong claim because he had been subjected to physical abuse by government actors in the DRC. With support from a charity, David obtained a medico-legal report (MLR). The report attested to various injuries which he claimed were from abuse he had suffered in the DRC. However, when he presented this to the Home Office, he was told that it provided insufficient proof, since his injuries could have been caused in other ways. This, combined with perceived discrepancies between David's narrative and medical report, meant that his initial asylum claim was refused. Medical evidence attesting to his injuries was seen as invalid proof, while the Home Office's scepticism, which was largely speculative, seemed to determine the outcome of his claim.

David's case is illustrative of how the Home Office utilises asylum seekers' bodies. As opposed to understanding bodily identification and evidence as context-dependent or supplementary to a narrative, the state increasingly frames it as a more reliable source of truth about who an asylum seeker is, and what has happened to them.

Two theoretical points are necessary to draw out this argument. Firstly, how the process of discursively labelling bodies is a reductive, simplifying mechanism which allows the state to more easily govern asylum cases. And secondly, how these labels are not solely linguistic, but material –they compel *performative* manifestations of the identifications they pertain to uncover. Both of these processes are underpinned by the biosovereign assemblage that characterises state power within the asylum system. This section takes each of these questions in turn.

On the one hand, processes which draw on the body to glean identity or evidence do not seek truth, but rather function as simplifying mechanisms which allow the state to both impose categories of identity onto asylum seekers, and thus judge claims more

efficiently. Scott's work in *Seeing Like a State* illustrates how states seek to produce legibility through mechanisms of standardisation (Scott, 1999). However, in this quest for legibility, heterogeneity and complexity are obscured. While Scott's focus lies on bureaucratic processes in planning and development, his ideas are applicable here. The labels applied by states to incoming migrants represent a similar form of bureaucratic simplification. Through their application, the state seeks the simplicity and legibility that enable it to attribute recognition and enforce necessary exclusions, by bestowing politically efficacious forms of legibility onto vastly complex lives and experiences. An asylum seeker who cannot verify their identity or claims can be deemed an illegal immigrant and subjected to the harsh policies of the hostile environment, whereas someone who can demonstrate the 'legitimacy' of their claim can be afforded protection and help. However, this legibility – which is often drawn from the information provided by the body – often fundamentally misrepresents asylum seekers' experiences, and obscures the complexity of their narratives.

Other scholars have forwarded similar views with regards to migration. Balibar notes that "the state...is, among other things, a formidable reducer of complexity" (Balibar, 2002: 76). He notes how borders apply reductive labels to migrants, producing and sustaining categories of legality and illegality. Similarly, Zetter argues that – by using technologies and the assessments of officials – states 'label' incoming asylum seekers, reducing their identity to a "convenient image" that dictates how they are understood, and the form of intervention that the state will take. These perspectives highlight the simplifying nature of the labelling process. Upon listening to an asylum seeker's narrative and reviewing their evidence, state officials can choose to deem an individual as genuine and worthy of protection, or bogus, and ineligible for protection. Often, the body plays a fundamental role in this process. However, these labels do not

represent the truth of the body, or capture the totality and complexity of its experiences. Rather, they are reductive, and enable the state to place asylum seekers into simplified categories, into which the state can invest meaning. This is at once conducive to governance – a genuine asylum seeker can be afforded protection, whereas a bogus one must be monitored and controlled – and highly politically efficacious, inasmuch as they *justify* the state's actions.

This process of labelling can be understood as an element of the biosovereign assemblage, inasmuch as it involves both a sovereign determination of which individuals can be included, *and* since it demonstrates a clear biopolitical aim of producing *normative* embodied subjectivities which the state can survey and regulate as individuals move through the asylum system. However, while these understandings highlight how the state's bureaucratic procedures affect how asylum seekers are understood, they focus largely on the political and discursive aspects of labelling. While these labels are often formed *from* information gleaned from the body, this perspective does not allow for consideration of how these labels can be projected *back onto* the body through the techniques of governance the state subsequently employs. These labels do not simply exist on the level of discourse. The techniques employed by the state to label asylum seekers inscribe bodies with meaning, and effectively *produce* normative embodied identities on a material level. Butler's theory of performativity elucidates how these linguistic labels translate into the demand that asylum seekers embody normative forms of identification.

As noted, Butler's understanding enables one to question how power produces and regulates normative identifications for asylum seekers, and how these are then materialised on the body – essentially producing embodied subjects, and dictating how actors within the system understand and respond to them. Performativity captures how

power, in this case the varied techniques that constitute the biosovereign power of the state, produces and regulates normative bodies and subjects.

The system's production of identification is both normative and embodied. Their normativity derives from the fact that these labels develop in line with the symbolic 'law' posited by state power, which appears structurally absolute, but which is discursively constructed (Butler, 1993: 58). Their embodied nature means that they do not exist solely in discourse, but are 'body political' (Puumala, 2010: 76): they actively condition their bodies and experiences so that this identity is materialised (ibid, page 78). As Puumala notes, by forcing bodies to represent certain things, inclusion and exclusion are inscribed onto the bodies of asylum applicants so that "their lives and bodies become politicized to the extreme, while as agents...they are depoliticized" (ibid, page 81). This not only conditions who an individual is understood as *being*, but also how the information drawn from their bodies is understood. However, the constitutive contents of these labels are neither objective nor stable. The state applies normative labels, and compels their performative assumption, based on its *interpretation* of an asylum seekers' bodily information. Irrespective of an individual's reality, these labels brings bodies — and subjects — to represent something specific, which is decided by the state. The normative subjectivity a subject is compelled to assume delimits the ways that they can identify and behave, by subjecting them to specific techniques of governance and threatening them with disenfranchisement should they not comply.

In the asylum system, the biosovereign practices that constitute state power underpin and regulate this performative process: this is a deeply anatomo-political operation,

instituting and realising identities through strategies of governmentality<sup>10</sup> which forcibly materialise normative identifications. Done on a wide scale, this creates a concrete *dispositif*<sup>11</sup> which becomes the hegemonic, 'normal' reality of the asylum system, and the background against which asylum seekers live and act. While bodies are impacted by non-state actors within the system and factors external to the system, the biosovereign assemblage maintains this *dispositif*, inasmuch as it both labels and performatively incites subjects' bodies to represent certain things, and utilises techniques to manage and sustain these processes. By constructing and regulating normative forms of embodied identification, the state renders individuals knowable and malleable, broadly structuring who asylum seekers are permitted to *be*, how their bodies are understood, and how they will be governed. This is pervasive, despite the fact that the normative notions of embodied subjectivity enforced by the state infrequently correspond to asylum seekers' own understandings of their identity.

The following empirical sections utilise this theoretical understanding to frame a discussion of how information gleaned from asylum seekers' bodies functions to identify them, or as evidence in their claims.

### **Bodily Identification and the Creation of the Subject**

This section examines techniques that function to ascertain identity from the body, and the ways these cannot be seen to reveal an objective, static identity; but rather function to facilitate the application of reductive, normative labels.

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<sup>10</sup> Understanding governmentality in Foucault's terms, as the methods of governing a population involving the dissemination of power not only through the law, but also through disciplinary institutions (schools, hospitals, prisons etc.). *and* the production of knowledge that individuals internalise and use to discipline themselves (see Burchell et. al., 1991:102-103)

<sup>11</sup> Foucault defines the *dispositif* as "the heterogeneous ensemble consisting of discourses, institutions...regulatory decisions, laws [and] administrative measures" (see Foucault, 1977: 198).

### Biometric Information

*“Before I came to this country, I claim[ed] asylum in Greece....but I didn’t tell [the Home Office] that I had [a] fingerprint in Greece because I was refused by Greek Government.... I came to the UK, and I should have...told them but unfortunately I didn’t....So finally...four months after I did my interview, they found out... so they try to take me back [to Greece]”.*

Kamal, a refugee from Somalia, is describing his experiences of the asylum system’s biometric identification system. He is discussing his first asylum claim, which he lodged in 2008 after arriving in the UK. After leaving Somalia, Kamal paid traffickers to carry him across the Mediterranean to Greece, where he claimed asylum. After his application was refused, for reasons Kamal claims were unclear, he was briefly imprisoned after he failed to leave the country when the Greek authorities demanded it. He travelled clandestinely across Europe after his release, eventually arriving in the UK, where he again claimed asylum. By lodging asylum claims in two EU states, Kamal had infringed the Dublin Regulation. When his fingerprints were entered into EURODAC, the Home Office discovered his previous claim and told him that his claim in the UK would be rejected, and that he would be removed to Greece. Terrified about the prospect of being re-imprisoned or returned to Somalia, Kamal absconded from the asylum system: he stopped reporting to the Home Office and relocated to Scotland, where he spent five years living undocumented.

Rashid, introduced in the introduction, had a similar experience. He fled after his political and religious beliefs began to endanger his safety, arriving in the UK in 2015. However, shortly after he gave the Home Office his fingerprints, he was told his claim had been refused, and that he would be detained until his removal could be arranged. This was because the Home Office discovered that he had previously claimed asylum

in Hungary. Despite the fact that he had evidence supporting his need for asylum, Rashid was judged to be ineligible, and the Home Office deemed that he ought to be returned to Hungary.

Kamal and Rashid's experiences illustrate how information from the body is used to ascertain information about an individual's identity within the asylum system. Biometrics are perhaps the most prominent way that the state renders asylum seekers' bodies a source of information. In spite of their potentially problematic impacts – inasmuch as they are reductive, and don't allow for consideration of individuals' narratives – the state continues to rely on the information they provide. This information can enable the Home Office to make decisions regarding the validity of asylum cases: the information drawn from bodies can act as a definitive source of truth about who an individual is, and whether their claim is valid. This was what happened in Kamal and Rashid's cases: their biometric information resulted in them being labelled as dishonest, bogus applicants and subsequently exposed to the hostile environment's punitive treatment of 'illegal' immigrants. This was despite the fact that, after being allowed to make a fresh claim several years later, Kamal was granted protection. Rashid also subsequently presented new evidence which allowed him to enter a fresh claim. Even in the face of compelling claims, the Home Office utilised the information provided by biometrics to present them as invalid applicants, based on the somewhat arbitrary rules established by the Dublin Agreement. Rashid stated that the Home Office "just didn't want to listen" to his story, that he wasn't given an opportunity to explain that he had fled Hungary because the police had been firing at asylum seekers. The 'bogus' label was applied to Kamal and Rashid on account of their bodily information suggesting that they had broken rules they were unaware of, and not as a result of their experiences of persecution being disproved.

Franco Aas has discussed how biometrics are perceived as enabling states to protect their territories and citizens, and as monitoring the identities of people entering (Aas, 2005), effectively enabling the state to enact a form of sovereign power. However, such ambitions rest on the assumption that the information provided by the body is representative of an indisputable identity. In this view, the bodily information that biometric technologies afford reveals people entering the state to be 'legal' or 'illegal'. Given that this is rooted in the material 'truth' of the body, there is little space for contestation. Therefore, when Kamal and Rashid's fingerprints suggested that they had passed through another EU state, the state used this information to apply and justify the 'bogus' label, and 'prove' and that their claims should be refused. This overlooked their narratives about their need for protection, and instead presented their bodies as sites of indisputable truth. Biometrics do not solely function to enact a sovereign form of power, but also discursively produce individual subjects. However, as Kamal and Rashid's experiences show, this is a dubious operation. Van der Ploeg argues that biometric information does not render the body a *knowable* entity, but simply a *readable* one (van der Ploeg, 1999): information provided by the body may be accurate, but the meaning of that information is contingent and context-dependant. Rather than establishing the complex contours of identity, information provided by biometric technologies can be seen to *produce* a static, reified form of identification. This becomes the sole way that an asylum seeker is understood and governed by the state; biometrics function to "[create], [classify] and [police] specific kinds of international bodies" (Salter, 2006).

Biometric information enables the state to discern information from bodies, and subsequently use that information to construct an understanding of an individual's identity, epitomising the notion of labelling outlined above. The information provided

by biometrics – however partial it may be – is presented as indisputable, and brought to be the basis of a reductive label, which makes that identity legible to the state. The value of these labels exists not in their accuracy, but in their ability to constitute how individuals are understood and how they ought to be governed. However, what constitutes these labels is contingent and uncertain. While Kamal and Rashid were labelled as bogus asylum seekers on account of their contravention of the Dublin Regulation, in other cases, asylum seekers can be designated ‘bogus’ on account of being suspected of fabricating aspects of their narrative, or posing a risk of criminality. The ability of these signifiers to legitimise state decisions lies in the fact that they constitute deeply normative notions of identification, which have been imbued with political meaning. However, although these normative labels are discursively proliferated, they do not exist solely in discourse: the labels the state allocates to asylum seekers dictate how their case is handled, the governance they will be subjected to, and what type of experiences they will be able to access, materialising the normative subjectivities by forcing asylum seekers’ bodies to represent certain things, effectively producing the embodied subject.

In Rashid’s case, the decision to detain him meant that his body became an imprisoned body, whose surveillance and regimentation within detention materialised the criminality and uncertainty that the label implied. The symbolic identification that was attributed to him dictated specific forms of embodied practice which rendered his body politically iterable; it constructed what his body represented, regulated the behaviours and practices it could engage in, and produced a form of subjectivity that prescribed what he could be understood as *being*. For Kamal, anxiety at being labelled as a bogus asylum seeker was the catalyst for him absconding from the system, feeling as though living as an undocumented migrant was preferable to engaging with

a system that had decided his fate without listening to him. He travelled to Scotland, where he spent five years sleeping on sofas, being financially supported by friends and charities. He was able to enrol in informal classes and build a network of acquaintances, but nevertheless existed in a state of constant worry as a result of his situation. Of course, the state did not force Kamal to take this path. However, facing the threat of deportation, he did not feel as though he had any other options: Kamal said that the Home Office had not properly considered his claims of physical abuse, and that their rejection led him to take matters into his own hands. In a sense, it was being labelled as a bogus asylum seeker that prompted Kamal to abscond from the system and start living as one. By being labelled as bogus on account of their bodily information, and subjected to exclusionary measures, Kamal and Rashid were effectively compelled to assume bogusness as a form of embodied subjectivity. These subjectivities are political constructions, however by positing the biometric information upon which they were based as truth, the process underpinning their construction is concealed, and these labels were presented as natural 'facts' and projected back onto the bodies they pertained to name.

### Age Assessment

The process of labelling is not solely based on biometric technologies – other forms of bodily information are used in asylum claims. A prominent example is age assessment. The age determination process occurs when an unaccompanied asylum seeker claims to be a minor but cannot provide proof of age. In 2016, 3290 unaccompanied asylum seekers claiming to be minors entered the UK (Refugee Council, 2018). This is common (Crawley, 2007), since many asylum-seeking children do not know their date of birth; come from a country where age is not recorded; or arrive without documentation. The age assessment process is meant to enable the

state to make an unbiased decision. An asylum seeker who is a minor is entitled to specific forms of support, and cases involving minors are assessed differently (Home Office, 2017) so the determination of an accurate age is crucial.

Since 2003, the Government has used an age determination process known as the Merton Standard, which sets out procedures for social workers carrying out assessments.<sup>12</sup> The Merton Standard specifies that assessments should not be based purely on physical appearance, and that medical tests – such as X-rays, measurements and dental exams – are unreliable indicators of age (Crawley, 2007: 4). A Merton Compliant age assessment involves a face-to-face interview with a social worker. The social workers handling these assessments are not affiliated with the Home Office, but their decisions feed into these processes of identification: age determination can affect not only who they are understood as being, but can also impact how credible they are seen as being more generally, and what forms of support and intervention are seen as appropriate.

Despite these rules, the assessment process is often influenced by spurious or poorly-informed assumptions about how an applicant looks or acts; and judgements about credibility (Crawley, 2010). The Merton Standard has been criticised because it remains subjective, dependent on the knowledge and skills of social workers, as well as any preconceptions they bring to the process (Bianchini, 2011). Moreover, the process can cause tensions for social workers, who find themselves facing a contradiction between their duty of care and the demands of immigration policies (Cemlyn and Nye, 2012).

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<sup>12</sup> This includes seeking documentation confirming an asylum seeker's age, such as a birth certificate, and using an interview to attempt to discern how old an applicant might be.

In crucial ways, the age assessment process relies on bodily information and assessments of the body. In making a decision, a social worker can consider an applicant's physical appearance to a certain degree, especially in cases where it is considered obvious that a person is over or under 18, but should also give consideration to their background: including their family circumstances and history; recent activities and behaviour; ethnic and cultural information that might impact their apparent age; and their general credibility (UK Court of Appeals, 2003). However, Crawley suggests that much of the process is based on 'rapid' visual assessments, which can often be confused by cultural assumptions (Crawley, 2010: 48-52). Moreover, assessments often consider behaviours and demeanour, factors which are equally unreliable, and which fail to consider how behaviours and actions are affected by trauma (ibid, pages 54-56). As such, the outcomes of age assessments can feed into the process of labelling, and as such can contribute to how young asylum seekers are understood, and the techniques of governance that they are subjected to.

Judgements that affirm an applicant is a minor can be used to identify them as a vulnerable child, deserving of support and protection. On the other hand, individuals who are suspected of lowering their age to improve their chances of being granted asylum are labelled as bogus, and perceived with heightened suspicion. This is despite fact that, as one of my participants, a support worker, noted, some asylum seekers lie about their age to avoid acknowledging more traumatic experiences. She cited one example: "*[a] woman who told me that she was seventeen...and I kept saying to her, because she looked about thirty...you need to be honest....and in the end she did, but then when she started telling her story it was actually much more horrific than what she had said*". In this case, the woman was attempting to avoid articulating trauma by claiming to be a minor. However, when she admitted to having

done so, the system punished her by construing her as a liar and attempting to use this as the justification for refusing her claim, as opposed to considering why she might have been dishonest in this way.

During my fieldwork, I did not engage with any asylum seekers whose claims about age were judged to be false. However, it is worth discussing a case in which this occurred, to illustrate how such assessments draw on bodily information, and how the decision can influence how an asylum seeker is labelled. The case in question, *R vs. The London Borough of Hillingdon* (Royal Courts of Justice, 2011) involved an asylum seeker referred to as 'Y'. Y was trafficked to the UK as a child, and made to work as a 'domestic helper' for two families. When she was 15, Y fled. She spent several days living on the street and was eventually picked up by police, and permitted to claim asylum. Y told police that she was 15, and initially no doubts were raised about her age.

Nevertheless, an age assessment was undertaken. Despite the inaccuracy of anthropometric tests, Y was sent to see two dental experts. The first suggested that she was likely aged between 15.5 and 17. The second noted that the development of her wisdom teeth indicated she may be slightly older than she claimed, but concluded she was likely under 18. Despite this evidence, after social workers interviewed Y, they concluded that she was over 18 and that she had lied about her age, effectively labelling her as a bogus asylum seeker. This decision was based firstly on her 'appearance, demeanour and body language' (ibid) and as a result of the report from the second dentist. Only their third reason was not based on an assessment of Y's body, and referred to inconsistencies in her evidence. However, the judge ruled that these were not sufficient grounds to decide that she was not a minor, and ruled in her favour.

Y's case illustrates several things. First, the assessment of social workers was based largely on physical information, pertaining to both how Y appeared and behaved, and her dental records. Both of these sources of information are imprecise, yet this physical information was held up as evidence that she was lying about her age, and used to legitimise the state's attempt to label her in negative terms. Secondly, its outcome had significant implications for how she was understood, and what she was entitled to. After the local authority judged that Y was an adult, she was denied access to the support services that are available to unaccompanied minors. Moreover, the judgement stated that the age assessment impacted her perceived credibility, and led to other aspects of Y's story being questioned.

There are examples of this process resulting in different outcomes. Ibrahim, a refugee I encountered during my fieldwork, provides a good example. Ibrahim is Sudanese, but fled as a teenager due to violence in his region. He travelled to Europe unaccompanied, and spent almost a year living in the Calais refugee camp, arriving in the UK when he was 16. Ibrahim did not have any identification documents to prove his age, so was subjected to the age assessment process. This initially worried him. He explained that during the meeting "*they [wanted] to know lots of things from me and I was in pressure. I was [worried] that I wouldn't say it right*". In the end the process progressed quickly, and Ibrahim was assessed as a minor. Although I was not able to access the report on Ibrahim's age assessment, it struck me as overwhelmingly likely that his physical appearance played a role: Ibrahim is small and youthful-looking, and still speaks like a young boy. At the time I spoke to him, almost a year later, he looked like a child, and it would be difficult to conceive of a situation in which this did not play a role in the assessment of his age. Shortly after his assessment, Ibrahim received the news that he had been granted Leave to Remain. This decision was based on the

narrative he provided about his experiences in Sudan, but his age assessment bolstered his case: after having been ‘proved’ to be a minor, Ibrahim was presented as a vulnerable child, and a genuine asylum seeker in need of support. The label applied by the state, although reductive, was both politically efficacious in terms of the outcome of his claim, *and* prompted certain material effects: by virtue of being labelled as legitimate, Ibrahim was provided with services and permitted to behave in ways which materialised the label.

In several ways, the age assessment process functions similarly to biometric technologies. Medical testing and visual assessment of appearance and behaviour can play a central role in the process despite the unreliability and Western-centrism of these bodily judgements. While the *type* of bodily information used in the age assessment process differs from the physical data that biometric technologies rely upon, it remains the case that information from the body is drawn upon to aid in a decision concerning who an individual fundamentally is. The age assessment process still labels individuals in ways that are normative and conducive to governance. Once again, these labels are not merely linguistic: the ways that individuals are labelled impacts how their cases are judged, and what kinds of behaviours and services they can access. Labels compel certain forms of behaviour and effectively reaffirm and materialise the forms of identity that have been attributed. This process not only streamlines the governance of asylum seekers who claim to be minors, but also inscribes identifications that dictate precisely how they are understood and responded to.

This process of labelling has two distinct, but equally significant, outcomes. First, utilising the body as a source of identification – and allocating reductive labels to reflect

this identification – can have serious repercussions on how an asylum claim is judged, and on each individual asylum seekers “access to rights, [other] bodies, spaces and so forth” (Muller, 2004: 280). In some cases, where an individual is labelled as legitimate, this can be advantageous. However, in cases where an individual is understood as bogus, the outcome is different. These labels do not solely simplify or *name*, but forcibly materialise a bodily morphology representing the identificatory label that the state has applied, and which dictates how they are understood and how they can behave. In this sense, these labels are performative: they are politically compelled, physically embodied, and highly regulated. They come to constitute asylum seekers’ subjectivity, but are highly constructed and normative, aimed at reinforcing the system’s hegemonic law, and feeding into the production of a *dispositif* which normalises this process of labelling. Although bodies are influenced by other factors external to the state, the discerning and applying of labels and the performative subjectivities they compel are a crucial operation of the state’s biosovereign assemblage, allowing it to differentiate between asylum seekers, and produce subjects that legitimise its governance and reinforce its political aims.

Secondly, these processes are not simply political in the abstract sense: they have distinct, and often detrimental, impacts on asylum seekers’ lives - oftentimes, dubbing an asylum seeker as illegitimate and thus ‘illegal’ means that the state has been able to expose them to the discomfort, deprivation, and lack of rights that characterise the hostile environment. The identifications produced and enforced by the state do not correlate with asylum seekers’ understandings of their identity, which can cause confusion and frustration. Kamal explained how he has been identified as a dishonest asylum seeker, and living illegally for five years, had significant impacts on how his fresh claim progressed.

*“Once I submitted my fresh claim they took [a] long time to answer...I [did] my second interview, and the outcome was refused, the main reason was because I failed to report for five years... they should have...[forgotten] what I did in the past”.*

Kamal was left destitute when the state refused to provide him with support upon submitting his fresh claim, leaving him dependant on charitable organisations, an experience he recalls as being stressful and humiliating. Despite having a legitimate need for protection, he struggled to overcome the fact that he had previously been identified as bogus.

Similar impacts can be seen in the case of age assessment: minors who are assessed as being adults face not only the risks associated with being denied support, but also significant risks to their welfare (Crawley, 2007: 38), symptoms including upset and depression; sleeplessness; loss of confidence; anger issues; and ideation of suicide or self-harm have been commonly reported (ibid, pages 180-181). On the other hand, Ibrahim’s case illustrates how a positive age assessment decision can be conducive to adequate support provision and, ultimately, a smoother resolution (Kohil, 2006).

Biometric technologies and the age assessment process are arguably the two most pertinent ways that the body is involved in the process of identifying individual asylum seekers. While documentary evidence also serves this purpose, bodily information is becoming more relevant in a context where many asylum seekers arrive without documents, and due to the idea – forwarded by the state – that the body can provide certainty. However, these processes do not simply draw on the body to ascertain an individual’s identity, but function to label and actively *produce* the subjectivity that they claim to identify, and to performatively materialise their embodied reality – processes

that dictate how asylum seekers are understood; how their claims progress; and significantly impact their experiences and self-understandings.

### **Visible Proof: Making the Body Give Evidence**

This section considers how the body can act as a source of evidence during the process of an asylum claim – how information from the body can act to corroborate or refute asylum seekers' claims, and how bodily appearance and behaviours can be used as evidence about trustworthiness.

Both identification and evidence-gathering processes draw on information from the material surface of the body, and can be fundamental to the process of labelling. The ways that the body acts as a source of evidence within an asylum claim can also be seen to go beyond linguistic labelling, and contribute to the construction of embodied, performative subjectivities. As such, the theoretical framework employed earlier in this chapter can also be used to elucidate how evidence from the body is often employed in the construction, materialisation, and regulation of the ways that asylum seekers' bodies signify. Again, both the techniques used to ascertain this evidence and the subsequent techniques and processes they entail are part of the state's biosovereign assemblage, capable of both determining which individual bodies ought to be excluded, and compelling the performative production of specific, normative embodied subjects within the asylum system.

The physical condition of the body is construed as providing incontestable evidence as to what has happened to a person. In the context of the asylum system, Fassin and D'Halluin note that the body is often understood as "the place in which individuals' truth about who they really are is experienced.... the place that displays the evidence of truth" (Fassin and D'Halluin, 2005: 597-8). However, while bodily injuries and

embodied actions *can* testify to an individual's experiences, their meaning is not absolute or stable. The precise meaning of such bodily information is malleable and undetermined, and as such, it can be interpreted and understood in different ways and made to represent different things. For example, in the case of David, mentioned at the outset of this chapter, the medical evidence corroborating his claims of torture was provided by an independent physician and suggested it was *likely* that many of his injuries were a result of physical abuse. The value of his medical evidence was downplayed when it did not provide certainty, and did not perfectly match his oral testimony. In this case, the state's *interpretation* of David's bodily injuries — that they were not consistent with torture and did not corroborate his narrative — was held up as proof that he was dishonest. The information drawn from David's body, which he thought would provide incontrovertible proof of his experiences, was interpreted by the state not in a way which reflected the truth, but which was conducive to its aims to label asylum seekers, and to avoid granting protection to any individual who is not 'deserving'.

On the one hand, asylum seekers' ability to provide physical evidence, or their propensity to appear in a manner indicative of truthfulness or victimhood, can contribute to the process of labelling. If an individual's body can testify to their suffering, this can lead to them being identified as genuine, and subsequently treated as such. On the other hand, if an asylum seeker has already been labelled, this can impact how any bodily evidence in their case is interpreted, and can work to reinforce the labels they have been subjected to. An applicant who has already been identified as bogus may find that their medical evidence is contested by the Home Office; whereas an asylum seeker who is understood to be sincere may find that their physical evidence is understood in a manner which adds verisimilitude to their narrative. Again,

this transcends linguistic labelling: by interpreting bodily information in specific ways, the asylum system can inscribe its normative understandings onto the body and maintain the normative bodily morphologies that it has produced.

### Medico-Legal Reports

Perhaps the most significant way that the body is used as a source of evidence is in the use of medico-legal reports (MLR). These are documents prepared by a doctor following an examination, which outline an individual's medical condition and detail any conditions or injuries that they present. The British Medical Association notes that such reports can provide both factual statements about an individual's medical conditions and treatment, as well as the practitioner's informed interpretation, for example stating how or when they think an injury was sustained (British Medical Association, 2018). Government guidelines stipulate that asylum seekers who allege torture should be referred to a medical foundation who can assess whether an MLR is necessary and begin the process of producing one (Home Office, 2014: 5-6).

An employee from a medical foundation explained how involving non-state actors from the system is beneficial: *"we can't tell doctors what to write, [but] we take great care to avoid accidental inconsistencies. We'll double check with doctors....often what the Home Office pounces on are little things... we'll look through them to avoid unhelpful wording....things that aren't clear"*. MLRs are a specialist form of evidence, drawing on the expertise of physicians and advocates in order to produce an objective account of an asylum seekers' condition in terms that the state recognises. The Home Office specifies that the information contained in an MLR should be considered as unbiased, but that it should not necessarily be seen as total vindication of an asylum seeker's narrative, and should be considered alongside the overall sum of evidence (ibid, page 15).

MLR's can sometimes be advantageous to asylum seekers. In cases where an individual claims to have suffered torture or degrading treatment, doctors' reports generally abide by internationally recognised standards (United Nations, 2004). On the other hand, the absence of an MLR in a case which involves claims of torture can undermine an applicant's narrative. Moreover, as Paskey notes, victims of trauma often find it difficult to narrate their experiences (Paskey, 2016), thus an MLR can lend support to asylum seekers who are unable to articulate what has happened to them. A report collated by the charity Freedom From Torture states that expert evidence *can* play a key role in documenting experiences of trauma, noting that cases involving MLRs had significantly higher rates of approval than those without them (Freedom From Torture, 2011: 6).

The medical foundation employee quoted above discussed how MLRs can work to substantiate a claim:

*"I think we have a system that's geared towards evidence... you have to prove everything. We have a system of assuming it's not true....and when you can bring [an MLR] your chances of success are infinitely larger because you then have something physical where they can say look, your account isn't just your account, there's evidence here.... and avoid the reasonable doubt."*

The presence of physical scarring and injury can be construed as a 'positive' thing, since *"the more physical ways you can demonstrate what's happened to you, the more likely you are to be believed"*. In some cases, MLRs can provide concrete evidence to support a narrative, and frame the body as a site of genuine suffering, lending credibility to the claim.

However, inconsistencies in how MLRs are interpreted as evidence mean that they cannot be seen as guaranteeing a positive outcome. The Freedom from Torture report notes that while many judges are familiar with Home Office guidance, there is a lack of consistency in how MLRs are treated, and that this can lead to asylum seeker's credibility being doubted, or appeals being dismissed (ibid). Moreover, Ticktin notes how, while medical injury can sometimes function to increase the likelihood of a positive decision, this is often based on a logic of humanitarian compassion as opposed to political rights, something she deems problematic and exclusionary to legitimate claims that do not involve illness or injury (Ticktin, 2006). Granting residency based on humanitarian compassion renders refugees' objects of charity as opposed to political subjects, their protection is benign and not rights-based, and often granted based on arbitrary assessments of whether and how severely an individual is ill. Other evidence, understandings of credibility, and decision-makers' assumptions can impact how MLRs are understood and whether they are seen as supporting an asylum seeker's narrative, or as something that can be used to challenge a claim. In this regard, medical evidence can contribute to the ways that the asylum system labels individuals with normative subjectivities, or act to 'confirm' labels that have already been designated.

In some cases, the presence of an MLR can corroborate an asylum seekers' claims, and act as pivotal evidence. This happened in the case of Abshir, a Somali refugee. Abshir was referred to a doctor after he alleged he had suffered physical abuse in Somalia. He was examined, and spoke with a doctor about his injuries. He explained that he found the process 'fine' and that the experience of discussing his injuries was untraumatic. He was not aware of the contents of his MLR, but said that shortly after the report was submitted, he received notice that he had been granted refugee status.

The MLR was not the sole piece of evidence in his case: Abshir told me that his substantive interview took a long time, and that he had also been interviewed by a country expert to verify that he was Somalian. Nevertheless, the fact that he had visible injuries that attested to his suffering, and that correlated to the abuse he described, lent Abshir's case legitimacy and verified his credibility. While this was positive, Abshir noted that the state seemed more focussed on his injuries than the reasons he found himself in trouble in Somalia, echoing Ticktin's assertion that MLRs can have a depoliticising effect, producing victims as opposed to subjects.

However, medical evidence does not always function to corroborate asylum seekers' narratives. Some of the reasons for this are practical: many of the staff I spoke to stated that it was not easy to persuade asylum seekers to see a doctor, usually due to fear resulting from trauma, or feelings of shame. This is complicated by the fact that many asylum seekers suffer more general health complaints which are often exacerbated by their experience of the system, but not caused by mistreatment. This often leads to a complex 'muddling' of issues, whereby a physician is forced to differentiate between injuries caused by abuse and other complaints, which can dilute the effectiveness of an MLR. In other cases, MLRs are simply not offered. Moreover, it is often difficult to acquire asylum seekers' medical records from their Home Country, if they had any, and complicated to prove that the physical injuries they present were not caused by other, non-violent experiences. For example, one participant spoke about an asylum seeker from Vietnam, whose doctor in the UK had suggested that scarring on his neck and torso was the result of torture. However, since other areas of his narrative had already been judged to be inconsistent, the Home Office requested that he also provide medical records from Vietnam. When he was unable to do this,

the Home Office was reluctant to place much value on his MLR, and he was seen as a bogus applicant.

As such, the challenging of the evidence provided in MLRs is not uncommon, and several participants disclosed experiences of this. Yassir – a Somali refugee – explained how, even with an MLR, his narrative was challenged as he arrived clandestinely and without documents. Despite having significant scarring and injuries as a result of physical abuse which he claimed occurred when he was imprisoned in Somalia, claims which were supported in his MLR, the Home Office argued that the injuries he presented could have been caused by non-political violence, and his initial claim was rejected due to a lack of evidence.<sup>13</sup>

The Home Office also challenged the evidence provided by an MLR in the case of Lena. Lena is a Ukrainian asylum seeker who claims that she was trafficked to the UK and kept under house arrest by her traffickers, who physically and sexually assaulted her, resulting in her becoming pregnant. After escaping and claiming asylum, Lena was sent to a doctor to acquire an MLR. However, heavily traumatised by her experiences, she struggled to explain what had happened to her. Given that she had also been unable to fully describe her experiences during her interview, the Home Office claimed that her MLR contained inconsistencies, and did not fully support her narrative. *“It was this feeling like....I want to know every single thing...and I felt like I can’t talk about these things. I can tell you a little bit but I can’t tell you in details because it’s too much....I had so much pressure after the interview I was feeling so embarrassed. I can’t say it even out loud if I’m talking to myself, how can I say it to someone else? And it doesn’t matter that it affects my claim for asylum or anything*

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<sup>13</sup> Upon appeal, Yassir was able to provide further documentary evidence which corroborated his claim, and he was later granted leave to remain.

*else, I can't*", she explained. Lena's case was further complicated because the British government views Ukraine as a 'safe' country. The Home Office told her that while they believed some elements of her narrative, inconsistencies led them to doubt some of her claims. As such, her MLR proved insufficient to overcome the conclusion that she was a bogus applicant.

Lena's case is an especially interesting, as the decision to label her as bogus is also related to complex notions of identifying victims in the context of sex trafficking. Hoyle, Bosworth and Dempsey identify how the label of victimhood in these cases is "determined not only by the experiences of those harmed, but also by the perceptions of those who come into contact with them and have the power to affix or reject such a label" (Hoyle et.al., 2011: 315). Decision-makers' perceptions can be influenced in cases whereby a victim appears to have given consent – as Lena did, as she initially agreed to come to the UK before realising she was being trafficked – as this perceived assertion of agency suggests they are not an "ideal", helpless, victim (ibid). The lack of certainty provided by Lena's MLR, combined with the complexity of her experiences, means that she was caught up in a doubly difficult situation as both a potentially dishonest asylum seeker *and*, from the state's perspective, not an ideal victim.

The system's monopoly over how MLRs are interpreted can be understood as an aspect of the labelling process. Medical evidence drawn from the surface of asylum seekers' bodies does not only serve to corroborate or challenge their narratives, but also contributes to forming and perpetuating the reductive labels used to understand their subjectivities. The ways that evidence from the body is interpreted in asylum cases is both influenced by previous judgements of an asylum seeker's credibility and trustworthiness, *and* formative of new labels that determine how that applicant is understood and treated. These labels can once again be seen to have distinctive

material impacts, inasmuch as they contribute to the formation of normative, embodied forms of subjectivity: the labels resulting from the state's interpreting of bodily evidence dictate how an asylum seeker is treated, what services they can access, and how they are permitted to behave. In Abshir's case, after his MLR provided what the state understood as concrete proof of his veracity, he was granted protection which enabled him to access welfare and education, and granted him the right to travel, work, and behave freely, materialising his designated identity as a genuine refugee. On the other hand, in the cases of Yassir and Lena, the Home Office's interpretation of their medical evidence led to them being labelled in the terms of bogusness, brought under heavier scrutiny, and denied the freedoms that accompany recognition.

For asylum seekers and support workers, the Home Office's ability to cast doubt on medical evidence can be frustrating. A support worker explained:

*"I remember a lady saying that, you know, it was bad enough going through the horrible stuff [in her home country]. Having to re-tell it is bad. Being told I'm lying was horrific. Why would I make this up? ... I think the mentality of someone who works at the Home Office is 'everybody's trying to get in, I am the guardian of this border, I've got to weed out the liars and the false people and the 'illegals'.... You've got all these scars on you, and they can say well that's....who's to say you didn't trip over as a child....and it's your word against theirs."*

In this regard, MLRs – like processes of identification – can be seen as being conducive to the biosovereign operation of labelling: they can discredit and exclude individuals, and produce normative forms of embodied subjectivity. However, these normative identifications do not always correspond to how asylum seekers understand themselves, so being challenged on the veracity of their bodily experiences — especially traumatic experiences such as torture — can be frustrating and confusing.

### Demeanour and Behaviour

A similar process of interpretation occurs around 'evidence' gleaned from assessments of asylum seekers' appearance. This can include judgements about dress, comportment, and physical behaviour, and is based largely on state officials' visual judgements during interviews and tribunals.

In legal terms, this is known as demeanour. The UNHCR discourages assessments based on demeanour, and there is a lack of standardised procedure on how to interpret such factors (Byrne, 2007). In reality, however, demeanour is often seen as an indicator of credibility (Bohmer and Schuman, 2007: 146). State officials often consider demeanour as evidence, as though that they can tell if a person is lying by observing how they look, and how they behave when questioned.

This puts pressure on asylum seekers, who must be seen to behave and *be* a certain way if they are to be judged as credible. Writing on immigration cases where applicants must prove the authenticity of their marriage, Carver has suggested that couples are compelled to *display* genuineness, in addition to providing evidence, they must also *be* the thing they claim to be (Carver, 2014). This exemplifies how immigrant's lives must be seen to meet the 'moral standards' set out by immigration rules, which function to exclude invalid applicants and cultural others. A similar process can be seen in the asylum system. How an asylum seeker looks and acts, and the extent to which they display genuineness, is a powerful determinant in some claims. A 2003 study found that, in terms of assessing credibility, many judges considered demeanour a significant, if not determinative, factor (Jarvis, 2003). Macklin, an asylum judge from Canada, has critiqued how judgements about demeanour are formed:

*"Truth tellers look us in the eye, answer the questions put them in a straightforward manner, do not hesitate, show an*

*‘appropriate’ amount of emotion, and are neither too laconic, nor too verbose. Liars do not look us in the eye, do not answer the questions put to them, say too little (because there is nothing to say—the story is invented), say too much (because they are trying to distract you) and are either too demonstrative (melodramatic), or lacking in affect (betraying the fact that nothing happened)”* (Macklin, 1999: 40).

Visual assessments of asylum seekers’ physical appearance can be decisive in swaying decision-maker’s perceptions of their credibility. However such assessments are notoriously unreliable. These judgements are heavily rooted in the assumptions and predispositions of decision-makers, including both unarticulated assumptions about how a genuine victim looks and talks (Kagan, 2015), and culturally-specific understandings about appropriate self-presentation. This can encompass decision-maker’s assumptions about appearance, behaviours and beliefs of applicants: why they react in certain ways; how and to what extent they display emotions; how they look; and how they ‘ought’ to behave. It can also involve more specific assumptions. For example, expectations that asylum seekers behave in ways that correspond to fixed expectations of sexual stereotypes, for example surrounding how heterosexual or homosexual people ‘ought’ to behave (Morgan, 2006; O’Leary, 2008; Heller, 2009); assumptions about how victims of sexual violence narrate and respond to their experiences; or insistence that asylum applicants disclose information that may be considered taboo in their culture (Schuman and Bohmer, 2014). Bhabha has noted how asylum decisions can also rest on “simplistic, even derogatory characterizations of asylum seekers’ countries of origin, as areas of barbarism or lack of civility” (Bhabha, 2002).

Of course, there is no general standard for what ‘trustworthiness’ looks like, and no mention of what constitutes appropriate demeanour is articulated in asylum policy. It is therefore difficult to define precisely what decision-makers understand

trustworthiness or genuineness to look like, and where these assumptions derive from. Some assumptions likely arise from cultural norms, others from systemic biases and political goals within the asylum system. Individual assumptions and biases may also play a role. While judgements about demeanour often occur, the standards against which asylum seekers are judged and the precise ways that they may be categorised as a result of their embodied appearance are unclear. Although many asylum caseworkers and judges are sensitive to such matters, they still often have distinct impacts on how an asylum seeker is perceived, and how credible they are understood to be, something that emerged in my fieldwork data.

A support worker discussed a case in which a woman with serious mental health problems was accused of lying, because the person assessing her case thought that she 'looked fine':

*“This lady... had severe mental health issues, very suicidal, heard voices, and had a very complicated background. The guy who was assessing her said she had good eye contact, she was well-dressed and she was obviously well kept in terms of her hair and her teeth...and therefore he did not believe that she had depression. Because you're not acting out in a manner that you presume people with mental health issues....so you want her to come unkempt, drooling, shouting...so that she fits into your narrow-minded view of someone who has mental health issues?”*

This brings the arbitrary, constructed nature of normative labels into sharp relief. The assessment of this woman's demeanour was not based on evidence or proof, and did not reflect any semblance of 'truth'. Rather, information of her body was used to apply a normative label to her which, although not a reflection of any reality, was conducive to allowing the state to understand her in a certain way, and respond to her claim in certain terms. Although this applicant was later granted asylum, the assumption that

she was lying – based on a visual assessment of her demeanour – caused a significant delay in her being able to access the support that she needed.

Participants also spoke of cases in which cultural assumptions about how asylum seekers ought to behave came in to play. Kamal, mentioned earlier in this chapter, told me about how his interviewer expressed doubts about his sincerity because of his shyness:

*“[In my community] we [are] shy, we don’t want to express ourselves ...because that is the way we grow up. If you speak in front of adult they will tell you ....shut your mouth...quiet...so that’s the problem. So when you come to this country you cannot improve that thing immediately...Sometimes you have to have eye contact when you speak...for me still I have a problem....so...in our country if you speak to someone while looking at his face you will be seen as something bad, and... in this country it’s different.”*

Concerns about Kamal’s demeanour were raised in the interview for his second claim, and he explained that he had expected that Home Office staff would have knowledge of different cultural norms. Secondary literature contains a wealth of similar cases. Bohmer and Schuman refer to asylum cases in the UK whereby applicants have been doubted for showing both insufficient or too much emotion, or for attending interviews in inappropriate clothing (Bohmer and Schuman, 2007: 149-150). Other sources describe cases in which rape victims have been perceived as lacking credibility due to being calm (Baliot et. al., 2015).

Other participants explained how the demand to appear credible was a cause of concern to them. Nasr, a Sudanese asylum seeker, described ‘switching off’ his emotions in order to answer their questions; whereas Francis, a refugee from the DRC, explained *“I wanted to look smart so I made sure I was looking good so that I look*

*serious. And when I was getting frustrated or stressed I was thinking no, don't look angry, don't move your hands or look at them bad...just stay normal and calm".* Again, this highlights the power of these arbitrary judgements of bodily behaviour: Nasr's behaviour during his interview had little connection to whether or not his claim for asylum was valid, but he was keenly aware that being *seen* to behave in a way that could be construed as dishonest or insincere could lead to him being identified as bogus, and treated as such. Nadia, a Malian asylum seeker, shed light on the gendered aspect of demeanour, explaining that she was concerned when her interviewer was a man, as in her culture it is improper for a woman to make eye contact with a man outside of her family. Usama, an asylum seeker from Afghanistan, explained that he felt judgements about his demeanour played a role in him being detained following his interview. The Home Office was disputing his nationality, arguing that he was Pakistani. He did not have any documents to prove he was Afghan, so was quizzed by a country expert. He told me that he became stressed during this process, leading him to answer questions inaccurately and become aggressive. He was subsequently told that the Home Office believed he was Pakistani, and was detained until his solicitor could gather evidence to prove otherwise. While his demeanour was not the only determinant in this decision, he felt that his confusion and frustration played a significant role. It would seem that, despite the uncertain relationship between demeanour and truth, it is nonetheless used to label asylum seekers in particular ways: their embodied behaviours are presented by the state as being indicative of who an asylum seeker *really* is, and whether they can be understood as being trustworthy.

Evidence based on an asylum seekers' demeanour — which largely involves a visual assessment of the body — can play a significant role in the state's assessment of their

credibility. It can also feed into the process of labelling and identity construction outlined in this chapter. If an asylum seeker is seen to appear or behave in a manner which throws their credibility into question, this can produce or reaffirm an understanding of them as being 'bogus'. Likewise, complying with decision-makers' assumptions about what genuineness looks like is more likely to result in being labelled as such. As Usama's example shows, this can lead to significant material impacts on how asylum seekers' cases are handled, which compel particular performative forms of subjectivity.

In exploring medical evidence and demeanour, this discussion has addressed two of the most pertinent ways that the body is often brought to function as a site of evidence. Through these examples, it is possible to draw out several broader points. First, the state relies on a variety of techniques in order to gather evidence from the body. This evidence, although incomplete and indecisive, is often presented by the state as revealing something ontologically true about that body and, by extension, about that individual. Medical evidence is seen as being indicative of suffering, or as revealing an individual's narrative as untrue; embodied behaviour is understood as providing insights into whether a person is genuine. However, this is merely an interpretation on the part of the state: the meaning of bodily evidence is highly uncertain; 'truth' is constituted in how it is interpreted. In asylum cases, the state can interpret bodily evidence in ways that are conducive to the process of labelling which this chapter has elaborated on. In many senses, utilising the body as a site of evidence involves what Pestre dubs the instrumentalisation of the body: asylum seekers are compelled to "be and stay ill" (or, to behave in appropriate ways) to make the body bear witness to their experiences, whereas the state is able to make this bodily information represent various things (Pestre, 2012).

While these processes of gathering evidence from the body are discursive, inasmuch as they function to constitute or reaffirm labels, they also go beyond language, and have material effects that *produce* normative bodies and subjectivities. An individual who provides evidence that is seen as reliable might be given rights and freedoms that enable them to act like, and *be*, a genuine refugee. Evidence that is interpreted in ways which label an individual as bogus can result in them being subjected to techniques of governance that compel them to embody that bogusness. As such, this too has an inherently performative facet. Moreover, these processes function as part of the biosovereign assemblage, inasmuch as they rely on a variety of actors and governmental processes in order to name and produce specific forms of political subjects, and can be contested and challenged by non-state actors within the system. While this is conducive to the state's governmental aims, it is often frustrating and confusing to asylum seekers themselves.

### **Reductive Labels to Reality**

Throughout this discussion, it has been demonstrated that the body can be a crucial site in terms of its ability to provide evidence and information about the identity of asylum seekers. The materiality of the body can provide pivotal evidence in an asylum claim, and oftentimes this bodily evidence is presented as more objective and reliable than narrative. The body is posited as a source of evidence that, on account of its materiality and supposed neutrality, can provide a higher-order truth, which can corroborate or challenge asylum seekers' narratives about their experiences.

I have argued that this presentation of the body as a site of truth is not only misleading, but is propagated by the state as a means of making its interpretations of bodily information appear valid. However, this is ostensibly not the case. As Hauser writes, "the body is an ambiguous form of signification. The body, as a corporeal entity, is an

organism; its biological status is not symbolic. At the same time, limiting our understanding to its status as a biological organism ignores the body's symbolic significance and the numerous ways in which it is used as a form of signification" (Hauser, 1999:2). Although the body's material surface and biological attributes *can* provide information about its particularities and experiences, the body's role as a signifier goes beyond biology: bodies can signify in more fluid, uncertain ways, the relationship between an individual's embodied experiences and the material surface of the body is not concrete. In this regard, the relationship between embodiment and narrative becomes more clear: while they differ in their form, both can be understood as expressions of subjectivity – often, political subjectivity – which go beyond the objective, the biological, the factual, and instead represent subjective and positional interruptions in dominant discourse, aimed at expressing a fuller and less reductive account. Biological bodies – like statistics- can provide certain information – fingerprints can reveal identity, and scars can point towards a history of injury – but it cannot represent the totality of an individual's experiences.

The body therefore cannot be understood as a source of objective evidence. However, the state's presentation of it in these terms is politically astute; it enables a process of labelling, whereby the state can apply normative labels to asylum seekers' bodies, which come to constitute how they are understood and how their claim progresses. By constituting bodily evidence as more reliable than asylum seekers' narratives, the state can legitimise the normative labels it has applied, irrespective of their accuracy. Often, bodily evidence is used as the justification for disbelieving asylum seekers, by highlighting discrepancies between the body and narrative, or by claiming that the meaning of bodily information is uncertain. What is presented as truth is little more

than the state's interpretation of asylum seekers' bodies, which is presented as legitimate and final.

These labels serve several political functions. First, their simplifying capacity enables the state to categorise asylum seekers according to arbitrary labels – they render both individual asylum seekers and the broader population knowable, politically legible entities, and are conducive to the efficient resolution of claims. As has been illustrated by the varied experiences presented here, precisely what constitutes genuineness or bogusness is uncertain: they are empty signifiers into which the state can place a wide variety of individuals. However, by presenting these labels as truth, truth which is often 'evidenced' by the body, the state can render them politically efficacious. An asylum seeker who has been labelled as genuine is afforded rights, protections, and services that effectively enable them to live as a legitimate, recognisable subject; whereas an asylum seeker who is labelled as bogus is denied these recognitions, and subjected to interventions in their case that respond to and reinforce this label. In recent years, this has tied in with the state's hostile environment policy – asylum seekers who are identified as bogus, dishonest, or a potential risk can be exposed to punitive and disenfranchising measures designed to make their lives uncomfortable and difficult, and ultimately be conducive to their removal from the UK. These processes of identification and evidence gathering both utilise a range of techniques and actors from within the state's biosovereign assemblage, and entail which facets of the biosovereign assemblage an individual will subsequently be subjected to.

Secondly, despite not possessing any stable ontological meaning, the labels designated by the state clearly have significant material implications: labelling does not so much *reflect* the truth of who an asylum seeker is and what has happened to them, but rather *produces* a legible, normative form of subjectivity, which effectively

subjectivities asylum seekers to state power. I have argued that this is a key mark of biosovereignty: the labels drawn from and applied to the body are simultaneously conducive to differentiating between includable and excludable bodies, and to discursively subjectivate asylum seekers into normative forms of identity that render them knowable and manageable.

That these labels, in particular the category of the bogus asylum seeker, are empty signifiers is not a particularly original assertion. What I have attempted to show here is how these reductive categories are often applied as a result of the assessment and interpretation of the body. The state examines evidence from the body not in an attempt to detect objective truth. Rather, bodily evidence is interpreted in a complex assessment of trustworthiness and risk, which produces an understanding that the state then propagates as being the 'truth' of the body, despite this clearly not being the case.

These assessments can be based on and influenced by a number of factors: culturally-imbued assumptions, bureaucrat's individual understandings, and the political climate surrounding asylum. Occasionally, assessments of bodily evidence might be legitimate, or might reflect an individual's understanding of their experiences. Often, however, bodily information and evidence is assessed in ways that do not reflect asylum seekers' understandings, or do not reflect accepted understandings of the relationship between bodily evidence and truth. The assessment of bodily information and evidence does not, as the state would claim, seek a higher level of truth, but produces *a version of truth* about the body – underpinned by a dominant discourse propagated by state power - by applying labels that are based on often-nebulous assessments of an asylum seekers' trustworthiness.

I have shown here that this process is not simply discursive, but material. Through compelling performative iterations of these normative forms of identity, the state produces the bodies it names. In Butler's terminology, this process of labelling compels particular bodily morphologies, performed on and through the body, and effectively produces normative subjects. This not only legitimises the labels that the state applies, it also has distinct impacts on asylum seekers' self-understandings, and how they are permitted to behave. Through the compelled performative enactment of normative bodily morphologies, the state's labels are materialised and re-materialised: the body is produced in line with state power, which effectively renders the 'truth' of the body little more than a political construct. In a sense, it is precisely because of the instability of bodily information that the state can harness it to forcibly apply its own normative labels. This constructed material reality is presented as reality, made 'real' through the demand that asylum seekers accede to the performative norms designated by the state. In this regard, processes of bodily identification and evidence-gathering, which pertain to uncover objective truth can actually be understood as producing politically-efficacious material reality. In the asylum system, the 'truth' of the body is often whatever the state demands it to be.

This chapter's focus on identification and evidence, and their relationship to the body, has identified the ways that state governance can performatively produce bodies, both discursively and materially, in the context of the asylum system — a key function of the state's biosovereign power. While these processes are conducive to producing a legible and knowable population of asylum seekers, they are generally focussed on individual cases: they are broadly anatomo-political processes aimed at framing and producing individual bodies in modes that are amenable to power. The subsequent chapter, which discusses the control of the body within the asylum system, builds on

the arguments presented here. Examining how state techniques of governance control asylum seekers on a bodily level, I maintain the argument that this can be understood as a performative exercise aimed at materialising normative embodied subjectivities, but extend this perspective in order to show how this is a continuous process, whereby these norms and the 'truth' they come to produce are constantly reproduced and reaffirmed. I also focus more on the collective facet of these processes, exploring how it enables the state to uphold the boundaries between inclusion and exclusion, and to monitor the population of asylum seekers, affecting a form of governmentality that affords the state a pervasive, and often pernicious, level of mastery over bodies and subjectivities within the asylum system.

## Chapter Five

### Performativity and Precarity: The Body as a Site of Control

This chapter discusses the body as a site of control. Here, I show how the biosovereign state's techniques of control materialise and sustain normative forms of bodily subjectivity, a process which functions to eliminate uncertainty for the state, but which can conversely produce precarity in asylum seekers' lives. I also discuss how techniques aimed at controlling the body, while applicable to individual cases, also facilitate the state in overseeing and regulating the broader population of asylum seekers.

Contemporary asylum systems are characterised by a culture of control (Welsh and Schuster, 2005), whereby applicants' behaviour is brought under the control of the state to ensure their compliance, or to prevent them from posing a 'risk' to society. Control is manifest in a plethora of ways, encompassing strategies such as detention and removal, to the demand that asylum seekers report to the Home Office. Control over embodied behaviours and experiences can also regiment asylum seekers' day-to-day lives and further embed them into the institutional logics of the system.

Although these techniques differ, what many of them share in common is that they seek to regulate asylum seekers on a physical level. Through the governance of the body and embodied experiences, the state can monitor and control asylum seekers, and ensure that their behaviours and movements comply with what has been deemed appropriate. In this sense, they have an inherently performative facet: the control of the body contributes to its disciplining and bringing into line with highly regulated, normative forms of subjectivity. Moreover, while my participants who were asylum seekers infrequently explicitly identified it, many of these policies are rooted

in the Home Office's hostile environment policy, and can be seen to function to instil asylum seekers' lives with difficulty and precarity, to demand compliance, and – in some cases – encourage individuals to leave the UK.

### **Chapter Plan**

This chapter develops three arguments. First, I show how the varied array of strategies of control within the asylum system are articulations of the biosovereign assemblage. On the one hand, the state uses techniques of control to eliminate uncertainty (Darling, 2011). By regulating asylum seekers' behaviour and identities, the state manifests a form of sovereign power: controlling bodies and spaces in ways that protect the state and its security, whilst determining the boundaries of inclusion and exclusion. On the other hand, bodily control is productive, and functions to sustain the forcible materialisation of normative identificatory labels which often produce precarity in asylum seekers' lives. These outcomes of control co-occur and intertwine, and function to label and inscribe asylum seekers' bodies with normative notions of identity: the normative embodied subjectivities and precarity produced via the control of the body are related, inasmuch as they perform the dual function of rendering asylum seekers legible and malleable to the state, while also depriving them of certainty and control over their embodied lives and identities. State power can be understood as a performative biosovereign assemblage: the state's techniques of control enact distinctive forms of power and identity, which are performatively materialised in asylum seekers' embodied lives and subjectivities. The body is fundamental in this process, a site which can be made to do and be certain things. Moreover, many of these strategies involve a performative iteration of state power over bodies, enacting a harsh spectacle of state power, which reaffirms the supremacy of the state within the asylum system. This chapter develops the argument about the performative nature of

biosovereign techniques presented in the last chapter, and extends it to show how, in some moments, state power can also be understood as performative.

Secondly, I argue that the state's strategies of control are targeted both at disciplining individual asylum seekers, and regulating the overall population. They are both anatomo-political and more inherently biopolitical. While particular techniques of control are specific to individual circumstances, they also affect the whole population by enabling monitoring and regulation on a collective level, and by further establishing the boundaries between who can be included and who must be excluded and potentially exposed to precarious life.

Finally, considering the impacts of control on asylum seekers, I illustrate how the regulation of the body transcends the materiality of the body, and has deep-rooted, often negative, effects on asylum seekers' self-understandings and experiences. While the control of the body may afford the state a perceived monopoly on truth and certainty, the outcome for asylum seekers is often, conversely, precarity. I show how, through controlling the body and embodied experiences, the state is able to performatively compel precarity in asylum seekers' lives, reinforcing their dependence on and subservience to the state. Precarity is not an unintended side-effect of arbitrary processes of bodily control. Rather, biosovereign power actively and purposefully produces precarity as a route to concretise and bolster the state's ability to control asylum seekers. As such, the chapter hopes to expand upon the contribution of the previous chapter: that the asylum system performatively produces normative bodies in ways that benefit the state, but are often injurious to asylum seekers. It also seeks to contribute a performative understanding of precarity in the context of asylum systems. While precarity is often understood as a material or symbolic condition

(Precarias a la Dervia, 2004). I show how state techniques of control compel precarity, which serves to reproduce the asymmetrical power relations of the system.

The chapter begins with a theoretical discussion of physical control in the context of the asylum system, showing how strategies of bodily control are aspects of the biosovereign assemblage, and how they compel performative iterations of normative subjectivities. This reiterates Butler's thought on the symbolic law and normative violence, and shows how strategies of control work to continually sustain the process of performative materialisation. This section also outlines how this affects asylum seekers' lives, with reference to how control can be productive of precarity. I go on to analyse a number of examples of bodily control. These empirical examples are divided into two sections: the first addresses techniques that are prohibitive, that regulate the body by disallowing certain behaviours and movements. The second section addresses techniques of control that demand or compel certain types of behaviour. While these differ in how they function, they both compel the performative production of normative forms of subjectivity. The chapter concludes with a discussion of how the control of the body can be seen to both produce bodies (via compelling normative embodied subjectivities) and also go beyond the body – functioning to consolidate the state's authority within the asylum system – both over individual asylum seekers, and the population more broadly.

### **Controlling and Regulating the Body: A Theoretical Discussion**

When Rashid, introduced previously, was found to have breached the Dublin Convention, the Home Office placed him in Harmondsworth Immigration Removal Centre for five months. In 2016, around 28,900 individuals, the majority of them asylum seekers, passed through the UK's immigration detention estate (Silverman and Griffiths, 2018). Asylum seekers are detained in cases where the state is unable to

verify their identity or narrative; planning their removal; suspects they pose a risk to the public or of absconding; or suspects that they have failed to comply with conditions enforced by the Home Office. As Bosworth notes, detention centres are “singularly useful in the management of non-citizens because they provide both a physical and a symbolic exclusion zone” (Lee, 2007:17). Detention epitomises the state’s ability to control asylum seekers, physically containing them and regulating their behaviours, and symbolically enacting this exclusion by removing them from the public domain.

The example of detention elucidates a number of theoretical points upon which this chapter rests. First, many of the system’s techniques of control implicate the body, as a site that can be regulated to and bring asylum seekers under the state’s management, and expose them to hostile policies aimed at demanding compliance and facilitating their exclusion from society. While detention epitomises the bodily nature of control, many of the state’s techniques of control also function by intervening in the body’s movement, engagement with space, and encounters with other subjects. In doing so, they are able to forcibly materialise and sustain specific embodied subjectivities.

On the one hand, techniques of control enable the state to enact a form of the sovereign decision. Deportation, for example, constitutes an explicit decision over inclusion and exclusion. However, these techniques also hold a productive propensity. Bodily control continues the forcible materialisation of normative forms of subjectivity, and sustains and reaffirms these norms through the regulation of the body and embodied experiences. This functions on the individual (anatomo-political) and collective (biopolitical) levels (Foucault, 1990: 139). Individual asylum seekers’ encounters with state control discipline the body: rather than simply repressing, these techniques produce the normative subjectivities constituted by the state, materialising

them in asylum seekers' day to day lives. Disciplinary power does not solely regiment the body on a physical level, but goes beyond the materiality of the body in order to fundamentally affect how asylum seekers identify. As Bargu writes, the domination of the body leads it to "interiorize its own subjection" (Bargu, 2014: 46), resulting in the production of subjects who have internalised and acceded to the norm.

On the other hand, the control of the body also works on a biopolitical level. Biopolitical power is proliferated within the asylum system through policies, institutions, and techniques of governmentality, and function to sustain and regulate the subjectivities of the population, and reproduce the normative political order. Dispersal, for example, can be understood as the control of movement aimed at ensuring that asylum seekers are geographically spread in a manner which is conducive to the state's agenda; whereas detention functions to monitor and regulate behaviour so that the population might be measured, categorised, governed, and made amenable to the state's political aims. Through this more abstracted form of governance, state power produces a manageable population. As noted in Chapter 2, the sovereign, disciplinary, and biopolitical functions of power are articulated through and alongside one another.

While the biosovereign assemblage is helpful for conceptualising the form that state power takes within the asylum system, there are several questions that it alone cannot account for. Namely, *how* this articulation of power compels bodies to accede to its demands, and how these processes affect asylum seekers' lived experiences. I suggest that both of these questions can be addressed by developing the conceptual relationship between the biosovereign assemblage and performativity. Building on the understanding of performativity outlined previously, I suggest that processes of control perpetuate the compelled production of normative embodied subjectivities. More specifically, I turn to Butler's understandings of normative violence and precarity to

better elucidate the performative aspect of the biosovereign assemblage, and its lived impacts.

As outlined, Bargu's explication of the biosovereign assemblage acknowledges the relationship between the body and state power; the fact that the body is a site upon which power is performed (ibid, page 42). Power is understood as performative, since it is only through its enactment on and through the body that it is constituted (ibid, page 46). Bargu's analysis recognises that this manifestation of power compels individuals to assume their subjection by adopting the particular embodied subjectivities demanded by power, acknowledging that the body is simultaneously subjugated and constituted in its relationship to state power. Alongside this, Butler's understanding of embodied subjectivity as performative provided a clearer perspective on how state power relates to the body illustrating how, through the practices and techniques of biosovereign assemblage, the state can compel and sustain normative forms of life within the asylum system, resulting in politically iterable subjects (Butler, 1993:1).

Butler's work also provides answers to more complex questions. First, that of how the biosovereign assemblage sustains various forms of subjectivity over time. Butler shows how norms hold symbolic force that can ensure that subjects are continually compliant. Normative violence is not physical violence, but "the mundane violence performed by certain kinds of...ideals" (Butler, 1990: 14). Norms – and normative forms of subjectivity – are violent in themselves, as they constrain the body into performatively acceding to particular morphologies (Boesten, 2014). The simultaneous repression and productivity of norms is inherently violent, and acts as the precondition for physical violence against those bodies who do not comply (ibid, page 218). Like performativity, this violence is not a one-time event. Rather, it is the *ongoing* symbolic violence exerted by norms that sustains the forms of embodied

subjectivity that bodies are compelled to assume, techniques of governance are imbued with a violence that threatens to render bodies which do not comply unintelligible and excluded. The normative milieu the state wishes to maintain and the biosovereign means by which it does so are entwined, the norms espoused by the state are performatively sustained and made to appear as 'natural' facts, and as the precondition to excluding the bodies who do not comply. This performative milieu significantly delimits the options for acceptable forms of identification and action, and encourages compliant performative citations of normative forms of subjectivity.

Secondly, Butler's work provides the conceptual apparatus for considering how the biosovereign control of the body affects asylum seekers' lives. The specific ways that individuals are affected are varied and unpredictable. However, while the control and regulation of bodies provides the state with simplicity and certainty, the outcome for asylum seekers is often the opposite. Subjection to control often results in precarity, characterised by vulnerability and uncertainty. In political terms, the notion of precarity initially referred to economic insecurity (Neilson and Rossiter, 2005: 7-8), however it has since come to denote the "juncture of material and symbolic conditions which determine uncertainty with respect to the sustained access to the resources essential to the full development of one's life" (Precarias a la Deriva, 2004: 158). Precarity can refer to any situation whereby an individual faces uncertainty concerning their social and legal rights or basic material needs (Schmaulzbauer, 2018: 44). Butler conceptualises precarity as "exposure to injury, violence, or displacement" or the "risk of not being qualified as a subject of recognition" (Butler, 2009:1), stressing the political, as opposed to the material, dimensions of precarity. She shows how precarity is an inevitable by-product of state power. While states limit precarity through ensuring the populace can access the means to secure life (ibid, page 2), this protection only

applies to certain forms of life – those which supports its normative order. Precarity emerges because forms of life that do not support this order come to “suffer from failing social and economic networks of support and become differentially exposed to injury, violence, and death....disease, poverty, starvation, displacement, and of exposure to violence without protection” (ibid). Certain classes of people are exposed to the whims of state power.

Excluded forms of life are inherently precarious, as they are denied political intelligibility and rights. However, even when an asylum seeker *does* comply with the performative subjectivity demanded of them, the inherent uncertainty of their position, the fact that their access to rights and recognition lies entirely in the hands of the state, places them into a fundamentally precarious state. Through the materialisation of normative subjectivities, the state also produces a performative version of precarity, whereby vulnerability and uncertainty are etched onto the bodies of asylum seekers and forcibly compelled through the forms of control to which they are subjected, reaffirming the authority of the state and – if an individual is to avoid exposure to violence – demanding continuing compliance. Asylum seekers’ status means that both their political intelligibility and material circumstances are vulnerable to change: a development in their claim or a failure to comply with the Home Office could lead to them being denied the right to live in the UK, and in this sense they are vulnerable to symbolic precarity. On the other hand, asylum seekers’ dependence on the state for economic support leaves them vulnerable to material precarity: the state can move them to different accommodation without warning, or demand that they travel to appointments, leaving them unable to afford basic food or hygiene products. This precarity is manifest in asylum seekers’ everyday lives, performatively compelled

alongside normative forms of subjectivity, as a way to subjugate asylum seekers and assert state authority.

The following analyses adopt this theoretical perspective to illustrate how the control of the body enables the state to reproduce its hegemonic order through materialising normative identities, while simultaneously producing precarity for asylum seekers. These two forms of production are intimately related: while producing normative subjectivities affords the state efficiency and certainty, the production of precarity attempts to condemn asylum seekers to the opposite.

### **Prohibitive Control**

This section examines strategies of control which function in a prohibitive sense, by ensuring that asylum seekers *do not* engage in certain behaviours, or *cannot* access certain spaces - and in this sense are paradigmatic of the hostile environment policy, which seeks to prevent illegal immigrants from accessing services and participating in life in the UK. Such techniques are repressive inasmuch as they ban certain bodily behaviours. However, they are also productive, as they function to materialise and sustain embodied subjectivities in particular ways. Many of these strategies depend on a logic of exclusion or criminalisation: by removing certain asylum seekers from the public domain or by associating them with risk, the state is able to “differentiate decisively between citizens and noncitizens and to categorise the various groups of non-citizens” (Bosworth and Guild, 2008), and thus legitimise the labels it has applied to asylum seekers.

Strategies of control that function by disallowing the body from engaging in certain activities work to implement the sovereign decision between inclusion and exclusion, and to continually materialise normative, ‘risky’, forms of subjectivity. Many techniques spring from the state’s desire to create a ‘hostile environment’ for immigrants, and

involve explicit displays of state power. In this sense, state power itself can also be understood as performative: as the “embodied practice of legal discourses” (Martin and Mitchelson, 2009: 468), which works to make the power of the state tangible, publicly indicating its capacity to govern and legitimacy.

### Detention

Detention is the archetypal strategy used to control the body within the asylum system. Detention centres, formally Immigration Removal Centres (IRCs), are usually built to the same standards as Category B prisons.<sup>14</sup> While they are generally managed by commercially-driven, non-state actors, these are tasked with implementing state policy and abiding to Home Office rules. Detention seeks “proactive control and risk management rather than normalization” (Dicken, 2010: 88) and asserts immediate and explicit control over asylum seekers’ behaviours and routines. In most centres, detainees are locked into their rooms at night; counted; their activities and behaviours are closely monitored by guards; and their leisure time is limited. NGO and media reports have revealed a litany of shortcomings within the UK’s detention estate, including: ‘chaotic’ provision of medical services (Independent Monitoring Board, 2015); detention of vulnerable individuals, such as torture victims and pregnant women (Medical Justice, 2013); misuse of solitary confinement (Harris, 2015); lack of complaints procedure (Hogg, 2014); and violence against detainees, including cases of guards sexually abusing detainees (see HM Inspector of Prisons, 2017; Birnberg, Pierce and Partners et. al., 2018). Indeed, since the rollout of the hostile environment policy and its expansion of the use of immigration detention, there have been 14 recorded deaths of asylum seekers in custody (Inquest, 2018) The government’s

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<sup>14</sup> Category B refers to prisons designed to hold inmates who are not considered dangerous enough to require maximum security, but who nonetheless are considered enough of a risk that stringent security and monitoring is required.

approach to detention was widely criticised in Shaw's 2018 review of the detention estate, and prompted the Home Office to develop its 'adults at risk' policy, aimed at safeguarding and protecting vulnerable adults in detention.

The control affected by detention enables a "political discourse... [of] archaic criminology of the criminal type, the alien other" (Garland, 2001:135), and functions to enact a distinction between the 'safe', knowable individual, and the 'alien other' who requires monitoring or punishment. However, this control does not simply differentiate between people who *already* embody these categories. Rather, it is *through* the control of detention that bogus subjectivities are materialised. By subjecting asylum seekers to bodily control that indicates criminality and danger – and by asserting the threat of removal or further disenfranchisement – the state performatively asserts its power, and ensures that normative forms of subjectivity are materialised on an everyday level. Biosovereign power is accompanied by normative violence, this can be witnessed in the reasons that asylum seekers are detained; their experiences within detention centres; and in the provision of services within detention.

First, the reasons that asylum seekers are detained are often less indicative of their genuine circumstances, and more a route for the state to subject them to techniques which will not only monitor behaviour, but also ensure that undesirability is inscribed onto their bodies, constituting them as criminal or risky.

One interviewee who worked with detainees explained that while many individuals are detained for reasons which meet legal criteria, many are detained unjustly (Medical Justice, 2013). Moreover, she regularly encountered individuals who seemed to have a strong claim for asylum, but had been detained because they were unable to

corroborate their narrative. Detaining such individuals identifies them as posing a threat, irrespective of the reality of that threat (Malloch and Stanley, 2005: 55), and demands that they comply with behaviours that make that threat appear real. Through physical incarceration and the control that accompanies it, normative embodied subjectivities signifying uncertainty and risk are maintained and reaffirmed, and the state is able to present itself as capable of effectively managing the population of asylum seekers. Illegitimacy is produced through the disciplining of bodies.

The experiences that asylum seekers are subjected to within IRCs can also be seen as articulations of biosovereign power, which utilise normative violence to sustain the performative enactment of particular forms of subjectivity. The examples of Rashid, whose experiences have been discussed previously, and Usama, a Syrian refugee who was detained, highlight how biosovereign control within IRCs simultaneously produces both normative subjectivities and precarity.

Rashid, who spent five months in detention, discussed how there were a lot of rules in the centre. *“They tell you what to do, you can’t go places”*, he said, adding that he spent most of his time in his room, where guards would bring him food and medication, but did not talk to him. His embodied activities were so regimented that his body became fixed in place and inert, an object that the state actors in the centre could observe and manage. Not complying with the rules meant risking being sent to a higher security wing. He also feared that the Home Office would ‘use’ any transgressions to expedite deportation proceedings; he was aware of the pressure to comply. Usama, who spent three months in Colnsbrook IRC after the Home Office wrongly suspected he was lying about his nationality, described similar experiences:

*“It wasn’t nice. I was allowed to have my reading... and also...the people in there could talk to each other. But it*

*was bad because...they lock you in the room at night....and they tell you when you have food or when you can go outside”.*

Usama added that the conditions in the centre were often frightening, as fights or violence would break out, and that while he was never subjected to any physical violence, he witnessed it on many occasions. As a result, he ‘kept quiet’ and complied with the routine of the centre. Not only did the rules of the centre compel him to accede to a normative mark, he was also concerned about the risk of physical danger.

These experiences are characteristic of many aspects of detention. Although levels of freedom vary between centres, the physical confinement and regimented activities that detainees are subjected to is underpinned by biosovereign power: detained asylum seekers are physically separated from society, denied the opportunity to freely associate. Darling notes that, in this respect, detention enacts a form of sovereignty aimed at protecting the state by controlling bodies (Darling, 2011). Detention also forcibly compels detainees to behave in certain ways, which ultimately means that they performatively assume normative forms of subjectivity which represent criminality, bogusness, or uncertainty. By enforcing particular physical behaviours and routines, detainees have little choice but to accede to these performative expressions. The threat of punishment exists on both a symbolic and material level: asylum seekers who do not comply may face violence, solitary confinement, or heightened risk of deportation; but they also face rendering themselves unrecognisable political subjects, demonstrating the violence of the norms that the state demands asylum seekers embody.

For the state, detention allows the control of asylum seekers on both an individual and collective level. On the individual level, the restriction of movement and activities

enforces exclusion, and compels the performative enactment of normative subjectivities. On the collective level, IRCs enable the state to monitor the broader population and enforce particular ‘institutionalised’ behaviours. However, the materialisation of a normative order does not produce regularity for detainees, but rather precarity. Usama and Rashid explained that they lived in constant fear, as they were aware that they might be subjected to physical violence, moved to another IRC, or removed from the country. Griffith notes that this “chronic instability” (Griffiths, 2013b: 263) is part of the paradox of detention, where the state is felt heavily and immediately, but where detainees’ lives are characterised by unpredictability. Within the detention centre, precarity is not simply felt or enforced in an abstract sense. It is *produced* and performatively compelled alongside normative, embodied subjectivities. Rashid hiding in his room, carefully avoiding any contact with guards that might get him into trouble, and Usama’s diligent attempts to avoid physical violence, show how the environment within the detention centre can produce precarity in asylum seekers’ embodied behaviours and embed it into their subjectivity, entrenching vulnerability and uncertainty.

Finally, the provision of services within the detention estate also contributes to the biosovereign logic of exclusion and production, and to the production of precarity. While the material conditions vary across centres, every IRC provides some level of medical care, English lessons, and fitness activities. However, the fact that such services exist does not mean that detainees are able to reliably access them, something which can reinforce precarity. A participant who had spent time visiting detained asylum seekers explained that she was often asked to provide basic items such as shoes, soap, and sanitary products, suggesting that many detainees are not

provided with such essentials. More concerning, medical services are often overwhelmed and difficult to access (British Medical Association, 2017: 5).

This lack of reliable service provision in IRCs causes significant problems for detainees, many of which manifest on a physical level, as one participant noted:

*“What you tend to see with detention is.....people’s conditions deteriorate, people’s symptoms come back. Past traumas are re-lived....You see a lot of mental health impacts....harm caused by guards during removal attempts, harm by caused by physical restraints, quite high levels of self-harming.... connected to the mental health impact of detention. ”*

A 2016 report by the charity Medical Justice noted that inadequate access to medical care and systemic failings in care, including lack of attention to medical complaints, the use of physical restraints, and severe mental illness, had been contributing factors in many of the 35 recorded deaths within detention centres since 2000 (Medical Justice, 2016). Detention does not only discipline and regulate the body, it can also be seen to pose a significant risk to asylum seekers’ bodily integrity and wellness, something reiterated in the Shaw Report (Shaw, 2018).

As well as exacerbating existing physical conditions, detention can cause mental health issues (Silove et. al., 1997), and poses a high risk of re-traumatising detainees who have suffered torture or abuse (Medical Justice, 2012). Reports of abuse and violence by guards employed privately by the companies that run centres compound this problem. Despite the centre’s management claiming to offer a “comprehensive range of welfare services” and an ethos of “decency and respect”<sup>15</sup> in 2015, Channel

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<sup>15</sup> This is set out on Yarls Wood’s official website

4 aired a documentary from Yarl's Wood IRC (Channel 4 News, 2015) showing degrading treatment and physical violence against the all-female detainees by guards. This was followed by media articles outlining abusive and violent practices in IRCs, and a 2017 BBC Panorama documentary on Brook House IRC, showing violence and mistreatment. Participants confirmed this: Usama described how he feared that the violence he witnessed would one day affect him; more disturbingly, a participant who had worked at Yarl's Wood, which houses only female detainees, recounted an asylum seeker becoming pregnant during her time there.

By regimenting activities and denying access to services, the state is able to produce undeserving or dangerous bodies within detention centres. Moreover, detainees' exposure to violence, lack of resources, and uncertainty over their future also produces precarity. This precarity, however, is not simply exerted over detainees. Rather, through exposure to violence at the hands of state-employed actors and the threat of punishment should they not comply, precarity is materialised in their embodied lives, reflecting and cementing their more abstract lack of rights.

### Removal

Like detention, removal represents an inherently bodily form of control, physical expulsion from the country. It is prohibitive, inasmuch as deported individuals are denied the right to reside in the UK. In 2016, 4117 asylum seekers were removed from the UK (Blinder, 2018) epitomising the hostile environments aim to remove individuals in the country 'illegally'. Again, this procedure is ordered by the Home Office, but is usually carried out by privately contracted companies. While UK law stipulates that asylum seekers can only be deported to safe countries, such as other EU states or 'white list' countries, there is evidence to suggest that the government routinely deports asylum seekers to dangerous countries (Amnesty International, 2017).

Fundamentally, the threat of removal, of being sent back to the country in which an individual claims to have suffered persecution, carries a vulnerability. Often this vulnerability is physical: the threat of removal carries with it the threat of exposing the body to violence and harm.

The removals process affects exclusion and precarity in other ways. Prior to removal, individuals are usually held in detention, or required to regularly report to the Home Office. Then, they are taken to an airport, and made to leave the country. Even when removal proceeds smoothly, it constitutes a clear act of exclusion. By physically removing individuals who have been deemed risky or undeserving, the state asserts its power over who can be deemed worthy of inclusion, and politicizes those who have been excluded as 'others'. Huysmans and Buonfino note how removal has become a key strategy, based on a "rhetoric of exclusion and fear...combined with a political demand for intensifying control of the...movement of people" (Huysmans and Buonfino, 2008: 766) as a means of promoting security. While this is a valid observation, the rhetoric of exclusion is not solely focussed on security, but also the preservation of 'national identity' and the boundaries of who can be legitimately included.

Removal does not only physically exclude 'failed' asylum seekers. It also materialises them as 'others' who cannot be trusted, and who come to represent the constitutive outside of citizenship. It discursively frames and performativity compels the production of 'deportable' bodies, materialising a normative embodied subjectivity which is indicative of the dishonesty and exclusion of those bodies and individuals. In this sense, removal also demands a particular performative response: techniques of governance such as surveillance, detention, and the physical act of removal materialise negative forms of subjectivity, producing certain asylum seekers as

'removable', and sustaining this through their treatment. This justifies the state's decision and maintains the differentiation between 'genuine' and 'bogus' asylum seekers. 'Illegality' is not just a legal status, it is also an enforced socio-political condition (Willen, 2007b), whereby exclusion and abjection are performatively compelled from deportees, so that illegality is made real through their bodies and experiences, which can then be posited as the opposite of the bodies and experiences of citizens or 'genuine' refugees.

I spoke with a number of professionals who had been involved in the removals process, and with asylum seekers who were or had been threatened with removal. These cases are illustrative of three aspects of my argument: firstly, removal is both productive and exclusionary, and can be understood as biosovereign. Secondly, this exclusion does not only produce normative subjectivities, but also a performative iteration of precarity. Finally, that the act of removal often involves physical violence, exposing asylum seekers' not only to symbolic, but also material, harm.

One participant who had worked with removal cases explained how she frequently encountered the Home Office's intransigence. "*There was a constant battle between [her organisation] and the Home Office*". She would find cases of asylum seekers who were torture victims or pregnant, but that the Home Office would "*try to deport someone quite quickly, before the lawyers could get to them*". She described how most asylum seekers who had been given a removal notice were kept in high-security detention, and had shoddy access to legal representation. Another participant discussed how individuals who had been identified for removal were sometimes located and detained in the same manner as a criminal arrest, which was confusing and humiliating. This suggests that once the state has labelled an asylum seeker as removable, it is difficult to overcome this decision, and the techniques of governance

that they are subjected to often function to further materialise illegality. On the one hand, the decision to deport can be understood as a sovereign decision: whereby the state banishes excluded bodies. However, the use of arrest-like techniques and high-security confinement also implies that the state actively produces some bodies as deportable (Nijhawan, 2005) by compelling certain kinds of behaviours.

This also supports the idea that removal proceedings produce precarity in asylum seekers' lives. Asylum seekers who are removed are denied further protection from the state, and turned over to the prospect of violence. Moreover, during the lead-up to a removal, their separation from their families and social support networks and confinement in prison-like conditions, strips them of rights in a manner reminiscent of Agamben's notion of the sovereign decision. Bodies are labelled as deportable, and this is materialised through specific techniques of government. As Walters notes, the removal process draws on both a sovereign logic of expelling undesirable others, and a logic of governmentality in which the state actively produces these undesirable bodies (Walters, 2002).

This denigration of rights results in precarity for asylum seekers. Beyond positing *symbolic* Precarity, by exposing asylum seekers to fundamental uncertainty about their future rights and safety, the removal process can also produce precarity through the body. As one participant explained, the abstract and material manifestations of precarity often coincide and constitute one another, producing a lived reality characterised by total uncertainty:

*"There's a constant terror, people are...genuinely terrified about being sent back. And a huge frustration with...not really knowing...So they end up doing a lot of stuff, like someone will hear a charter flight is happening and they'll ring someone else like OK, there's a charter flight happening back to*

*Nigeria... so everyone is just waiting to hear the next thing. I think, just that sense of not being able to get on with anything.....not really knowing what to do, just stuck. A limbo”.*

For asylum seekers threatened with removal, life is permeated by symbolic precarity. However, this comes to be performatively materialised in their embodied experiences: they are placed into high-security detention, and separated from their families. Precarity is produced and materialised, as a way to performatively assert the state’s dominance. This is exacerbated by the physical violence that often occurs during the removals process (Brinberg, Pierce, and Partners et. al., 2017). The process of transferring asylum seekers to the airport is the responsibility of private contractors, and there have been reports of physical violence. One participant explained *“[Removals are] really horrific....I saw quite a lot of horrible things...I was visiting one lady and she was absolutely tiny, and she had four grown men pin her down and put her into the van... a lot of physical aggression is used then and maybe handcuffing”*. In addition to the precarity that accompanies removal, the techniques of governance used to actually achieve the removal of bodies employ physical violence, further materialising the exclusion and denial of rights that has been applied to them. Strategies such as handcuffing and restraining also reproduce and materialise ideas about criminality, and work to further justify the state’s actions.

Reports from asylum seekers who had been threatened with removal support this analysis. Lena was threatened with removal after her initial asylum claim was rejected: *“I [didn’t] know if there was anything I [could] do to change their mind. They [said] ‘we know it’s hard if we turn you back.... but you can get free medication and free things [in the Ukraine] so you should just go back”*. A second asylum seeker, a Kurdish man who was put on the plane for removal back to France, but whose removal was cancelled at the last moment after a legal challenge, explained how he felt as though

nobody was listening to him and '*that [the State employees carrying out his attempted removal] didn't care what happened*'. He was made to wait in solitary confinement, and restrained *en route* to the airport. Although these removals never came to fruition, these experiences of being threatened with removal show how the process is embroiled in the state's biosovereign assemblage, and how it controls bodies in specific ways: bodies that have been marked as 'deportable' are threatened with abjection and exposure to harm. On the other hand, the threat of removal also involves normative violence that demands asylum seekers accede to forms of control that produce them as criminal or uncertain. The Kurdish man did not dare to resist being confined or restrained, lest it further damage his case or expose him to more violence. He embodied a particular normative subjectivity despite the fact that, in doing so, he exposed his body to violence. These experiences highlight how the removals process involves a sovereign decision over which bodies can be excluded, and how 'deportability' is produced on the body.

Asylum seekers who had been threatened with removal also consistently reported experiences characteristic of precarity. Amir, an asylum seeker from Afghanistan, was told he may be liable for removal when his claim was denied, an experience which he said left him feeling "*so [frustrated.] I really [felt] down and I [felt] really alone...*" Amir was fearful about what would happen if he was sent back to Afghanistan, but what affected him most was the uncertainty and exclusion that the threat of removal wrought in his everyday life: his existing health complaints worsened and he was unable to get anything but emergency treatment; and he constantly feared that he would be detained. Precarity came to permeate his embodied experiences, it was performatively compelled from him after being threatened with removal. Lena echoed this, saying that her experiences left her worried that she would not be able to support her daughter as

a result of having reduced state support during this period, which left her feeling vulnerable. Again, the embodied experience of precarity was compelled in a way that reinforced her disenfranchisement.

The experiences of asylum seekers who have been threatened with removal also show how techniques of bodily control exclude certain individuals, and produce 'deportable' bodies by compelling performative subjectivities. In this sense, deportability can be understood as more than a legal designation: it is also an embodied experience that crafts specific forms of subjectivity. Removal is a fundamentally biosovereign exercise, which relies on the control of the body to achieve its aims. Second, the spectacle of removal, its totalising and visible nature, means it can be understood as a performance of state power itself: a way for the state to indicate its sovereignty and control over the system. On the other hand, for the asylum seekers who are removed or threatened with removal, the exposure to danger that it entails produces precarity.

### *Dispersal*

The current dispersal regime exerts a considerable amount of control over asylum seekers' movements and everyday lived experiences, and is prohibitive inasmuch as it denies asylum seekers freedom of movement: they are denied any choice in where they are sent to live, and are often unable to travel due to either financial restrictions or fear of missing Home Office communications. Phillips (Phillips, 2004) recognises dispersal as a key element of the hostile environment, and Gill has identified the enforced movement and stillness of dispersal as "governance through mobility", whereby state practices entail "strategies of mobility that serve to deprive asylum seeking communities of geographical stillness and, consequently, also often

undermines their psychological stability” (Gill, 2009). Dispersal is also productive of dependent subjectivities, and compels precarity in asylum seekers’ lives.

Until 2012, accommodation was managed by local authorities, but since then it has been managed by private firms – G4S, Serco and Clearsprings – which are contracted by the government agency COMPASS (Politowski and McGuinness, 2016). If an asylum seeker is approved for Section 95 support, they are not given any say in the location or type of accommodation they are designated, and they can be moved at any time. Asylum seekers are usually given their own flat if they have dependents, or are provided with their own room in a shared house. However, in many cases individuals are placed into shared rooms or B&B accommodation. As of 2015, 99 local authorities had been designated as dispersal areas (ibid) and in 2016, over 38,000 asylum seekers were being accommodated in this way. The number of asylum seekers who require accommodation has led to concerns about the capacity of state organisations, contractors, and local communities to meet the demand, and the system has been criticised for placing the majority of dispersed asylum seekers into low-income areas which often have pre-existing problems with community cohesion and service provision (Lyons and Duncan, 2017).

There are therefore clear political motives underpinning dispersal. However, while dispersal enables the state to manage the population of asylum seekers, and can be seen as an economically-driven, biopolitical form of governance – it also has pervasive effects on individual asylum seekers. Dispersal functions to physically control asylum seekers by monitoring and regulating their movement and, in doing so, produces forms of embodied subjectivity that represent both domination by and dependency on the state. Dispersal ‘fixes’ the population of asylum seekers in one place, making them

knowable and easy to monitor for the state, but this governmental certainty comes at the cost of uncertainty and precarity for asylum seekers.

The experiences of participants who had lived in dispersal accommodation almost all involved frequent moving between houses and cities. Nasr, a Sudanese asylum seeker, told me that he had lived in many houses in four different cities over a decade. He was never given any choice in where he was sent, and on a number of occasions was sent to a new town that he had never previously visited. Musa, an Eritrean refugee, echoed this, saying that when the Home Office told him he would be sent from London to Stoke-on-Trent, he “*didn’t even know what that was*”. Many other participants described similar experiences of being uprooted, and not understanding where they were going or why they had to move.

The experience of being physically moved to new accommodation, and sometimes to a new city, and the loss of support networks that accompanies this, is not only disorienting and distressing, but compels behaviours that performatively embody obedience to and dependency upon the state. Asylum seekers who require accommodation do so because they are unable to support themselves. They therefore have little choice but to abide to the rules that accommodation providers impose – which often involve sharing accommodation with strangers, or limitations on visitors – lest they risk losing their accommodation. This also means that most asylum seekers cannot object to being moved between properties. Gill notes that this enforced movement curtails freedoms in manners that ‘confirm [asylum seekers’] continuing compliance’ (Gill, 2009) and contribute to their production as marginalised subjects. It compels performative behaviours that indicate compliance, but also materialises forms of subjectivity that are simultaneously marginal to and dependent upon state support.

Examples of this can be found in cases from my fieldwork. Nasr explained “*I only come here because....they give me accommodation here....they just tell me a few weeks before that you have to move and then you have to go*”. He told me that he had been given no choice about where he was moved to, and that he didn’t have any connections in the city. He was unable to refuse the Home Office’s demand, both because he would have been left homeless, and since he feared that not complying would mean he was viewed as disobedient. Musa echoed this when he discussed being sent to Stoke-on-Trent. Given no choice about where he was accommodated, Musa found himself in an unfamiliar city, sharing a house with strangers. He recalls being very bored during this time: “*it was just me...I was bored...I couldn’t work, nobody was allowed job and nobody had money so I couldn’t....do anything*”. He was completely dependent on the state, and unwilling to travel outside town or break any of the Home Office’s rules, not wanting to jeopardise his claim or financial support. Nadia, an asylum seeker from Mali, described how she was sent to Scotland with her family. The one-room flat they were given was ‘*not nice at all*’ but, seeing no other options, the family didn’t complain and stayed in the small, unclean room for a month until they were moved. Nadia explained that they had nowhere else to go, and feared that complaining about the flat would draw negative attention to her claim. These instances show how the dispersal regime promotes performative iterations of compliant, dependent embodied subjectivities. Putting bodies in specific places, impeding movement, and regulating activities is conducive to this. Moreover, the threat of being denied recognition and support acts as a strong motivator, and ensures that asylum seekers continue to comply with the forms of embodied subjectivity that have been deemed appropriate.

One outcome of the dispersal regime is that, while it generates stability for the state, which is able to monitor asylum seekers, the opposite is true for asylum seekers. One recurring issue is the low, and often dangerous, standards within dispersed accommodation: in 2017, the Commons Home Affairs Select Committee branded some of the accommodation provided to asylum seekers 'shameful', identifying infestations, unclean conditions, and a lack of support as common problems (Home Affairs Select Committee, 2017). Lena complained that she and her young daughter – who had health problems – were given a room in a damp shared flat, and Nadia described the room her family was given as dirty, ill-equipped, and cold. Dispersal not only controls physical movement, but also often exposes asylum seekers to conditions that are often unpleasant, and at worst a health risk. Dispersal also produces significant uncertainty for asylum seekers, and instils their embodied experiences with precarity. Many of them do not know when they might be moved; where they might be sent to live; or when their accommodation may be terminated. Being transferred between houses can uproot their lives, and lead them to feel isolated.

On one occasion during my participant observation, a Somali asylum seeker named Amina was distraught because she had been told that she was to be moved to a different area of the city. As a result, Amina would struggle to attend English lessons and support groups, as her new accommodation was too far for her to walk, and public transport was too expensive. Amina had worked as a healthcare professional in Somalia, and was keen to resume her career once her claim was settled. However, she relied on the free English lessons in the community centre, as she needed to improve her English before taking the exams for her qualifications to be recognised in the UK. She was worried that being unable to attend lessons would delay her plans, and that she would be unable to find work if her claim was judged positively. Amir and

Kamal, both mentioned previously, described how their accommodation was abruptly terminated when their initial asylum claims were denied, meaning that they were forced to rely on friends and charities for accommodation. The state's provision of accommodation is conditional, and subject to be altered or withdrawn at short-notice. These instances illustrate how, alongside producing performative, normative subjectivities, the dispersal regime inevitably also produces precarity. However, as the accounts above indicate, this is not solely symbolic precarity. Rather, it too is performatively compelled, it perniciously dominates embodied experiences, and is *lived* by asylum seekers so that it comes to define their situations.

Accommodation dispersal, while valuable to many asylum seekers, ought to be understood as a technique of the biosovereign assemblage. It enables the state to monitor asylum seekers *en masse*, and provides an environment in which specific forms of subjectivity can be produced. Moreover, rather than providing a sense of 'home', the physical control and threat of being moved or denied further support means that dispersal also produces precarity for asylum seekers.

### Waiting

The final form of prohibitive control addressed here is the element of waiting which characterises almost every asylum claim. The Home Office states that asylum claims are 'usually' resolved within six months (UK Government, 2018), but this is often not the case. Whether due to bureaucratic delay; a 'complex' case that requires in-depth investigation; or the demand that an applicant provide further evidence, asylum claims often take significantly longer to process – indeed, in 2017, The Guardian estimated that almost half of the asylum claims submitted to the Home Office were delayed (Travis, 2017). Many claims can take years to resolve, and appeals can further add to the length of time it takes to reach a final decision.

For asylum seekers, this means a lengthy period of waiting. This period of waiting is inherently prohibitive, since there are a number of limitations on their activities: they are not permitted to engage in paid work; often tied to state-provided accommodation; unable to access advanced education; and often live in financial hardship. While waiting is less obviously embodied than the other phenomena discussed here, it is bodily inasmuch as it curtails asylum seekers' activities and – much like dispersal – can produce embodied subjectivities characterised by dependency and compliance. Waiting fixes bodies in specific places, submitting them to particular regimes of control, and limiting their activities and interactions. Normative violence permeates this time, as any transgression means that an asylum seeker risks damaging or further delaying a decision on their claim. While some asylum seekers utilise this time productively, it is innately precarious, given that they are unsure about the outcome of their claim and what will happen in the future. As a result, many asylum seekers report significant stress during this time, as a result of both their diminished material circumstances and uncertain legal status.

The majority of the asylum seekers I encountered mentioned long periods of waiting, characterised by restriction and receiving little information from the Home Office, as one of their chief frustrations. Nasr, who had been in the UK for seventeen years at the time of interviewing, explained that lengthy periods of waiting were “*frustrating, because it's not like six months or a year, you know....[it's a] long time, you're not allowed to work, and that's ....I don't know how to explain...*” Nasr felt as though he was “*being held still*”, in terms of both his inability to physically travel, and the delay in settling his legal status. This suspension was not innocuous for him; he was aware that missing an appointment with the Home Office or being caught breaking rules could jeopardise his case. This control over the behaviour of asylum seekers during the time

spent waiting can compel specific kinds of embodied subjectivities – chiefly compliant, dependent subjectivities – which are closely monitored and regulated. Moreover, the threat of punishment should one unsettle these norms is felt acutely. The state does not always need to actively threaten asylum seekers with concrete forms of punishment, the normative violence that permeates the system and acts as a symbolic threat of punishment generally assures compliance.

Lena, who at the time of interviewing had been waiting for a decision for three years, said:

*“It’s a long time. It’s just like you’re suffering all the time and you think that it will never end.... they don’t refuse you straight away or they don’t make a decision straight away, at least for me....it took me a year to have a negative decision the first time, so one year....I was just waiting, waiting, waiting, waiting...Why do they let me just wait so long?”*

*Sometimes when I think that....if I will have to live all my life like this, I’ll just go crazy... I’ve seen people who have been waiting for ten or eleven years, they’re still young in their thirties. And they.... just feel low all the time and they don’t see any light anywhere, so I....don’t want that”.*

Lena also referred to the demand that she did not work. This, she felt, prevented her from achieving self-sufficiency, and meant that she was unable to cultivate skills and networks. She felt she had been left to wait in a state of enforced inertia, dependent on state support. This dependency demands compliance and enables easier monitoring: asylum seekers who do not have access to income are likely to remain in one place, and have, in other research, reported sticking to set routines (Bagelman, 2016). Sales argues that this functions to produce asylum seekers as “undeserving”. Depriving them of the ability to generate income “[underlines] the dependence of

asylum seekers on welfare benefits, fuelling public perceptions of them as a 'burden'" (Sales, 2002: 456). The control affected by the state during this period of waiting is not a bureaucratic necessity, but a deeply politicised period in which the state can regulate asylum seekers' behaviours in manners which produce them in certain ways. Moreover, threat of punishment meant that most of the individuals I spoke to reported abiding by the Home Office's demands. In this regard, waiting functions as a strategy of control: through prohibiting certain embodied practices, the state can utilise this time to compel specific behaviours and subjectivate individuals.

This can have significant impacts on asylum seekers. Participants reported that this time had proven to be a major source of anxiety because they were unable to provide for themselves, and because of concerns about the outcome of their claims. The experience of waiting produces embodied experiences that are dominated by precarity, and compels asylum seekers to performatively *live* a precarious life. Musa explained: "*It is hard when you are waiting....you know I think that not having a job is hard, because I had not enough money. I had food and I had house but I couldn't do anything, I was just there*". Musa's experience of being 'just there', and having no control over his future or his ability to support himself shows how he was made to embody precarity: he was physically present, but his future presence and quality of life were far from assured. Brekke has written on how waiting is often characterised by uncertainty, which poses a barrier to integration and empowerment (Brekke, 2004). Waiting often becomes stagnant time for asylum seekers, in which their lives are dominated by the asylum process. Musa explained that, while he waited for his claim to be accepted, he spent his days sitting in the house, occasionally talking to the other men he lived with, but generally occupied with the process of his claim and his future. This reinforces the idea of enforced waiting as productive of particular kinds of docile,

dependent subjects, whose everyday lives are permeated by precarity. This said, some participants reported using this time in a manner they felt was productive. Lena began to improve her English, and started voluntary work and public speaking, which she hoped would act as good work experience. Her drive to make the most of the waiting time echoes Rotter's assertion that many asylum seekers are able to use this time in a way she felt was affective, by constructing social networks and pursuing education (Rotter, 2016). However, this seldom overcomes the control of the state and the precarity that this control produces: asylum seekers awaiting a decision are still regulated by the state, and compelled to behave in compliant ways.

Thus far, this discussion has addressed techniques of control that function prohibitively, by disallowing asylum seekers to access certain spaces or engage in certain behaviours. These techniques repress and exclude, functioning in a sovereign manner, but they are also productive, both in their ability to compel particular forms of performative subjectivities, and in their production of precarity in asylum seekers' lives.

### **Demanding Control**

In contrast, this section examines *demanding* techniques of control, which dictate what asylum seekers must do, where they must go, and how they are permitted to spend their time. These techniques are obviously productive: by compelling specific behaviours, the state can produce performative subjectivities that support its political agenda. As opposed to using the body as an object which can be conditioned and brought to represent certain things, these techniques focus more on the body as a site of subjectivity which can be brought to *be* certain ways. However, many of these compelled behaviours also function to exclude, marking them as inherently biosovereign. These techniques are bodily in the sense that they serve to regiment

and control asylum seekers' embodied practices and experiences, causing significant impacts on asylum seekers' lives and subjectivities.

### Reporting

The first technique addressed here is perhaps the most common: the demand that asylum seekers regularly 'report' to the UK Visas and Immigration Agency, part of the Home Office - The reporting regime is a core part of the hostile environment – it enables the state to monitor and supervise them, and asylum seekers' financial support can be stopped if they fail to comply. They might be required to report at six-monthly, monthly, or weekly appointments – this is determined according to how 'risky' an individual is seen to be. Asylum seekers are given a date and time that they are to report, and are required to bring their immigration documents and proof of identity (UK Government, 2018b). Failure to report, or lateness, can result in punishment. At each appointment, there is the threat of being detained if an individual is found to have breached Home Office rules. The NGO Detention Action estimated in 2014 that as many as 60,000 people were required to report to the Home Office, a figure that was chiefly, but not exclusively, asylum seekers (Ohtani and Phelps, 2016). The state presents this demand as a mechanism for monitoring, and ensuring that no individual poses a risk to society.

Arguably, the demand that asylum seekers report is more insidious. It is conducive to the creation of a hostile environment, and a mechanism for policing asylum seekers inside the state. In this regard, reporting is a manifestation of both anatomo- and bio-political power: it allows the state to oversee the movements and behaviours of asylum seekers; remove 'risky' individuals from the public domain; and monitor the population more generally. Regular reporting produces uncertainty for asylum seekers, and reiterates the state's power over their legal status and embodied lives. The threat of

being detained at a reporting appointment functions in the manner of normative violence: if an asylum seeker does not abide with the state's demands, they risk losing fundamental freedoms. Burrige notes that the reporting process is reminiscent of bail conditions imposed in criminal cases (Burrige, 2017) compelling forms of behaviour indicative of criminality and risk, presenting asylum seekers as uncertain subjects who need to be regulated. For the individuals who are required to report, this can produce overwhelming anxiety and uncertainty, and further materialise precarious lives.

I focus on three aspects of reporting: its propensity to produce particular types of subjectivities; the effects of controlling movement and behaviour in this way; and its production of precarity and emotional upset.

The demand that asylum seekers regularly report cannot only be understood as a form of monitoring, but also functions to produce embodied subjectivities that materialise criminality, uncertainty, or risk.

Kamal felt as though the reporting process was more pernicious than the Home Office presented it. Rather than enabling the state to monitor asylum seekers, he felt it involved a fundamental threat of punishment: if an asylum seeker has transgressed, or if the state *feels* they have transgressed, reporting can be a moment at which labels are applied and materialised. Kamal explained that, at one of his reporting appointments, a Home Office member of staff confused him with someone else, and accused him of working illegally. He was detained for 24 hours at a local police station, and for the next three months was required to report weekly. Kamal explained that the experience made him feel like a criminal, and made him *act* like a criminal and feel significantly afraid about what might happen to him. *"I don't have a problem because if someone committed some crime, they have to detain you know...but [in his case] it*

*was pressure, you know. They make you pressurised*". Despite this, Kamal knew he had little choice but to comply, lest he could be detained more permanently or face other punishments. His experiences illustrate how reporting transcends monitoring, and can also materialise particular forms of subjectivity. Another participant, an asylum seeker from Sudan, said he felt ashamed of his reporting appointments and chose not to tell his friends where he had been, as he felt that presenting himself to the authorities made him look bad. In this sense, the demand that asylum seekers report can be seen to materialise negative forms of embodied subjectivity, which often mirror those associated with criminality, and thus produce uncertainty and risk on the bodies of asylum seekers, perpetuating the labels that have been applied to them.

Kamal mentioned that, while he was stressed by his experiences, some of his friends had been made so anxious by the reporting routine that they were unable to walk past the reporting centre without becoming panicked. They physically altered their routines, in order to avoid further encounters with the state. Physical avoidance of the state and its immigration apparatus is a phenomena explored by McKay, who notes it as a technique used by many irregular migrants in order to avoid the vulnerability and risk they associate with coming into contact with the Home Office (McKay, 2016: 137-8). This aspect of evading contact with the authorities further materialises subjectivities associated with criminality, and highlights how the reporting process is a performative instance of state power itself, inasmuch as it constitutes an enactment or spectacle of the state's ability to exert power, that is maintained only through the continuous manifestation of that power through the state's relationship with asylum seekers. As Kamal's experiences suggest, this manifestation of the state can fundamentally affect asylum seekers, materialising forms of subjectivity synonymous with criminality or

insecurity, and encouraging them to actively police their own behaviours in ways that ensure they will not encounter the state.

Amir recalled an occasion when a late bus caused him to miss his appointment. He tried to be seen later, but was told that this was not possible, and that he would receive an official warning from the Home Office. He explained:

*“They are really rude. When we are going there, they talk with us like you must do that, you must do that...you have no...this is their country. This is their way to talk with you and treat you. And when I back home [after missing his appointment] I get a letter. And this make me really stressed, more. Next week, I go back...and they say this is last time, if you miss another sign like that we will maybe take you in”.*

Since being punished for his lateness, he found the process more stressful than before, and always felt ‘quite uncertain’ about what would happen once he arrived. Amir’s experiences show how the reporting process can materialise specific forms of subjectivity – in his case, he felt as though he was being compelled to act like a criminal or suspicious person – and how the Home Office’s demands are infused with a sort of normative violence, whereby failure to comply exposes them not only to physical violence, for example detention, but also to further disenfranchisement and criminalisation.

Other participants spoke of the difficulties caused by how reporting controls movement. Reporting takes place at designated locations, and asylum seekers are responsible for getting there in a timely manner. Amir explained that he had to take three buses to get to his appointments, and that this was often stressful. A participant who worked with a refugee support agency described this as

*“getting [asylum seekers] to travel in a non-empowering way...they’re forced to go to a place even if there’s no money, and they don’t want to go there, and it’s really inconvenient... they can’t just say no...they’ve got to be there at a certain time and you get this feeling that if they didn’t turn up five minutes before then [The Home Office would] be like ‘never mind, we’ll see you another day”.*

This control over movement and behaviour – a disciplining of physical, embodied experiences – allows the state to monitor asylum seekers’ activities, and materialises the obedience and subservience of asylum seekers.

This can cause significant stress and uncertainty and, like other techniques, performatively produce precarity. Almost every asylum seeker I spoke to stated that they were anxious about the risk of being detained or questioned during their appointment, and most of them reported that this lack of certainty affected their lives. Nadia summarised: *“It is stressful. It is far away, and you know that every time they might decide to do something to you like move you or tell you they have changed their mind.... So every time I am in fear. Nothing bad has happened yet...but you always think it could”.* The demand that individuals must regularly report can have injurious impacts on asylum seekers’ mental health, and reinforces the uncertainty of their position. This produces precarity inasmuch as they are never sure what the outcome of reporting will be. Materially, they may be detained, told to report more regularly, or interrogated. Symbolically, this could lead to further exclusion, or being deemed undeserving of asylum. Beyond simply positing precarity as a possible outcome, the demand that asylum seekers continue to report compels an embodied performative iteration of precarity.

### Controlling Finances, Work, and Everyday Life

A second form of control that demands certain forms of behaviour involves the state's regulation of asylum seekers' financial and work lives, and by extension their day-to-day activities. Chiefly, the prohibition on asylum seekers engaging in paid work. While this may not be inherently bodily, it regiments embodied behaviours and interactions in specific ways, encouraging particular types of activities and prohibiting others; and structuring their access to financial resources and support services in ways that have fundamental impacts on their day-to-day lives, and the places and people they can engage with. This can regulate asylum seekers embodied experiences in ways that compel them to behave in ways which transcend their contact with the state, and which permeate their everyday lives.

As Conlon has observed, the 'everyday' is a multifaceted and fragmented constellation, in which asylum seekers are simultaneously and differentially affected by both local and global contexts (Conlon, 2011), and cannot be understood as completely determined by the state. However, the ways that specific state techniques influence asylum seekers' behaviour, and the embodied subjectivities they are compelled to perform on an everyday level, have significant impacts on their material lives but also feed back into non-embodied discourses, producing significant effects in asylum seekers' self-understandings and perceptions, and thus highlighting the intractability of the body and the discursive, narrative milieu in which it operates. In this sense, many state practices that function to govern asylum seekers in this way are articulations of the biosovereign assemblage, in that they transcend their immediate aims and also function to produce and maintain particular performative subjectivities, for example, control over work and finances and day-to-day activities.

Asylum seekers are prohibited from engaging in any paid work (Home Office, 2017b), a policy which the Home Office claims is based on a desire to protect the labour market for citizens, and to protect the integrity of the asylum system by ensuring that economic migrants cannot abuse it. As a result, they are generally forced to rely on state support while their claim is processed. At present this amounts to a payment of £37.75 per person per week (UK Government, 2018c). While this enables asylum seekers to access basic necessities, it is problematic. It does not prevent them from living in a state of destitution: a 2018 report by The Guardian noted that many asylum seekers struggled to survive on this amount of state support (Travis, 2018). Moreover, this pushes them into a position of dependency, whereby they are compelled to comply with the state's rules in order to continue to access support, another element of policy which Waite connects to the hostile environment, inasmuch as it prevents asylum seekers from living comfortably and – as will be discussed in the next chapter – can push them into illegal engagement with the labour market (Waite, 2017). In this regard, controlling asylum seekers financial situations and access to the labour market can demand specific forms of behaviour – it can fundamentally affect how asylum seekers act, how they are able to take care of their bodies, and which spaces they are able to access: in short, who they are able to be.

During my fieldwork, participants often identified this as being problematic. Asylum seekers frequently complained that it was difficult for them to meet their basic needs, and that their financial situation and inability to work left them unable to access certain social spaces and activities. Bilal, an asylum seeker from Sudan, articulated his struggle: *“I have money for some food, some stuff”*, he told me, *“but no money for other stuff I need”*. Although he was able to physically subsist on his state allowance, he was unable to socialise, travel, or afford products – such as food, toiletries and

homeware – beyond the basics. Yonas, a young asylum seeker from Eritrea, explained that although he had a place to live and enough state support to eat and travel to college, his support had not covered winter clothing or social activities. He felt physically confined to his local area, unable to access the social experiences that he understood as normal for someone of his age.

The fact that asylum seekers are prevented from working often exacerbated these financial concerns. As Lena explained:

*“It’s frustrating that I can’t work and I know that I’ve got the ability to work, I’m young, I know I can there is not any reason that should stop me... Sometimes it just doesn’t really make sense because they’re just giving me benefits when I can work and pay for my own things, so it’s just they are wasting money. They’re just making me feel like my life doesn’t really make any sense. I’m just living and breathing and eating, that’s all!”*

Lena added that while voluntary work had helped her to occupy her mind and develop skills, the inability to participate in paid work meant that she spent a lot of time worrying about how she would be able to provide for her young daughter. Hakim, an asylum seeker who had previously had a well-paid and professional job in his home country, told me:

*“They don’t give me permission to work, that can be hard. I ask, just allow me to work... It’s difficult to finance all these people, a job just gives them allowance to work. Just let me work, I don’t need special job”.*

Whereas Nadia explained:

*“It is very difficult...we cannot work and we don’t have money and that is causing many problems. We could just have a job and then they wouldn’t have to give us money. Also you know*

*I don't think that really they help people enough to know what they need to do, they tell you what to do but they don't help you understand why it is like this!"*

These experiences indicate several things. First, limited financial support and the inability to work often leads to frustration and destitution. This affects asylum seekers in fundamental, and often bodily, ways: they often struggle to afford to meet their basic needs, which can lead to heightened stress or health problems. Bilal stressed that it was the embodied aspects of destitution, the inability to pay for adequate nutritional and hygiene products that he found most stressful. Secondly, financial destitution and lack of work played into the stagnant, suspended period of waiting discussed above. The inability to be productive and earn money often worsened feelings of hopelessness, and created a sense of inertia and frustration for asylum seekers. This is evidenced by Hakim's statement that he simply wanted to do *something*. Lena's comment that she felt as though she was just breathing and eating, existing on a bodily level, also exemplifies this. Through denying asylum seekers access to financial autonomy, the state can contribute to the production of normative forms of subjectivity, which are performed on an embodied level. It means that asylum seekers are often *de facto* excluded from aspects of society, and produces dependent, inert subjects. This often manifests on the body, both since it regiments individuals' activities and prevents them from engaging in certain behaviours, and due to the fact that deprivation often plays out on a bodily level, for example, in the inability to buy sufficient food or personal hygiene products, or in physical manifestations of anxiety.

Making asylum seekers dependent on the state entails that they are compelled to accede to its demands, lest they risk jeopardising their support or the progress of their claim. Being discovered to have been working, for example, could involve heavy penalties. The state is able to use material support alongside normative violence to

ensure that asylum seekers continually comply with the system's demands. While some asylum seekers do engage in clandestine work – something which will be discussed in the next chapter – many felt that the risks were simply too high, and thus complied with the Home Office's rules.

This facet of control also contributes to the production of precarity for asylum seekers. Dependency on state support, which could be reduced or altered at any time, and the inability to provide for oneself means that asylum seekers are brought to embody precarious life: they are compelled to behave and understand themselves in ways that materialise their uncertain legal status and exclusion from mainstream society. Kamal explained that he often avoided spending money in front of friends, as he was embarrassed to have so little and to be receiving state support, and that he also constantly worried that a decision from the Home Office or an error in their system could leave him without money. He would visit several shops to find the cheapest items, and avoided social activities that cost money: his uncertainty over his ability to sustain himself led him to start behaving in a manner indicative of precarity, isolating himself from society and becoming reluctant to make plans. Amir also described how the state's control over his financial situation had altered his behaviour: "*[The state does] not give you bus ticket to travel to do signing, so people donate to you, like organisations and friends, and this makes you embarrassed. Each time you [have to] ask. You feel like you shouldn't go out because you have no money to spend.... we feel our humanity is outlawed*". He explained that he spent the majority of his time at home or at the community centre, and avoided doing anything that would cost money. His day-to-day routine involved a performative enactment of precarity, in which he regulated his activities as a result of profound uncertainty over his ability to provide for himself and the security of his rights. This dependent, precarious state can be seen to

transcend asylum seekers' relationships with the state, affecting their embodied experiences and everyday lives more broadly, often in ways that inhibit social integration and produce them as 'others' who are not part of the regular working citizenry.

I encountered asylum seekers who described a number of other ways in which the state controlled their day-to-day activities. Commonly cited were restricted access to post-16 education (Doyle and O'Toole, 2013); lengthy waits and bureaucratic difficulties in bringing family members to the UK, limiting their access to important personal relationships; and high levels of dependence on charities. While it is beyond the scope of this chapter to examine every facet of the state's control of asylum seekers' embodied behaviours and everyday lives, each of these phenomena also functioned, in various ways, to structure asylum seekers' lives and experiences in manners that materialised and sustained specific forms of embodied subjectivities. While the effects of this are widespread and varied, they often manifest on a physical level – be it through altering the spaces, activities, and personal relationships that asylum seekers are able to engage in; through limiting asylum seekers' ability to meet their basic physical needs; or as a result of common physical side effects. While these techniques, which broadly compel specific forms of embodied behaviour, differ from techniques that seek to prohibit, they can be similarly productive of precarity in asylum seekers' lives.

### **The Production of Asylum Seekers: Constituting Reality and Regulating Subjectivity through Bodily Control**

Claiming asylum brings asylum seekers into an intractable relationship with the state. Policy establishes the parameters of what is possible in their socio-political lives, and biosovereign techniques contour and regulate their day-to-day experiences. The forms

of control and regulation observable within the asylum system are variable, and yet they are all indicative of a vast asymmetry in power, and of the fact that, often, the state does not understand asylum seekers as a vulnerable group warranting a humanitarian response, but as an unknown and potentially threatening population, whose behaviours, movements, and very identities require policing. While the state justifies this in terms of a need to maintain national security, the analysis in this chapter has argued that techniques of control have more pernicious aims and outcomes.

Techniques of control can be understood as articulations of the biosovereign assemblage which characterises state power within the system, and also as inherently embodied and performative. Moreover, many of these techniques are part of the Home Office's hostile environment policy, highlighting how this too has an inherently embodied facet. Many strategies of control are based not on the regulation of asylum seekers' rights in an abstract sense, but on the physical behaviours and movements of the body, and their day-to-day, embodied experiences. I have illustrated how the control of the body is a key way that the state enacts more abstract forms of control. Through techniques such as detention and removal, bodily control can materialise exclusion. On the other hand, techniques of control can also compel the performative materialisation of the normative, embodied forms of subjectivity that the state has posited within the asylum system. Where processes of identification and evidence-gathering applied normative labels and compelled a performative response, techniques of control demand a *continuous, sustained* performative response, which enables the state to easily and efficiently govern. The body is the site at which state power is exercised and state goals are realised, it is the site at which both sovereign exclusions and biopolitical acts of production are enacted, it is "the bearer and vehicle

of power relations, and their object of inquiry, intervention, and point of application” (Bargu, 2014: 46).

The control of the body can take both prohibitive and demanding forms. The state can ban and exclude by asserting that bodies cannot access certain spaces or engage in certain practices, and can also compel bodies to engage in specific practices or activities. These techniques of control have been shown to function on both the individual, anatomo-political, and the collective, biopolitical, levels. The state is able to assert its mastery over both individual asylum seekers, and thus demand particular performative iterations of normative subjectivities, *and* the population of asylum seekers on a collective level, ensuring that their spatial distribution and permitted activities are conducive to the aims of governance.

While biosovereign control is articulated in various ways, the analyses above have argued in favour of three key commonalities. First, through the physical regimentation of behaviour and the control of the body’s spatial and relational practices, the state uses these techniques to compel the performative enactment of normative forms of subjectivity. These normative forms of subjectivity are aimed at justifying and consolidating the state’s authority, and at producing a population of asylum seekers whose identities and behaviours are conducive to the achievement of a specific set of political aims, reaffirming state power as the most significant force within the asylum system.

Second, the relationship between state power and the body is established and maintained by violence. The state posits a threat of punishment — the denial of rights, further exclusion, losing socio-political iterability – in a sufficiently strong sense that asylum seekers are compelled to comply. While this violence can take material or

physical form, the symbolic threat of violence is often sufficient to render asylum seekers obedient. Thirdly, this assertion of state power over the body, and the spectacular, ostentatious nature of state practices, point towards the fact that state power itself is also a performative phenomenon within the asylum system: the fact that state power is actively exerted over bodies indicates that it too is performed in an immediate, material sense, oftentimes in harsh, overblown ways that constitute a spectacle, and constitute the state as omnipotent.

In this regard, techniques of control can compel bodies to adapt to particular normative forms of subjectivity, *and* to performatively constitute and reaffirm state power as strong and effective, both to asylum seekers, and to the public. The strategic deployment of violence over and against bodies ensures compliance, and functions to maintain a system whereby the state is able to produce asylum seekers whose embodied subjectivities and lives are conducive to easy management and governance. Much like processes of identification and evidence, techniques of control actively produce bodies by regimenting activities, relationships, and spatial engagement – so that bodies come to represent and *be* whatever the state demands.

While this produces certainty for the state, rendering individual asylum seekers and the broader population knowable and malleable, this control of the body goes beyond the materiality of the body itself, and comes to structure asylum seekers' everyday lives and self-understandings, and thus constitute 'reality'. For asylum seekers, this reality is often permeated by precarity. The effectiveness of performative regimes lies in the ability to bring subjects to internalise their subjection, and to reproduce and reaffirm it in their lives without prompting, to actively *be* what power has deemed them. The impacts of these processes of control suggests that this is the case. Through depriving asylum seekers of access to resources, networks, rights, and certainty, the

state's techniques of control can be seen to purposefully *performatively compel* precarity: asylum seekers are brought to live lives in which they are dependent on contingent forms of support; have little certainty over their futures; may not be able to adequately provide for themselves; and face constant anxiety over the progress of their claims. Through these techniques, the state produces and materialises asylum seekers' realities in ways that go beyond the materiality of the body, and permeates their everyday lives and understandings.

This purposeful construction of reality constitutes the supremacy of state power, and reaffirms the dependency and contingency of asylum seekers' lives. The fact that many asylum seekers do not identify in the ways that the state compels them to identify, or face significant struggle as a result of this precarity is, to the state, unimportant: the maintenance of this system of governance is its chief concern. Nonetheless, my fieldwork data and secondary sources indicate that, for asylum seekers, these processes can have significant and mostly negative consequences, including destitution, stress, and feelings of hopelessness. Moreover, many asylum seekers reported bodily manifestations of stress, anxiety, and deprivation – including being unable to pay for adequate food, heating, hygiene products, and clothing; sleep deprivation; stomach- and headaches; and an exacerbation of existing physical illnesses.

This chapter and the previous chapter have sought to show how the asylum system utilises bodies in various ways, in order to enable the state to assert itself over asylum seekers. Both have illustrated the fundamental asymmetry of power in the relationship between the state and asylum seekers, and argued in favour of a perspective which understands the state as able to produce performative iterations of normative forms of subjectivity, and able to ensure that asylum seekers comply. In essence, these two

chapters have attended to the ways that the state is able to master bodies, rendering them sites of domination and control within the system. While this has been shown to be true in many senses, focussing on the state as the primary actor within the asylum system risks telling only one half of a story. While the state *is* able to assert control over bodies, and to compel particular forms of subjectivity, this is not to say that these endeavours are always entirely successful, or that asylum seekers are completely passive, powerless actors within this milieu. As such, the following two chapters shift the focus towards the ways that asylum seekers themselves utilise the body as a political site; the forms these embodied acts of agency take; their impacts; and the relationship of such agential practices to state power.

## Chapter Six

### **Contesting Precarity: The Body as a Site of Agency and Resistance**

In May 2003, shortly after he had been granted Leave to Remain, the Home Office informed Kurdish-Iranian refugee Abbas Amini that it was appealing the outcome of his claim, leaving him vulnerable to deportation (BBC, 2003). In protest, Amini sutured his lips and eyes closed and began a hunger strike, threatening to set himself alight if force feeding was attempted (Adams and Branigan, 2003). Amini asserted his desire to “live like a human being”, and “live in peace” (ibid) from the Home Office. Amini’s acts drew considerable attention. This ostensibly had little to do with his allegation that the Home Office had treated him unjustly. Rather, it was the nature of his actions that captured public attention: Amini used his body to conduct his protest; he starved himself and wounded his own flesh to highlight a political point, a protest which resulted in the Home Office dropping its plans to appeal.

The governmental processes discussed in the previous chapters are pervasive: they structure asylum seekers’ experiences, and can determine how they are understood. However, state power cannot entirely determine how asylum seekers identify or behave, they are capable of opposing its practices and of living in ways that elude its demands. The following two chapters shift the focus to asylum seekers’ embodied practices: how the body can function as a site of subjective expression which can transcend or oppose governance; and strive to contest and abet the precarity that the state produces in their lives. This is a discussion of how the body can be a site of *agency*. This is crucial because of the prevalence and variety of ways that asylum seekers utilise their bodies to enact agency, and since focussing exclusively on

practices of governance risks presenting asylum seekers as a fundamentally disempowered group, devoid of any capacity to act, which is clearly not the case.

A focus on asylum seekers' agency can also provide insight into the ways that non-state actors and forces within the system influence bodies. The analysis here frames embodied agency as neither spontaneous nor unconstrained, but as immanent, necessary reaction to the system's governance. This is not to deny that embodied acts of compliance can constitute important expressions of agency within the system. It is simply to draw attention to the analytical and political relevance of embodied acts which seek to challenge the biosovereign state, and to bring the structure and effects of embodied agency into relief.

### **Chapter Plan**

This chapter makes two arguments. Firstly, I show how the materiality of the body is central to practices of agency within the system. Of course, non-bodily forms of agency, such as bureaucratic complaints, do occur. However, agency that occurs through the body is especially powerful, as the very site that power seeks to discipline can function as the site at which power can be contested. This enables me illustrate how asylum seekers enact political agency through the body, but also recognises how that agency is constrained by state power.

Secondly, I show how, although there are some significant differences in their intended aims, subtly subversive practices and more explicit acts of opposition are conceptually similar in terms of their relationship to the body. Acts of opposition often utilise the body to articulate an immediate protest to power, exposing and resisting the injustices of power, or, as Bargu has discussed, using "existential practices of struggle...the technique of self-destruction" (Bargu, 2014:14) which she conceptualises as the *weaponization* of life. In these acts, the body is placed at risk or subjected to self-

inflicted damage to express and enact political resistance. These acts are often public, and are intended as visible, inherently political expressions of opposition. In the asylum system, this view is applicable only to *some* instances of resistance: agency is more varied than such practices. More everyday forms of embodied agency — such as prohibited working practices, or engaging in social activities that transcend those intended for asylum seekers — do not function according to this logic. These everyday acts are not necessarily visible – indeed, they may be clandestine – and may not immediately appear to be political. However, they still use the body to engage in behaviours which exceed or quietly evade what the state has demanded from them, enabling asylum seekers to resist the normative subjectivities and precarity that the state demands from them, to strive for a liveable, bearable life from within a system that is often oppressive, and to assert agency within and despite the constraints of the state.

Despite these differences, what these behaviours have in common is the utilisation of the body as a site at which state power can be opposed or partially overcome, and through which noncompliant forms of political subjectivity can be enacted. Asylum seekers can appropriate the precarious forms of life they have been compelled to assume, and re-materialise normative subjectivities in subversive, challenging ways. In developing this view, I once again turn to theoretical ideas drawn from Butler's work: in particular, I draw on her reading of Irigaray, to articulate how the body can function in these acts. I also turn to her understandings of dispossession and liveability to discuss the differences and commonalities between these two kinds of embodied behaviour.

I hope to place the materiality of the body at the centre of an analysis of agency and opposition in the asylum system. For asylum seekers who lack the means to launch

legal challenges, embodied opposition is one of the few available options. The body can be a powerful weapon with which asylum seekers can oppose the state and assert their own truth. I also seek to draw attention to everyday acts of embodied agency. Much of the existing literature focussed on resistance in asylum systems discusses spectacular events, such as hunger strikes or protests. While these are important, acknowledging more inconspicuous practices draws attention to ‘everyday’ political behaviour within the system, and shows how this also enacts agency in a similar way to more overt acts. The everyday is seen not as apolitical or stagnant, but as the “micro- supporting the macro-scale” (Ho and Hatfield, 2014: 708) the “the daily practices sustaining larger places, structures and processes” (ibid). While they may appear unremarkable, everyday material practices constitute the world, and can be efficacious in informing how asylum seekers understand the world, and how they express themselves. Moreover, within the context of the asylum system, these everyday acts can enable asylum seekers to establish some sense of stability and productivity, partially transcending the precarity that the state has produced in their lives, and striving towards liveability from within a hostile system.

The chapter begins with a theoretical discussion of embodied agency in the context of the asylum system, addressing how such behaviour comes about; how it relates to bio-sovereign power; and how it implicates the materiality of the body. The following empirical sections focus first on acts which overtly oppose the state’s governance, before moving on to more everyday forms of agency.

### **Theoretical Perspective: Contesting Norms and Precarity through the Body**

As noted in Chapter 2, the view of agency adopted in this thesis seeks to avoid conceptualising it either as unconstrained individualism, or as entirely determined by state power. I seek to overcome a view of asylum seekers’ embodied agency as the

reclamation of 'bare life', a view based on the work of Agamben. While Agamben is right to highlight the importance of the body as a site of governance, a theoretical perspective based on his understanding risks underestimating asylum seekers' capacity for agency, and the political importance of such behaviours. I also seek to avoid presenting agency as entirely autonomous and unconstrained. Instead, I stress the importance of a culturally-imbued understanding of agency, which considers the effect that social reality, norms, and notions of justice have on action: highlighting how external factors and the broader configuration of power influence, but do not determine, agency. A performative understanding of agency both appreciates the centrality of the body to many expressions of agency, and acknowledges the relationship between these practices and state power, recognising that they draw from and respond to governance, and are neither fully dictated by or wholly outside of its reach. While performativity constrains behaviour, it does not dictate how individuals act or how they respond to governance. Butler has clarified that performativity is neither free choice (Benabib, 1992; Vasterling, 1999) nor determinism (Butler, 1993: ix) and provides a theoretical framework for critically considering asylum seekers' agency as both a generative product of the individual *and* related to the broader context of norms and biosovereign power relations.

In Chapter 2 I drew on Butler's reading of Irigaray's concepts of excess and mimicry to provide a theoretical framework for considering the nature of asylum seekers' embodied agency. This showed how non-normative and noncompliant expressions of embodied agency are a natural by-product of the performative process: expressions of agency and opposition can be understood as the result of subjects' engagement with biosovereign power. Since performativity is a reiterative process, subjects are able to subvert and challenge normative forms of embodied subjectivity *precisely* by

citing norms in new and challenging ways. Subjects can materialise the excess that normative forms of identification demands they exclude, exposing the constructed nature of norms and rearticulating subjectivity in new, subversive ways. This can destabilise normative configurations of power, and physically enact alternative ways of living. The process of physically citing norms in subversive or radical ways — which Irigaray terms mimicry — enables subjects to assert political subjectivity from a position of subjection. However, this does not constitute the production of new, fundamentally different normative structures, but redeploys existing norms in new ways. This process is variable and contextually-bound: different contexts give rise to different mimes (ibid, page 52).

Though the body functions similarly in acts of public, politicised resistance and in more subtle, everyday acts of agency, such acts interact with power on different levels. Butler's ideas about displacement, resistance, and the liveability of life are helpful in drawing out this difference. Permeating Butler's work is a preoccupation with dispossession, how power can affect the estrangement of the subject from recognition. Dispossession can occur on two levels: subjects can be dispossessed from society, and denied rights and recognitions. Dispossession can also take a more individualised form, whereby the subject becomes dispossessed from *oneself* as a result of the exclusions and disavowals demanded by the symbolic law (Butler and Athanasiou, 2013). By invoking the excess that power excludes and mimicking norms in subversive ways, acts of agency can be understood as performative responses to dispossession, reclaiming what has been disavowed, and enacting it on the surface of the body. Ostensibly, the difference lies in the level on which dispossession is confronted. Public acts of resistance overtly confront power and the precarity it produces, highlighting and resisting the ways that power structures deprive marginalised individuals from

social rights and recognitions. In this sense, they generally oppose the violence and dispossession that the state inflicts on asylum seekers as a population through making the injustices and violence inflicted by power visible. On the other hand, acts of embodied agency which function to subtly subvert power, usually on a private level, often work to overcome individual dispossession. These must still be understood as political, inasmuch as they involve asylum seekers striving to attain a more liveable life within the context of the system. Much like the strategies of control discussed previously, embodied expressions of agency and resistance can be seen to function on both the individual (anatomy-political) and collective (biopolitical) levels, and oftentimes, these two levels interact with and inform one another.

This distinction is borne out in Butler's work. On the one hand, she presents an understanding of embodied resistance as an overt turning of power against itself. This involves an explicit – and usually public – refusal to identify with norms, either by enacting them in subversive, contentious manners, or by harming the body to highlight their oppressive and damaging nature. Butler cites instances of public assembly and protest as examples of embodied resistance, in which marginalised bodies assert their existence, and articulate political demands (Butler, 2016). This publicly enacts dispossession and the precarity it produces, exposing the violence and vulnerabilities that it engenders. This often has a collective element, whereby *the* resistant body is brought to represent and call for the rights of *every* body.

The notion of dispossession from oneself better conceptualises acts of embodied agency that are more subtly subversive, which exceed what power compels on a more everyday level. Dispossession from oneself occurs when the subject is compelled to performatively identify in a way which does not correspond to their sense of self. Internal dispossession becomes problematic when it affects the viability and liveability

of life. For Butler, the liveability of life refers to the conditions that make life bearable, recognizable and worthy of recognition (Butler, 2004:9). Lives are rendered unliveable when they are exposed to precarity, injury, or violence, be this political exclusion, economic disenfranchisement, or social marginality. This occurs when a subject is compelled to assume a normative identification that is excluded from recognition, or that fundamentally conflicts with their self-understanding.

Acts of embodied agency which subvert or exceed normative forms of identification in order to lay claim to economic, social, or political stability can be understood as responses to internal dispossession, physically laying claim to a more liveable life. In the asylum system, this might include overcoming destitution and unproductivity by engaging in prohibited working practices; forming relationships and social networks to resist isolation; or engaging in hobbies and activities that reclaim the body from the discipline of governance. Such acts are often conducted privately, and do not necessarily transgress the system's rules. However, they function to enable individuals to reclaim their bodies and subjectivities, to transcend the inherent precarity and vulnerability of living as an asylum seeker, and to strive towards a more liveable life.

This is not to say that these forms of agency are mutually exclusive. Political resistance can be conducted with the aim of obtaining more liveable conditions for individuals, and individuals who feel dispossessed from themselves can simultaneously engage in collective, public acts of protest: they can co-occur and inform one another. The distinction is made here to emphasise that acts of embodied agency and resistance take empirically different forms, and function on different levels. Despite this difference, embodied agency and/or opposition can be theorised as performative practices. They do not come from outside the system, but emerge from individuals' engagement with the system. They are iterative re-articulations of the normative

identifications imposed by the system, which mimic norms in challenging and subversive ways, and respond to the dispossession and precarity produced by the asylum system. Performativity encompasses both the hegemonic discursive structure which subjectivizes individuals, and the excess that returns to challenge this hegemony.

This theoretical perspective is employed in the analyses of empirical material below.

### **Bodily Opposition**

This first section addresses instances in which the body was brought to function as a site of overt opposition to state power. These acts often take place within the public domain: they are immediately recognisable as *political* acts, aimed at drawing attention to the injustice and dispossession faced by asylum seekers and laying claim to recognition, often on the collective level. These are “acts of corporeal, existential, and total resistance....refusals to participate in one’s own dehumanization....occasions in which actors [forge] their lives into weapons of political struggle” (Bargu, 2014: 13), outright confrontation with the norms established by power, even if it exposes the body to harm. In some instances, such as protests and demonstrations, this involves bodies occupying spaces in ways which claim political agency and articulate political demands, eschewing oppressive norms and the precarity they produce in favour of embodying purposeful political subjectivity which emphasises the injustices and violence that the system inflicts on asylum seekers. In other cases, such as hunger strikes, resistance can involve the active self-destruction of the body as a way to reclaim sovereignty over oneself, and highlight the violence that the system inflicts.

### Self-Harming

Self-harming practices are common within asylum systems (Cohen, 2008). Many of these instances are the result of psychological disturbance, and ought not to be framed

as having political intentions. However, self-harming practices are often utilised to express political opposition. Such practices are varied, and include hunger strikes (Taylor, 2016), self-immolation (Davidson, 2017), and self-mutilation (O'Hare, 2018). In the UK, data concerning the extent of self-harming practices within the asylum system is scarce, but research suggests that it is a relatively common occurrence (Cohen, 2008).

These acts can be understood as what Bargu calls the weaponization of life, existential embodied struggle directed against the dominating practices of power, in which damage to and potential sacrificing of the body function as resistance (Bargu, 2014: Chapter 1). Self-inflicted harm is a means of repossessing the body: it transforms it from an object that the state can dominate, into a site at which power is resisted. Self-harming resistance prioritises political rights, recognition, and justice over physical life (ibid, page 16): injury – and, potentially, the risk of death – are worthwhile sacrifices in the quest to expose the violence inflicted by the state, and to demand more just practices within the system. In a small number of cases, this refusal of domination culminates in death, the ultimate evasion of the subjugating effects of power. Most instances are more limited, and function to oppose power by physically enacting sovereignty over one's own body, and refusing to submit to the violent effects of governance. However, while self-harm can constitute an overt act of political resistance, it does not emerge from outside of power: individuals generally resort to these practices only when other routes for addressing their dispossession are unavailable, and do so in direct response to the perceived injustices inflicted by the state.

Acts of self-harm are perhaps most common among asylum seekers who are detained or awaiting removal. This is unsurprising, as the previous chapter illustrated, detention

employs restrictive strategies of governance, and often does not provide adequate opportunities for engaging in autonomous activities or expressing grievances. As such, resistance is relatively commonplace. Writing on detained asylum seekers' hunger strikes in Ireland, Conlon conceptualises these acts as utilising self-harm to physically manifest the right to be a political actor, and to question how subjects are governed (Conlon, 2013). Self-harm not only enacts a physical rejection of the governance to which asylum seekers are subjected; it also eschews the normative forms of embodied subjectivity that they are compelled to assume, and uses the body as a site at which alternative, resistant forms of subjectivity can be enacted. It involves embodying the 'bogus/ failed asylum seeker' label in ways which highlight and resist the oppressive nature of governance inherent to detention and removals procedures.

A member of staff who had previously worked with detained asylum seekers described numerous incidents of resistance that took the form of self-harm:

*"I remember one woman....they were threatening to deport her, she and her cellmate took all of their clothes off and then covered themselves in shit, as a sign of protest..."*

*Another lady, she had four men pin her down and put her into the van [to the airport, for deportation].... the only way you don't get deported is that...by the time you get to the airport you scream and scream so that they don't put you onto the plane. She was struggling and she'd been restrained, so her arms were all cut up, and she had bruises where she'd thrown herself into the walls".*

The staff member added that she regularly heard anecdotes about incidents whereby detained asylum seekers had cut themselves, refused food and water, or on one occasion, thrown herself down the stairs after guards refused to let her see a doctor. Although some of the asylum seekers in question suffered from mental health

complaints, they all specified that they had engaged in these behaviours in protest at their treatment.

These incidents were not isolated. In February 2018, over 100 women embarked on a hunger strike at Yarl's Wood over their treatment and conditions in the centre (Bulman, 2018). The Home Office came under fire after handing these women letters informing them that their deportation proceedings could be hastened if they did not cease their protest (Travis, 2018b). In 2016, Colnbrook detention centre handled a case in which an Afghan man sewed his lips together and banged his head against a wall in protest at his detention (Bulman, 2018b) and instances of lip sewing and hunger striking were reported from Harmondsworth in 2015 (Green, 2015).

The widespread nature of these acts within detention centres is indicative of the fact that the conditions detained asylum seekers live in, the uncertainty they live under, and the treatment afforded to them, is inadequate — something reports on the British detention estate have corroborated (Shaw, 2016). The fact that so many detained asylum seekers turn to self-harm, as opposed to other forms of protest, suggests that they are dispossessed, without the recognition that would enable them to air their grievances in more conventional ways. Instead, they physically enact a form of resistant political subjectivity that opposes the docility that the state compels from detained individuals. Paradoxically, it is through depleting or harming the body that these individuals can oppose the harm inflicted by the state; it is through materialising qualities that they have been compelled to exclude that they can oppose state practices and lay claim to fairer treatment. Inflicting harm on the body exposes the extent to which detained asylum seekers are socio-politically dispossessed and condemned to a state of precarity in which their rights and futures are uncertain, and

enacts an alternative way of being, as political subjects with the ability to express their grievances.

There are also instances of self-harming behaviour outside of detention centres. Rashid, the Qatari asylum seeker discussed previously, described his experiences, which highlight the complex relationship between self-harming as an effect of mental illness, and as an act of political opposition. Rashid began to self-harm after his mental health deteriorated, as a response to the anxiety he felt as a result of being detained. After his release, Rashid explained that he showed these injuries to the Home Office officers to whom he reported. He stated that he “*wanted them to see what had happened [to him]*” and that he felt “*[the Home Office] should help [him] now that [he is] like this*”. Rashid did not begin to harm his body as an act of resistance, but over time, the injuries he had inflicted gathered a new salience and came to represent opposition to the system. His decision to show his injuries to Home Office employees was not innocuous: he displayed his injuries as a way of articulating the negative impacts that the system’s practices had on his wellbeing, and to physically enact some control over his own body, which he felt had been dominated during his time in detention. He explained that the Home Office staff he showed his injuries too were sympathetic, and took note of his situation, and that while his attempted protest did not radically alter the course of his claim, he felt it might have added some urgency to the handling of his case. Rashid’s experiences are important, since they highlight how often embodied behaviour is not caused by one thing, but rather is the result of various aspects of individuals’ experiences and encounter with power, and how the meaning of the body’s condition can have varied, changing meanings.

In these cases, we can see two simultaneous processes taking place. On the one hand, self-harming behaviours represent a rejection of the normative forms of

embodied subjectivity applied by the state. Acts of resistance that involve the harming of the body represent a purposeful failure to comply with the state's disciplining practices, or to accede to the docile, apolitical forms of subjectivity the state compels. These acts are often aimed at highlighting the injustice and precarity that asylum seekers face in a visible, public manner. They also represent the reclaiming of the body, and the enactment of autonomous, resistant behaviours on its surface: the body is 'taken back' from power, even if doing so is painful. Paradoxically, through injuring or disabling the body, asylum seekers who engage in these practices take on specific aspects of the norm produced by the state. If one is injured, starving, or ill as a result of self-harming, then one is arguably reduced to a docile, manageable state, and unable to participate in social or political activities: protesting dispossession and precarity involves inflicting further dispossession and precarity onto oneself. However, the value of these practices lies in their symbolic reclaiming of the body and the subversive enactment norms, and thus can be understood in terms of a mime. These practices can resist the unjust elements of state practices on an embodied level and, on account of their visible and often public nature, expose that injustice to a wider audience.

### Assembly

Acts of public assembly, such as protests and demonstrations, are another form of embodied resistance that asylum seekers frequently exhibit. The body can be important in assembly: it can act as more than the vehicle through which an individual lays claim to rights or voices their support for a cause. Rather, the body itself can *be* the cause. As Sasson-Levy and Rapoport write with reference to protests in Israel, assembled bodies can "[produce] and [articulate] political ideology, simultaneously challenging the national security legacy and the gender order" (Sasson-Levy and

Rapaport, 2003). The very bodies that have suffered at the hands of the system become living critiques, embodying the precarity and violence inherent to the system's rules, and challenging it by physically occupying spaces and engaging in collective activities aimed at affecting change. Butler acknowledges this, noting how collective assemblies of bodies have an expressive dimension that goes beyond speech: they are performative inasmuch as they enact political subjectivity and resistance (Butler, 2015). However, she points out that through enacting opposition in this way, bodies also demonstrate precarity and vulnerability, protesting dispossession involves performing that dispossession in the public domain, highlighting the injustices it inflicts. In this sense, assembly can be understood as a collective, subversive appropriation and re-articulation of dispossessed life in the public domain, aimed at making a political point.

Beyond taking on precarity and vulnerability in the public sphere, there are added concerns for asylum seekers. While citizens generally face few consequences for engaging in non-violent protests, asylum seekers risk attracting negative attention. Due to this, many of the participants I worked with told me that they 'stayed out of politics' or 'avoided getting involved' in protests. However, some participants had taken part in such actions.

Daniel discussed how he attended protests 'five or six times' after hearing about the way that asylum seekers were treated in detention:

*"I was angry because....I didn't think it should be like that for asylum seekers. A lot of them....they have come from like Syria or Iraq or, you know bad places where they have had bad things, and then they come here for help, and they're scared and being taken to detention, or they're frightened about refusals....Some of us used to go with a charity... we go to the detention centres and there was...you know like a*

*protesting outside to say that it wasn't right for asylum seekers. We went outside the detention centres and we just....it was peaceful and not shouting or anything like that, just a protest to say that it is bad to keep people in there like that".*

Daniel explained that protesting made him feel better, as he felt like he was doing something to help asylum seekers who were worse off than him. Kamal stated that he too had attended protests. Although he had initially been concerned about getting into trouble, he attended because "*[the Home Office].....and everyone....they have to see what they do, when they make asylum [seekers] go through this, they have to see the problem it is causing us".*

Daniel and Kamal's embodied practices bring the dominated body into view. As protesting asylum seekers, they physically embody the cause they are protesting, and publicly display the precarity that the system produces. To a certain extent, they took on the 'asylum seeker' label. However, in doing so, they performatively reiterated this identification in manners which subverted and resisted it. Doing so can expose the injustice upon which the system rests, and enact identification in ways which oppose what the state has compelled. Other participants chose to engage in different forms of protest. Lena explained that, through her voluntary work, she regularly gave talks to local organisations about claiming asylum, and the problems that many asylum seekers faced. Ali, a refugee who had settled in the UK and now worked to support asylum seekers, was also engaged in activism: he became active within his preferred political party, which he perceived to be the most welcoming of refugees. He was also involved with organisations that worked to raise awareness of refugee issues and effect grassroots level change.

While Ali and Lena's activism is less visible than public assembly, it functions in a similar manner. Lena and Ali took on their identities as asylum seekers and refugees. They divulged their experiences, and were open about their immigration status and the problems they had faced. They performed their dispossession and precarity in the public domain, highlighting the injustices it wrought on their lives. On the other hand, rather than appearing as the type of embodied subject that the system demanded, their physical presence and activities brought the asylum seeker/refugee label to signify differently. Their bodies came to function as a site at which injustice had occurred, and as the vehicle through which they were now expressing the effects of those experiences. They appropriated normative identifications, and performed them in ways which challenged the state's domination, enacting an alternative way of being, as politically engaged, socially active, ethically minded individuals with political preferences and personal experiences. Acts of assembly and activism are inherently performative: the body is not merely the vehicle for protest, it embodies the very injustice that is protested. These subversive articulations of identification involve a drawing on the excess that the system demanded individuals exclude, to assert political subjectivity and enact an alternative way of being an asylum seeker.

The two examples discussed thus far, self-harm and assembly, constitute explicit embodied resistance to the system. Bodies are turned into weapons against the state, both physically, through the harming of the body, and politically, through explicitly, visibly confronting systemic norms, and exposing their inherent violence. The majority of these acts take place in the public sphere, and are immediately recognisable as acts of political resistance. Moreover, they usually have a collective element: while they may respond to individuals' personal experiences, they are generally targeted at highlighting the socio-political dispossession of asylum seekers as a population, and

demanding recognition and fairer treatment. These acts involve an expression of political subjectivity that draws on the disavowed excess, and re-invokes it to resist the normative forms of embodied subjectivity compelled by the state. Paradoxically, individuals who engage in these acts publicly embody the precarity and injustice that has been inflicted onto them. By physically harming the body, or exposing it to vulnerability, individuals materialise normative identifications in contentious manners, aimed at opposing them and enacting an alternative way of being an asylum seeker.

### **Embodied Agency**

This section addresses embodied agency that exceeds the governance of the system, and on some occasions subtly subverts hegemonic norms, but which cannot be said to be overtly oppositional. These practices still involve materially invoking the excess that the system demands are excluded: they represent an acting otherwise which exceeds and unsettles norms. These acts can also be understood as embodied responses to the precarity produced by the system: by engaging in practices that enact stability and productivity, asylum seekers can expose the consequences of systemic precarity, and overcome some of its violence. These acts are usually private, sometimes clandestine. Moreover, where acts of opposition often confront the system based on its systematic dispossession of asylum seekers as a population, acts of agency often respond to dispossession on a more individual level. Nonetheless, they ought to be considered as political acts, given that they involve the re-articulation of systemic norms in ways that enable asylum seekers to strive for a more liveable life. Here, I discuss creative pursuits; sports and athletic practices; and engagement in prohibited work. While these are less inherently embodied than the phenomena discussed above, they involve asylum seekers' everyday movements, activities, relationships and routines, and as such are inherently embodied experiences.

### Leisure Activities

Asylum seekers' leisure activities can effect expressions of agency that exceed the norms the state compels and can partially counteract the negative impacts of precarity. The value of hobbies and leisure pursuits appears to be significant: they can have a positive impact on asylum seekers' mental health (Schweitzer et. al., 2002, Yasser et. al., 2016), and can facilitate the building of interpersonal and social networks (Wells, 2011). Beyond these benefits, regularly engaging in hobbies or leisure activities – particularly activities involving some level of physicality or creativity – enables asylum seekers to express facets of their identity that are not captured in the state's normative labels, and enact more complex subjectivities. Indeed, in and of itself, engaging in pleasurable and freely-chosen activities is indicative of a level of autonomy and privilege that is not associated with the abjection of the asylum system, and is a means of subverting normative assumptions. This functions as a re-invocation of the complexity that is excluded when an individual accedes to the normative mark, and can be understood as a way for asylum seekers to feel less dispossessed from their own identities.

This is illustrated by the experiences of Amir, the Afghan asylum seeker introduced in previous chapters. Amir endured a rejected claim, the appeals process, and severe health issues, this left him in a precarious position, both materially and symbolically. The fact that the state had dubbed him a bogus asylum seeker – which was not how he understood himself – meant Amir was dispossessed of his own identity, and felt like “[the Home office] doesn't listen to me, they just decide”. As an attempt to fill his time, Amir became involved with a local community group for refugees, where he started volunteering in the kitchen:

*“Cooking for many people....and many people they ask me to for their special party to cook for them... It’s good for me, it’s giving me good feeling, and I become better. I can speak English and same time I can translate my language...It’s good change for me”.*

Amir was proud, not only of the skills he had developed, but also of the relationships this had allowed him to forge, and the help he had been able to give to other asylum seekers within the organisation. Learning a new skill made him feel *“like [he could] be a useful person in society”* and provided him with a sense of purpose in a hugely stressful situation. Nadia, also introduced in the previous chapter, had also developed a keen interest in cooking. She explained that while she had not been interested in food when she lived in Sudan, it was something which occupied a lot of her time in the UK. Preparing food for her family helped her to structure her days and fill her time. Moreover, cooking traditional Sudanese dishes helped her to retain a sense of identity, and a connection to home.

Creative hobbies were also popular. The propensity for art and creative activities to have therapeutic effects has been discussed by psychologists (Dalley, 1984), and these activities have been noted to be beneficial to individuals who have suffered trauma. Hakim, an asylum seeker from Egypt, explained that he was a keen musician. He spent spare time rehearsing, and once a week met with friends — who were not asylum seekers — to play music. This helped him to maintain a sense of normality. Moreover, the ability to express himself and his emotions through music helped him to *“deal with the [sadness] and the [anxiety] I am feeling, and do something nice”*.

Two of the organisations I worked with provided arts and crafts activities, which were popular and seemed to be helpful to the asylum seekers who participated. One

participant, a man in his 50s, explained how he enjoyed taking part in the drawing and painting sessions because it helped him to express himself, and come to terms with the trauma he had endured. Others described how focussing on creativity helped them to forget about their claims, and provided something to concentrate on.

One participant, a volunteer who provided creative arts workshops for asylum seekers, explained how he understood the value of these activities:

*“With people who have been traumatised....it’s quite hard to talk about those kinds of things. Especially in this case if you’re trying to do it in a language you can’t speak much. I think that [creativity] can provide a good conduit for people to express things when they otherwise struggle. Sometimes people make things, and when you speak to them it’s actually some sort of horrible scene from their lives. Or on the other hand...a man the other day did a painting that was like a utopia, a picture of a house and fruit trees and a garden, and it was his version of a perfect life. Sometimes I think it’s just a form of escapism where people can do something, physically make something, and it takes up all of your attention, and it helps you to sort of remove yourself from reality”.*

The value of art and creative activities for asylum seekers may be twofold. They can be mentally beneficial, helping to overcome traumatic experiences or depression, and providing a route for free expression. Moreover, engaging in creative activities also enables asylum seekers to physically *do* something that actively challenges the system’s normative understanding of them as unproductive, docile subjects, devoid of creative capacity or personality. They can produce something which represents their own understandings of their identities; to engage in expression that shows elements of those identities that are not captured by the state’s reductive ideas.

The everyday embodied practices and leisure activities of many of my participants provided a space for embodied agency. This went beyond simply providing a therapeutic outlet or distraction. As Nadia's cooking of traditional food and the man's artwork representing his ideal life suggest, these practices often enable asylum seekers to re-invoke the complexities of their identities, and subvert the reductive labels that the state has applied to them, or to challenge dominant ideas of asylum seekers as unproductive or idle. This opportunity to enact elements of their identity that the system disavows represents an opportunity to overcome dispossession from the self, through embodied agency, asylum seekers can reclaim a sense of selfhood and transcend the system, without actively transgressing.

Asylum seekers' engagement in sport and athletic activities function similarly. Beyond maintaining physical health, regular exercise and participation in sports has been suggested to be beneficial to mental wellbeing (Morgan and Goldston, 1987); self-esteem (Fox, 2003); and, in asylum seeking communities, as a route towards greater social inclusion when other doors seem closed (Amara et. al., 2005). More pertinently, athletic activities can function in a similar way to the creative pursuits discussed above, they can enable asylum seekers to performatively enact an embodied identity which transcends and challenges those enforced by the system and in doing so, contribute to them overcoming the precarity and dispossession that the system inflicts. Indeed, other work in the social sciences has highlighted the role of sports in building and reflecting identity and community (Wacquant, 2006). Moreover, these activities explicitly involve the movement and activities of the body: they can function as a way for asylum seekers to discipline their bodies on their own terms, regaining some sovereignty over themselves as opposed to submitting solely to the disciplining effects of state power (Andrews, 1993).

A number of participants discussed how taking part in team sports was helpful, since it enabled them to exert autonomy over their own bodies, and facilitated them spending social time together. One group of young Somali men would regularly play football together in the garden of one of the community centres, as well as meeting in the park to play against other teams. All of them agreed that this was primarily a social activity, which helped them to stay fit at the same time. Moreover, playing sports in teams with other people of the same nationality helped them to maintain a sense of national identity and community. Their athletic activities functioned to allow them to behave and relate to one another in ways that transcended what the state compelled from them, and enabled them to express other facets of their identity. Another participant, Sudanese refugee Abshir, echoed this, speaking about how team sports helped him through the otherwise difficult experience of being dispersed:

*Abshir: "I make friends and we do things... you know like we are playing football and doing things like that at home, so it wasn't bad".*

*Me: "Was that helpful, if you weren't happy there?"*

*Abshir: "Yes, I wasn't thinking about it when I was doing those things, I was happier and not thinking".*

These examples point towards the propensity of team sports to provide a way for asylum seekers to form relationships and engage in physical activities that allow them to act otherwise, to engage in embodied behaviours and relationships which transcend the reductive identifications applied by the state, and to embody elements of their identities that their status as asylum seekers had forced them to exclude and overlook. This helped them to attain a feeling of stability and support, which went some way in combating the precarity that the system has produced in their lives.

Other participants expressed how it was specifically the physical act of sports or athletic activities that they found beneficial. For example, Ibrahim explained that during his asylum claim and after he had received Leave to Remain, he had suffered from post-traumatic stress symptoms. While he had sought medication, he found that sports were an effective way to ease his symptoms.

*“I was playing football since I was..... in school. And so I was doing that here as well, and it was..... good for feeling normal and good and feeling health. Before I was...I can’t go to sleep and I am feeling scared and like....worried about things and doing....football and [running] is good for helping me feel like I am...good like I am not ill or worried about anything, and like I am just running and feeling tired and not bad”.*

This suggests that engaging in physical activities can facilitate a shift in how the body is disciplined, by enabling asylum seekers to discipline – and thus exert some level of autonomy and sovereignty over – their own bodies. For Ibrahim, the physical exertions of exercise helped him to feel as though he had some level of mastery over his embodied behaviours, and helped him to overcome symptoms of illness. Engaging in these activities enables asylum seekers to transcend *feeling* as though they had regained a sense of autonomy, they are able to actually assert control over the body. They remain subject to the system’s demands, but sports and athletic activities provided a route to be physically autonomous, and to exert some control over the condition, movement, and routines of the body, acting in ways that the system does not anticipate. Moreover, by taking control of the body, asylum seekers can regain a sense of control over their identities: as the example of the Somali men illustrates, engaging in team sports enabled them to be social and active, characteristics which reflected how they understood themselves, as opposed to how the system understood them. As such, much like creative practices, physical activity can be seen to ease the

internal dispossession many asylum seekers feel, and provide a way for them to find an amount of control over their identities, bodies, and lives, somewhat abetting their precarious circumstances.

### Work

Engagement in prohibited working practices is another common form of agency that asylum seekers enact. As previously discussed, policy stipulates that asylum seekers are not permitted to work while their claim is being processed. The logic behind this is ostensibly to reduce the economic incentive for seeking asylum and thus to prevent abuse of the system, however the rule has negative consequences on asylum seekers' day-to-day activities, and sense of self-worth. This policy is in place despite the fact that research has recognised the value of work for refugee settlement and integration (Bloch, 1999), and the links between unemployment and depression among asylum seekers (Beiser et.al., 1993). Most likely, the policy's continuing enforcement is based both on the desire to maintain a sense of precarity, and prevent asylum seekers from forging social permanence or economic independence before their claim is resolved, and due to widespread – albeit dubious – public concerns that refugees working will result in fewer jobs for citizens (Wike et. al., 2016) and the prevalence of xenophobic attitudes (Jacobsen, 2006). Legally, asylum seekers who take on paid work are actively transgressing against the system's rules. However, I include it here as a form of agency, and not opposition: firstly because unpaid voluntary work, which is permitted, also warrants consideration. Secondly, engaging in illegal work is a clandestine, individual activity which cannot be considered a public political act, but rather asylum seekers' attempts to contest precarity and obtain a more liveable life.

A number of participants described how taking part in voluntary work via their engagement with community organisations was helpful. Literature has acknowledged

the propensity of community groups to facilitate refugee integration, advocate for their representation, and maintain a sense of identification throughout the asylum process (see Jones, 1982; Salinas et. al., 1987; Carey-Wood et. al., 1995; Wahlbeck, 1998). Voluntary work within community groups not only helps asylum seekers remain occupied, it can also enable them to physically act in ways that materialise an alternative form of subjectivity, which is conducive to overcoming precarity.

Lena described how her association with a community group led her to begin volunteering, undertaking public speaking, interpretation, and advocacy work. She explained how this had been helpful:

*“I started six months ago and now I’m not really worried with everything else because I’m just busy and I don’t have time to think about the asylum process”.*

She added that this had allowed her to learn new skills, and helped her feel like she had some control over her life. Amir, too, had gained volunteering experience and established valuable relationships via his involvement with community organisations, as the example of his cooking outlined above illustrates. In Lena and Amir’s experiences, the activities they engaged in during their involvement with community organisations actively subverted the normative forms of subjectivity applied by the system. Both of them had had their initial asylum claims rejected, and had been labelled as illegitimate asylum seekers whose behaviour ought to be regulated and curtailed. The activities and relationships that they developed helped them to exceed their precarious lives and counter the idea that they were fraudulent or unproductive, by enacting a hard-working, independent form of identification, which was in line with how they understood themselves. Moreover, both acknowledged that their voluntary

work had given them a routine and responsibilities, which was helpful in abetting the feelings of precarity that dominated their lives.

I also encountered a number of individuals who had engaged in paid work. While many of the participants I encountered did not challenge this rule out of fear of the consequences, many did discuss 'illegal' work. I found that many of my participants had taken part in prohibited working practices, in a variety of contexts and with a variety of outcomes. Most participated in ad-hoc, cash-in-hand work without too many problems. Bilal, an asylum seeker from Sudan, explained that he washed dishes at a local restaurant, where the owners paid him minimum wage and did not question his immigration status. He began to do this as a way to avoid destitution, as the weekly stipend provided by the state was not enough to sustain his lifestyle. While he occasionally worried about being caught, Bilal enjoyed his work: he made friends and spent some of his income on socialising. He didn't have any problem with engaging in this work, so long as he remained careful and did not draw extra attention to himself. Musa, discussed previously, also disclosed that he had found work while he was waiting for his claim to be resolved. He worked as a security guard, for which he was paid £10 an hour. He had no choice but to do this, as his family was with him in the UK as dependents, and he was unable to meet their needs on the support that he was given by the state. Musa also enjoyed working, he felt more productive and '*like a better person*' as a result of earning his own money. However, Musa was more concerned about the potential consequences of prohibited work. Eventually, he became too worried that he would put their asylum application at risk, so he stopped working until he was given Leave to Remain.

In these instances, the outcome of engaging in work was beneficial, or at least not damaging. The embodied practice of working functioned to enable these individuals

to resist the normative forms of subjectivity the state compelled, and to act in manners that more accurately represented how they understood themselves. Moreover, working allowed them to confront the precarity that the system had instilled in their lives, re-invoked the productivity and resourcefulness that the system had compelled them to exclude, and engaged in activities and expressed capabilities that the system denied them. However, it is far from assured that asylum seekers who engage in prohibited work will not face consequences. If caught, asylum seekers can be detained or required to report more regularly, and being found to have transgressed in this way could impact their credibility. Moreover, working without documentation means that they are automatically vulnerable to exploitation.

Faith, a Liberian asylum seeker who has been in the UK since 2008, ran into such problems. Faith agreed to do some domestic work for a local family. By her account, she spent many weeks *“Looking after the children, washing up, cleaning their house, cooking”*. She soon realised they *“wanted to use [her]”* and were making her work excessive hours. The family refused to pay Faith, so she eventually fled to a friend’s house. However, shortly afterwards, she was accused of stealing:

*“[The family] lied and said I stole dollars. But if I stole dollars from you then which is the amount? What amount did I stole from you? Why don’t you go and report it at the police station, you are lying against me”*.

At that time, she had little choice but to work as she had to provide for her daughter.

However, since these events had occurred, the family had been harassing her:

*“[they] went to the computer, wrote bad things about us....It say I am mentally disturbed, me and my daughter we are mentally disturbed because [they] don’t want.... we should not expose them. [They’re] writing bad things about me... And*

*the worst thing they want to do to me, they want to send me back and make my daughter stay with them”.*

Faith said that she faced harassment, and that she was worried that she would face serious problems if the Home Office found out that she had engaged in prohibited work, as her claim had already been rejected.

Faith’s example highlights how engaging in prohibited work is not always a safe option for asylum seekers, and that there could be serious consequences — both to their claims and their personal lives. It also emphasises a paradoxical point about engaging in prohibited work as a way to subvert the system: in doing so, asylum seekers essentially *become* the illegal, bogus individual that the state has often labelled them as being. However, despite this, and even in cases where there are negative outcomes, these activities can be understood similarly. Engaging in work actively subverts the normative embodied subjectivities compelled by the state, it re-articulates notions of illegality and bogusness in ways that could be beneficial for asylum seekers. It exposes the constructed nature of normative understandings of asylum seekers as unwilling or unable to work, or a drain on the public purse (Sales, 2002). This reclaims the body from the state’s dominating practices, enacting an alternative way of being. Moreover, engaging in work and gaining some degree of financial autonomy enables asylum seekers — in a limited way — to refuse the control exerted over them by the state, and to resist the precarity that the system demands from them.

The practices explored in this section can be understood as instances of agency within the asylum system. Of course, there are a multitude of other activities and behaviours not intrinsically related to the process of claiming asylum, through which asylum seekers can assert agency: personal relationships – such as romantic connections

and family ties (see Manalansan, 2006; Goodman, 2007; Gedalof, 2007; Ahmad, 2009; Mai, 2009) and social networks among the asylum seeking community (see Sorenson, 1990; Dorais, 1991; Eastmond, 1993; Eastmond, 1998; Koser, 1997; Williams, 2006; Wells, 2011). Many of these were also noted by my participants as phenomena that enabled them to assert agency, contest precarity, and enact alternative forms of embodied subjectivity. The examples provided here were selected because they highlight how the material surface of the body and embodied experiences can be central to asylum seekers' expressions of agency.

The way that these acts of embodied agency relate to the biosovereign power of the system can be seen to be similar to the embodied opposition discussed above. These acts also involve individuals drawing on the disavowed excess which the system demands they exclude, and re-invoking that excess, re-articulating norms in ways that subvert what the system compels, and enacting alternative ways of being an asylum seeker. These behaviours can expose the violence that the system inflicts, and highlight the constructed nature of normative forms of embodied subjectivity. On the other hand, these acts differ from more resistant practices in several ways. First, embodied agency of this type does not necessarily oppose the power of the system, but rather involve embodied behaviours that exceed, or perhaps subtly subvert, systemic norms from within: they involve inhabiting the structure posited by the system in a manner that power did not anticipate or intend. Second, in contrast to the public nature of embodied opposition, these acts are generally confined to the private sphere. Third, these acts of embodied agency can generally be seen to act in response to dispossession from oneself, that is, the discord that emerges when a subject is compelled to identify in ways that they do not recognise, as opposed to more social, or collective, dispossession. Acts of embodied agency allow asylum seekers to

express facets of their identity that normative forms of subjectivity preclude, and allows them to use their bodies in ways that exceed what the system compels.

While acts of embodied agency may not immediately appear to be political in the same way as oppositional practices, they ought to be understood as such. Indeed, they are inherently political, since they enable asylum seekers to assert facets of their 'genuine' identifications, and in some small ways, enable them to overcome the precarity the system produces in their lives. Through learning new skills; attaining some level of financial autonomy; taking control of the body; or discovering creative routes to express themselves, asylum seekers' expressions of embodied agency can provide them with material resources, or a sense of productivity and value, that can be effective in countering precarity. In this sense, they strive for what Butler terms liveability: viable, recognisable life, in which one flourishes in their socio-political context. This can be economic, inasmuch as subjects need to have adequate resources to subsist, and political, given that subjects need to be afforded rights and the space to sustain life (Butler, 2004: 39). The hegemonic order is against asylum seekers in this respect: the state demands they live precarious, unliveable lives, and deploys normative violence and techniques of government to ensure this, essentially dispossessing asylum seekers from themselves and from society more broadly. Acts of embodied agency respond to this individualised dispossession, and enable individuals to attain a somewhat more liveable life: Bilal earning money from his restaurant job; Lena and Amir learning skills and forming networks through their voluntary work; the Somali men's sporting activities, which enabled them to spend time together and exert sovereignty over their own bodies, all of these behaviours counter dispossession and precarity in order to attain a more liveable live, despite the hostility and violence of the system. In this regard, acts of embodied agency are inherently political.

### **Reclaiming the Body, Reclaiming the Self?**

This discussion has focused on the nature of acts of embodied resistance, and has explored how the body functions during these actions, and in doing so, highlighted how — although the state has a monopoly on power within the system — it is not the sole actor, nor is it omnipotent: asylum seekers and their advocates act, both individually and collectively, to engage with and contest state power, and this agency is motivated by a range of forces, and takes varying forms.

Agency does not necessarily have articulated aims, and even when it does, these aims are not always achieved, not to mention that many acts of agency involve *compliance* with the system's demands. Agency may constitute 'politics by other means' (Gamson, 1975: 139), but not all political interventions are created equal: resistant behaviours can lead to injurious consequences; agency that seeks a more liveable life can backfire and expose asylum seekers to violence; protest intended to engage a public audience can fail to gather traction. It is also difficult to measure the efficacy of agency. People participate in acts of subversion or resistance for a variety of reasons: these are not solely determined by the concrete issues they face, but also by their personal circumstances; integration in protest-promoting networks (Opp and Kittell, 2010) or membership of a movement; the level of their emotional connection to an issue (Jasper, 1998); and the availability of other options to voice grievances. This means that it is difficult to speak of the practical efficacy of acts of embodied opposition or agency. It is perhaps preferable to assess each instance on its own terms.

This said, such acts are theoretically important: the analyses presented above highlighted how — through bringing the body to engage in practices that transcend or oppose the norms established by power — asylum seekers can challenge power and enact an alternative way of being. This is due to the reiterative nature of performativity:

rather than being stable or complete, the performative process demands that subjects repeatedly accede to the normative mark. This does not only reveal the constructed nature of the normative forms of embodied subjectivity that power produces, it also provides the moment at which the *dispositif* established by the state's biosovereign techniques can be destabilised and challenged. These practices invoke those elements of subjectivity that power demands asylum seekers exclude, and mimic or re-enact embodied subjectivity in ways that show their 'true' selves, transcending the asylum seeker label and the precarity it entails or performing resistance to power. This happens on and through the body, and its actions and encounters.

On a theoretical level, these actions can effectively intervene in the performative system to subvert norms. As compared to other understandings of agency — which view it as the voluntary expression of an autonomous subject or the assumption of bare life — a performative perspective can provide a robust way of conceptualising agency that recognises its inherent relationship to structures of power. This appreciates that both public displays of resistance *and* every day, unspectacular acts of agency can constitute important political acts; and which underlines the centrality of the body to these acts, inasmuch as the body has the capacity to expose injustices, articulate grievances, and enact alternative ways of being. As opposed to discussing the efficacy of these acts, this chapter has sought to focus on how the body is brought to function when it engages in these behaviours, and what a performative perspective can tell us about the nature of asylum seekers' acts of agency.

Nonetheless, irrespective of whether they effect concrete outcomes, these acts possess transformative potential. They can fundamentally change how an individual embodies their identity and can empower asylum seekers, enabling them to embody something which equates more closely to their own understanding of their identity, or

to strive towards a more liveable life, less hindered by precarity. Moreover, they can alter how other actors — both public and state — perceive asylum seekers, and can expose injustices, or open space for encounters and dialogue that could lead to positive change. They hold the potential to be transformative, even if this potential is not always actualised. This is not to suggest that this is enough for asylum seekers, or that they should accept mere potential and stop striving to elucidate and oppose the injustices that the system inflicts on them. Rather, it is to highlight that while the tangible effects of agency are variable, what they share in common is this transformative potential: utilising the body to performatively embody alternative ways of being an asylum seeker opens up routes for change, be that for asylum seekers to reclaim some autonomy over their bodies, or more widespread policy change.

This chapter has discussed a range of ways that asylum seekers' bodies can become vehicles for agential or oppositional action: how the body can be brought to function as a site of subjectivity, and sometimes resistance, as opposed to an object of governance. The next chapter continues to discuss the body as a site of opposition to the biosovereign governance of the asylum system. However, it moves away from *action* that can physically embody agency or opposition, and shifts the focus to how language about the body. More precisely, the ways asylum seekers discuss their own injuries and illnesses, can function as a route to articulating experiences of and grievances with the asylum system.

## Chapter Seven

### Linguistic Expression and Political Subjectivity: The Body and Narratives of Experience

This final empirical chapter discusses the relationship between the body and political voice. In particular, it explores how the body is involved in asylum seekers' ability to narrate themselves and their political experiences, and how these narratives function within the asylum system.

In discussing narrative, I am referring to the stories, histories, or descriptions used by individuals to articulate their identity and experiences. These are subjective accounts, they allow people to express their understandings of themselves and the world around them, and to give their lives a sense of coherence and meaning (Gergen and Gergen, 1997: 162). Gergen and Gergen highlight how narratives are both *reflexive* and *diachronic*. They are reflexive since they involve self-reflection, and actively construct the subject "not as a pawn to social inputs, but as a constructive agent in social life" (ibid). They are also diachronic: narratives develop and evolve through time, and are deeply entrenched within the context from which they emerge, the language and expressions they use have particular, situated meanings (ibid). Humans habitually narrate their self-understandings and experiences, but these narratives are especially powerful when used politically. Politicised narratives can enable individuals and groups (Moon, 2012) to publicly negotiate and assert a social identity; communicate a position or grievance; and can testify to experiences, especially experiences of injustice. Narratives can provide a way for the underrepresented or disenfranchised to assert political voice.

This perspective understands political speech not as a phenomena that is only accessible to politicians and theorists, but as an everyday practice. This follows McNay's understanding of the political, which critiques 'ontological' theories of politics whose abstract nature can obscure the lived realities of inequality and oppression. McNay reorients her notion of the political to encompass everyday social reality, including the diversity and injustice it entails. This incorporates how political actors are constituted, included, and excluded on-the-ground, and how these actors understand and express themselves within their political environment (McNay, 2014). The narratives discussed in this chapter reflect this view: they provide everyday accounts which encompass the texture and flux of political experience, and explicitly acknowledge the inequalities and disempowerment that this often involves. As such, narratives can be important *both* as an analytical tool that enable access to individuals' own perspectives on their subjectivities and experiences; and on an ethical level, since they can provide regular, and often marginalised, subjects with a way to attest to their identities and experiences, which can be especially helpful for individuals who have undergone the disempowering and disruptive experience of forced migration (Eastmond, 2007).

It may seem counterintuitive to turn to an exploration of narrative in the context of a discussion that focuses on the body and embodied experiences. Traditionally, philosophy has understood the materiality of the body and the rationality of the mind, including humans' ability to speak politically, in dualistic terms. Aristotelian thought posits a hierarchy between the body – with its natural and metabolic processes – and the soul, which is rational and intangible (Aristotle, 1994). While all living animals can use their bodies to produce *phone*, vocalisations indicative of pleasure or pain, only humans are capable of *logos*, rational speech conducive to complex expression and

communication. This privileges the mental capacity for speech over the bodily capacity to vocalise: by designating *phone* less significant than *logos*, “philosophy not only makes a primacy of the voice with respect to speech all but inconceivable; it also refuses to concede to the vocal any value that would be independent of the semantic” (Cavarero, 2005: 35). This privileging of the mind, and by extension of rational speech, over the physical body characterises much Western philosophy, which could lead one to conclude that the concepts of narrative and embodiment are uneasy bedfellows.

This is not necessarily the case. Despite being speech, narratives are individual, interpretive, emotional, and often unreliable. They often do not represent objective facts, but emerge from and attempt to articulate individuals’ embodied experiences of the world, and subjective understandings of identity. Although narration is an act of claiming and asserting political voice, it is not fundamentally separate from or superior to bodily experience. Rather, the two are often deeply interrelated and emerge alongside and through one another. While performativity is discourse inscribing itself on the body and – at moments – destabilising and challenging the norms embedded in that discourse, these narratives represent a linguistic response to dominant discourses. This highlights the relationships between these two phenomena: whereas bodies transcend their biological reality by acceding to and challenging the normative marks embedded in dominant discourses, these narratives use language and voice to intervene in discourse. However, they arguably achieve similar ends: both demonstrate the power of dominant discourse to fashion ‘reality’ on both an embodied and ideational level, and also show the propensity for subjects to exceed, destabilise, and challenge this reality through their expressions – on a linguistic or embodied level.

This relationship between bodily experience and political narrative became increasingly apparent to me during my fieldwork. As I was engaging with asylum seekers, both during interviews and in more informal conversations, I noticed that their embodied experiences often influenced how they were able to articulate a narrative of who they were and what had happened to them. While asylum seekers are generally excluded from asserting political voice through more formal channels, narratives encompassing bodily experiences provided a way for them to articulate political voice in a more everyday, immanent sense. In particular, I noticed a striking relationship between the physical condition of the body – that is, individuals’ experiences of bodily illness and injury – and their capacity to narrate their experiences, and the ways that those narratives functioned politically.

The experience of serious physical illness or injury is always traumatic. This is notable in the asylum system, given that a significant number of asylum seekers suffer from severe illness and injury — often as a result of the circumstances they have fled — and since many asylum seekers struggle to access adequate healthcare. Beyond the immediate impacts of physical illness and injury lies a more complex situation: the relationship between the suffering, ill body and individuals’ ability to narrate their experiences is not fixed but variable, and can produce very different outcomes. In some cases, the experience of bodily illness or injury can impede asylum seekers’ attempts to narrate their identities and experiences, by disrupting their sense of identity and ability to express themselves. However, on other occasions, the injured or ill body can act as an object through which asylum seekers can narrate their grievances and political experiences, it can be a referent around which narrative can be constructed, and can provide a way for asylum seekers to articulate political subjectivity when they may not otherwise be able to.

This discussion of the relationship between the body and political narrative simultaneously compliments and challenges the performative perspective put forward by this thesis so far. On the one hand, narratives of the body and the performative process are similar: both draw on the materiality of the body to express political subjectivity, and both can be understood as part of the same discursive, biopolitical milieu. Moreover, when narratives of the body articulate a form of subjectivity that differs from the norms compelled by the state, they too can function to transform the body from an object of passivity to a site of resistance. Both phenomena challenge the primacy of (traditional understandings of) political speech, departing from an understanding of the political as abstract, and instead focussing on the political nature of everyday, material life. Moreover, like embodied agency, narratives of the body can help to overcome the understanding of asylum seekers as 'bare life', showing how they can assert subjectivity within and despite structures that dispossess them. Such acts may appear insignificant in the context of the politics of asylum more broadly, but can be meaningful in individuals' everyday experiences. In the same way as acts of resistance, the ability to voice one's own political experiences can contribute to building a liveable life. Where the acts of agency discussed in the previous chapter functioned on both the individual and collective levels, these narratives of the body tend to be more individualised, and deeply rooted in individuals' experiences and understandings.

On the other hand, narratives of the body highlight some important limitations of performativity for elucidating the political functions of the body. This is because narratives provide a linguistic, moral critique of the social order, albeit one which is articulated with reference to the body, and do not manifest as material acts, as a performative perspective would imply. Understanding narratives of the body as holding

the potential to be politically generative points towards an important element of political participation that performativity overlooks: subjects' ability to use political *voice*, and for that voice to be meaningful, as opposed to subjects' ability to materially act otherwise. Given the body's implication in these narratives, however, it would be reductive to resort to an understanding which views the mind/voice and physical body as separate, or oppositional, entities. Rather, it invites interesting questions about how the materiality of the body relates to political narratives, and precisely how such narratives of the body can intervene in the performative milieu that constitutes the asylum system.

### **Chapter Plan**

This chapter makes two core arguments. Firstly, I show how the relationship between the body and narrative is variable and uncertain. In some cases the body inhibits narrative, whereas at other moments it can be conducive to it. However, either way, this body-voice relationship can be constitutive of subjectivity. Bodily pain and injury can impede narrative and normal social life, and can thus manifest yielding, voiceless forms of subjectivity which can – inadvertently but powerfully – reinforce the disenfranchisement and precarity produced by the system, and curtail individuals' ability to politically engage or resist. On the other hand, drawing on experiences of bodily illness and injury in order to articulate a narrative of the body can enable individuals to express a 'genuine' form of subjectivity – which often differs from that which the state compels – and, often, to articulate subversive views and political critique. As such, narratives of the body are understood not solely as reflective, descriptive accounts, but as being inherently generative: much like embodied acts, they can constitute and reaffirm political subjectivity.

Secondly, I explore the relationship between these narratives of the body and the performative perspective developed in previous chapters. Despite significant differences between the two, I argue against concluding that one of these perspectives should be discarded, or that we should view them in hierarchical or dualistic terms. Rather, I illustrate how, although this discussion of narrative highlights some limits of the performative perspective, they both function to manifest political subjectivities that can exceed, subvert, or resist the system, and are often aimed at achieving a more liveable life in a context of dispossession and exclusion. The discussion here illustrates these differences and similarities, and draws out their implications.

This enables the chapter to contribute an alternative understanding of asylum seekers' experiences of bodily illness and injury as something which can be generative of political subjectivity and resistance. While existing research has illustrated how asylum seekers often attribute the onset and persistence of physical health complaints to their experiences of claiming asylum (Perron and Hudelson, 2006), scholarship has yet to explore how narratives of bodily illness and injury can go beyond description or self-reflection, and can actually be productive of political subjectivity and resistance.

The chapter begins by acknowledging how existing literature has addressed asylum seekers' experiences of illness and injury, and the socio-political consequences of these experiences. Drawing on a variety of literature, I provide a theoretical view on the relationship between these bodily experiences and narrative. I go on to present empirical examples in which the body functioned to inhibit or be conducive to narrative. The narratives in the latter part are presented in participant's own words and in lengthy, unstructured excerpts, in order to retain as much as possible of the narrative as it was originally articulated. The concluding section discusses the interplay and tensions

between these narratives of the body, and a more material, performative understanding of the body and political subjectivity in the asylum system.

### **Exploring Physical Illness and Injury and Narratives**

Existing literature pertaining to asylum seekers' bodily injuries and illnesses — and the impacts of these experiences — is broad. A large amount of clinical literature has addressed the physical conditions commonly experienced by asylum seekers, and their clinical consequences. This literature is generally descriptive. For example, Burnett and Peel have examined the common health needs of asylum seekers in the UK (Burnett and Peel, 2001). They find that 1 in 6 asylum seekers and refugees have a health problem that affects their day-to-day life in some way (common conditions include hepatitis, meningitis, HIV, tuberculosis (Callister et. al., 2002), parasitic disease, diabetes, heart disease, musculoskeletal pain (Jara et. al., 2004) and gastrointestinal problems). Many asylum seekers also exhibit malnutrition, evidence of substance abuse, and symptoms such as headaches and chronic pain connected to trauma. Additionally, many have not received immunisation or dental care. Clinical literature also highlights the prominence of mental health issues in the asylum-seeking community (e.g. Summerfield, 2003; Whittaker et. al., 2005) and the ways that mental health issues can have somatic manifestations. For example, Cohen has demonstrated that asylum seekers display high levels of physical self-harm as a result of mental illnesses (Cohen, 2008).

Other studies have discussed how physical pre-migration stressors, such as experiences of torture or sexual violence, can have distinct effects on asylum seekers' mental and physical health (Silove et. al., 1997; Keygnaert et. al., 2012) and how aspects of the asylum system, such as detention, can negatively impact health (Steel and Silove, 2001; Sultan and O' Sullivan, 2001; Keller et. al., 2003; Cutler, 2005; Steel

et. al., 2006; Medical Justice, 2007; Robjant et. al., 2009; Medical Justice, 2012b) or worsen existing health problems (Medical Justice, 2012). Furthermore, existing health problems are often exacerbated because asylum seekers face confusion about how the healthcare system in the UK works, meaning they are unable to access required treatment. High levels of poverty and social exclusion (Harris, 2003) can worsen these problems; as do the shame and mistrust associated with suffering, which can render asylum seekers reluctant to engage with healthcare professionals (Burnett and Peel, 2001b). These problems can be compounded by medical practitioners' lack of confidence in dealing with asylum seekers' complaints (McColl et. al., 2008; Asgary and Smith, 2013; Paasche-Orlow and Orlow, 2013; Cleveland and Ruiz-Casares, 2013). Surveys suggest that asylum seekers are cognisant of these difficulties, and that they affect their experiences: a study in the Netherlands revealed that 59.1% of asylum seekers considered themselves to be in poor health, and that they did indeed suffer from a higher rate of mental and chronic physical illness than the general population (Gerritsen et. al., 2006). A second study from Sweden showed that 55% of asylum seekers felt that they had not been properly informed about healthcare services — leading to poor health literacy (Wangdahl et. al., 2014).

This clinical literature provides the broader context for the current discussion: it outlines the nature and extent of physical health issues that are commonly observed in asylum seekers, and provides insight into some of the causes and impacts of these issues. However, clinical literature does not generally address the ways that asylum seekers *experience* illness and physical injury; how these experiences affect their day-to-day lives and self-understandings; and how they can alter how individuals understand and use their bodies. The experience of illness can intervene in the milieu established by the biosovereign state in a variety of ways.

Medical sociology provides valuable insights into the socio-political aspects of illness and injury, and recognises that the experience of illness is not solely physiological, but also involves material, affective, and subjective facets. Pierret suggests that experiences of illness and injury can impact three aspects of individuals' experiences: their subjectivities — their understanding of themselves; their relationships with others; and their interaction with the broader social structure, such as their ability to engage in social activities, and maintain their socio-economic position (Pierret, 2003). Most work from medical sociology highlights how the experience of illness and injury negatively impacts these aspects of experience, and thus inhibits individuals from engaging in socio-political life. Bury writes that the experience of illness and injury can radically alter subjectivity: "First, there is the disruption of taken-for-granted assumptions and behaviours; the breaching of common-sense boundaries... Second, there are more profound disruptions in explanatory systems normally used by people, such that a fundamental re-thinking of the person's biography and self-concept is involved" (Bury, 2008: 169-170). Illness and injury can bring about fundamental restructuring of biography and identity (Mathieson and Stam, 1995; Lawton, 1998) leading people to feel as though they have lost control of the self. This can result in distress, lowered self-esteem, and low satisfaction with life (Bradshaw and Krekke, 1999).

With regards to social interactions, research suggests that severe or long-term illness often entails feelings of 'living a restricted life in social isolation and becoming a burden' (Charmaz, 1983), and can bring about significant changes in an individual's relationships with their family and friends (Bury, 1991), which can become so strong that they withdraw from these relations (Nijhof, 1995). More broadly, experiencing illness and injury has been noted to affect engagement with society: it can threaten

the ability to participate in everyday activities; put people at risk of stigmatization and discrimination; affect their ability to engage with culture (Schneider and Conrad, 1983; Anderson and Bury, 1988); and produce economic pressure.

These perspectives can be theoretically articulated with reference to Scarry's understanding of the ability of physical pain to 'unmake' the world. In *The Body in Pain*, Scarry explores physical affliction and suffering. She suggests that while physical pain is something everyone experiences, it is also fundamentally inexpressible (Scarry, 1987: 3-4). We can diagnose and empathise with suffering, and language can analogise with and substantiate pain, but it ultimately remains indescribable — indeed, any attempt to bring it into language unmoors it from its bodily referent and objectifies it (ibid, pages 13-4). However, for the person experiencing pain, it dominates experience. Pain reduces one to "all body" (ibid, page 45), it limits one's capacity to speak meaningfully by eluding or destroying language; it severs one from social experiences; and reduces subjectivity to the experience of the suffering body. Scarry understands pain as unmaking the world — it reduces one's experiences to ineffable bodily suffering, and prevents them from meaningfully relating to other bodies, social processes, and spaces.

Scarry's understanding of pain and suffering as phenomena that are capable of unmaking individuals' worlds is useful for thinking about bodily illness and injury as prohibitive, disenfranchising experiences. While the nature and seriousness of illness and injuries — and the level of pain they evoke — is variable, the experience is inherently bodily. It defies meaningful linguistic expression, while at the same time overtaking one's experiences, often by preventing an individual from accessing socio-political spaces, activities, or relationships. In the asylum system, this disruptive, oblitative quality of physical illness and injury is exacerbated by the fact that asylum

seekers often *already* face significant barriers to accessing the socio-political domain, and to expressing their experiences and needs. In many cases, the experience of physical illness or injury functions to ‘unmake’ their worlds in the ways described above. Scarry’s understanding of physical pain as reducing individuals to ‘all body’ is also resonant, as it captures how the condition of the body can come to dominate subjectivity and experiences, and function to inhibit individuals from identifying and acting as a socially engaged subject. Given the heightened levels of physical illness and injury displayed by asylum seekers, the isolation and inability to engage that the experience of physical illness or injury can bring about can — powerfully but inadvertently — reinforce and reproduce the precarity that the system often compels, and curtail the possibility of resistance.

However, this is not always the case. At other moments, the injured or ill body can *enable* asylum seekers to express their subjective experiences or articulate political positions, often in manners which critique the system or oppose normative forms of subjectivity. Medical sociologists acknowledge that individuals suffering from illness or injury often strive to articulate their experiences with recourse to metaphor or other interpretive devices — which can enable people to express their experiences, and connect their bodily condition to the world around them (Frankenburg, 1986). Most commonly, this takes the form of storytelling (Bransen, 1992) or narration (Hyden, 1997) which “attempt to reconstitute and repair ruptures between body, self, and world by linking up and interpreting different aspects of biography in order to realign the present and past and self with society” (Williams, 1984: 194). This can enable individuals to reconstruct a sense of self after the disruption of illness (Charmaz, 1983). It can also articulate the practical and emotional impacts of illness on one’s life, as well as more ‘moralistic’ evaluations of blame and shame associated with illness

(Griel et. al., 1989; Pinder, 1995; Nijhof, 1995; Bury, 2001). Articulating such stories can enable ill or injured individuals to discuss their bodily condition in ways which “make [them] accountable to others, and...articulate their position in the world” (Radley and Billig, 1996: 222).

This focus on narrative is pertinent to discussions of asylum seekers, as the ability to narrate the self has been noted to help them to “make sense of displacement and violence, re-establish identity in ruptured life courses and communities, or bear witness to violence and repression” (Eastmond, 2007: 248). On some occasions, the experience of physical illness or injury can be *conducive* to voice, and can provide a route for individuals to articulate a narrative of their bodies which attests to their identities, social position, and experiences — something which can be immensely valuable. Asylum seekers can use these narratives of the body to articulate explicitly political forms of subjectivity — everyday embodied experiences of the system can be directed so that they function to oppose the normative identifications that the state compels, or articulate a political critique of the system.

Skultans discusses how narratives of the body can be used to articulate political critique of history and society (Skultans, 1999). In particular, she explores how historical and political events can become “annexed to the body” (ibid, page 310), how individuals’ discussions of their bodily suffering can be narratively linked to political conditions, historical grievances, collective suffering, and state-perpetrated violence. Her writing discusses how political discontent can be articulated *through* individuals’ discussions of their medical conditions — how resistance to political authority can be expressed through discussions of illness — so that “bodily experience becomes a yardstick against which the unreasonableness of history [or, current political conditions] is judged” (ibid). She sees narrative as permitting individuals to — at least

partially — express their subjective experiences. They encompass the relativity of knowledge, and can shed light on deviant or marginal perspectives. Moreover, narratives of illness can evoke an emotional response (Skultans, 2000:8), and articulate individual experiences using shared language, meaning that deeply personal stories can be powerfully expressed with reference to common cultural structures and understandings (ibid, page 10), or linked to the dominant social and moral order (Kleinmann and Kleinmann, 1985).

Much of her writing is based on her work with Latvians following the collapse of the Soviet Union, focussing on how narratives of the body are linked to historical injustices perpetrated by the Soviet government. Individuals can resist power by narrating their bodies in ways that contradict how power understands them, and articulate alternative understandings of embodied subjects and their relationship to the state. For example, one of Skultans' participants discusses her anxious pregnancies and the illnesses faced by her children during infancy in terms of Soviet policies of work quotas and rationing, which prevented her from accessing adequate medical care and food. Using the condition of the body as the basis of political critique — making the body represent the injustices one has suffered — renders the private, suffering body's experiences public and political. The body becomes a referent, a site of active critical agency as opposed to a passive object of pain or medical diagnoses (Skultans, 2007:8). Skultans' understanding of narratives of the body as compelling platforms for political expression and critique provides a useful way for framing such narratives as they appear in the asylum system, and I draw on her insights here to frame how asylum seekers' narratives of illness and injury can, at moments, allow them to speak politically.

As was suggested in the previous chapter, bodies prove resistant to being captured or categorised by the normative terms of power. Narratives of the body can also

function to subvert or resist the normative labels that power applies to bodies, and can function as a specific form of resistance — the shortcomings and injustices of the current order can be expressed, and alternative forms of political subjectivity articulated. Skultans understands this as differing slightly from resistance as understood by scholars such as Foucault and Butler: while biopolitical notions of resistance generally involve acts of deviance or non-normative expressions, these narratives co-opt and redeploy language and cultural understandings about the body — such as medical diagnoses and discussions of pain — as a conduit for articulating critical forms of political subjectivity. Health is defined in relation to the socio-political order, and narrating the body becomes a way of offering a deeply political and moral critique of power, inequality, and injustice (Skultans, 1999: 314).

However, this is not to say that these two understandings of agency and resistance are mutually exclusive. While embodied resistance is material and narratives of the body are linguistic, both represent ways in which corporeality can function as a site at which asylum seekers can assert their identities and lay claim to political subjectivity. Moreover, both are emancipatory: they function as a route for asylum seekers to exceed and subvert the norms imposed by the system by performing or voicing an alternative form of subjectivity or behaviour, and thus represent a striving for a liveable life from within a punitive system. As such, this discussion cannot be seen to discredit the arguments made in previous chapters, but rather complements and nuances it by highlighting the fact that the body's political functioning is heterogeneous and, often, not straightforward.

The analyses that follow discuss asylum seekers' discussions of their experiences of bodily illness and injury. I illustrate how — in some cases — these bodily experiences proved inhibitive to narrative, and thus to individual's ability to speak politically and

participate in socio-political life — reinforcing precarity, and effectively ‘un-making’ their socio-political worlds. Other cases illustrate how asylum seekers’ narratives of their experiences of illness and injury can function in a manner that is conducive to narrative, and which allows them to speak politically — often in order to critique the dominant socio-political order, and to assert an alternative form of political subjectivity in circumstances where, often, no other feasible way is available.

### **Bodily Pain and Illness as Inhibitors to Political Narrative and Participation**

Asylum seekers exhibit high levels of physical and mental illness and injuries. In the communities I worked with, a wide range of physical illnesses and injuries were immediately visible, and I was informed about many more — it was a significant obstacle that many asylum seekers struggled with. A professional participant explained how the health issues of the asylum seekers she worked with were often exacerbated by the rules of the system; frequent mistakes made by the Home Office; and inconsistency in health and social care. In many cases, this resulted in asylum seekers’ lives being so consumed by their physical experiences that they were left unable to speak or act politically. As one explained, “*when you’re in pain or you are feeling sick then it is hard to do things, normal things, it’s hard to think about anything. It is hard to have the energy to think about [anything else] sometimes*”. The experience of sickness and injury can dominate asylum seekers’ lives, casting them as disempowered, precarious subjects as opposed to political subjects; and significantly limiting their socio-political engagement. In the most extreme cases, this manifests in ‘resignation syndrome’ in which trauma leads refugees to become isolated and, ultimately, comatose — fundamentally unable to engage with the world around them or their legal situation (Newman, 2018).

This is evident in Rashid's experiences. During the months he spent in detention, Rashid developed serious mental health issues. Alongside this, he also suffered from a range of physical complaints, some of which he felt were directly caused by the experience of being detained. Although his health had improved since his release, Rashid still suffered from some physical and mental symptoms. Moreover, he found it very difficult to talk about his time in detention, and there were many aspects of his experiences that he was unable to remember or articulate. His account of his experiences was short and fact-based: he knew it was '*bad*', that he had been '*very ill*', that some of the guards had brought him food, and that he had spent most of his time confined to bed in his room. He was unable to narrate specific details, or discuss how his experiences had made him feel. Rashid's experiences provide a somewhat extreme example of how pain — in his case, both physical and mental — can inhibit asylum seekers from narrating their experiences, expressing their subjectivity, or participating in regular social life. Rashid's experience of illness literally un-made his world: his self-esteem and social life were depleted, and he was left isolated and unable to communicate his self and his experiences. Effectively, Rashid's illness came to dominate his life — he was reduced to a prone, sick body, and was unable to voice his identity or protest his treatment. Given that he had already been labelled as a bogus applicant, this experience effectively re-entrenched the normative subjectivity the state compelled from him, and the disenfranchisement and precarity that the system had instilled into his life — the condition of his body inhibited him from challenging his system, asserting his identity, or claiming political recognition.

Mohammed — an asylum seeker from Sudan — had similar experiences. Mohammed was a semi-regular member of the English class I taught: he often suffered from periods in which his chronic pain would flare up, and this was usually accompanied by

him falling into a deep depression. During these periods, he couldn't leave his bed or speak to anyone, and was unable to attend English lessons, meetings with his solicitor, or social activities. His social life and relationships paused, and he was unable to do anything but stay at home and sleep. While Mohammed was usually outgoing and engaging, in the aftermath of these periods of illness he was quiet and reticent. Like Rashid, his experience of illness left him unable to articulate his self, and unable to participate in his normal social experiences — for short periods, it unmade his world: reducing him to a vulnerable, ill body, and preventing him from engaging with any political, legal, or social processes. This was especially frustrating for Mohammed, as he had already had two asylum claims refused, and was in the process of making the final appeal he was entitled to. He was visibly angry and frustrated when his illness prevented him from engaging with his claim and with his support network. He explained that this was because when he was sick, he felt *“on my own, and unsure about what will happen, and usually very sad and afraid”*. Like Rashid, Mohammed's experience of illness reduced his capacity to express himself and prevented him from engaging with his claim, re-emphasising and entrenching the precarity, disconnection from society, and uncertainty that the state had created in his life — the illness experience depleted his sense of self and his ability to act as a political subject.

Not all cases are extreme as Rashid and Mohammed's, but many other participants had similar experiences. Noor, an elderly Iranian asylum seeker, came to the UK in 2012 with her husband and children. All of Noor's family had health problems that required specialist treatment, but Noor herself was in particularly poor health: she experienced significant pain and shortness of breath connected to a heart condition — complaints which had worsened since she arrived in the UK. In addition, Noor was essentially illiterate and could speak very limited English, and relied on the assistance

of staff from support groups to read her letters and make phone calls. This meant that, when she was forced to spend several months at home while she recovered from surgery, she returned with a stack of correspondence she had not been able to respond to — including information from the Home Office, NHS appointments she had not attended, and overdue bills. Noor's experience of illness effectively cleaved her away from her support system and disconnected her from the assistance that she needed; this in turn meant that she was unable to participate in society and the bureaucratic and legal aspects of her claim. Unlike Rashid, Noor was able to articulate her health problems and how she was feeling. However, her experience of illness was significantly damaging to her — the isolation and complications it caused in her life and in the legal process of her claim added to her stress and confusion, and caused her to become despondent — it damaged her self-esteem and confidence in her abilities. Moreover, it meant that she missed a number of appointments with solicitors and doctors, and went into arrears on certain payments. Although her experience of illness did not destroy her subjectivity, it inhibited her from participating in the legal process or social life — and effectively unmade her world on a different level.

In a similar sense, Lena — introduced earlier — also discussed how her experiences of illness had left her unable to participate in social processes or engage with her claim as much as she would have liked — an experience which caused her significant stress and worry:

*“If you're ill, then you can't do things and you get down. And I think it does [affect you.] Especially if you're just carrying that depression and that anxious with you all the time. You can't do much. I just really want to learn English and do something to take my mind of the process [of claiming] but there are some times that I can't. Because pain...it's just so painful and it's there all the time.”*

In Lena's case, physical illness was accompanied by a downturn in her mental wellbeing. She said that periods of physical ill health had prevented her from engaging with her friends and support network, and caused her to feel more pessimistic, and to make fewer social plans. Lena was still able to speak about her experiences of illness in an articulate manner, but bodily illness had a significant — and mostly negative — impact on her life, self-esteem, and self-understanding. Lena was unable to engage in any of the voluntary work or educational programmes that brought meaning into her life — she was reduced to feeling '*like nothing*', because she could not embody the subject she understood herself as being. It also left her feeling politically disempowered, as it was through her volunteering that she was able to feel like a politically active subject. Moreover, Lena's inability to feel positive about her future during her period of illness meant that she became deeply worried and depressed about the lack of certainty she had over her life. Physical illness unsettled her subjectivity, re-entrenched the state's understanding of her as an apolitical subject, and heightened the precarity that already dominated her life — while she was still able to narrate her experiences, illness unmade her world by preventing her from being the person she understood herself to be, and estranged her from her political sensibilities.

These examples highlight a number of points. Firstly, they all represent moments at which the experience of physical illness or injury *prevented* asylum seekers from participating in social life or engaging with the legal system. In these cases, the condition of the body inhibited regular social and political life. The pain and uncertainty associated with illness "affects various activities, or even the person's whole existence" (Pierret, 2003: 11), and can result in the inability to act or communicate, causing significant social isolation, and can limit or end their ability to engage in social

relationships and activities. The discussed cases show — the experience of physical illness is often accompanied by complications in asylum seekers' mental health, and can be damaging to their self-esteem and confidence, and their satisfaction with their lives.

However, the experience of physical illness and injury goes beyond simply preventing asylum seekers from participating in particular activities, processes, or relationships: the above examples suggest that these physical experiences can also diminish or re-order asylum seekers' self-understandings and notions of subjectivity — by preventing them from feeling or acting like political subjects, or feeling like coherent subjects at all. The condition of the physical body can lead to a loss of self, or significant biographical disruption. In the context of the asylum system, this manifests with individuals who had experienced illness or injury reporting a confused self-understanding; a loss of ability to narrate the self; and an inability to act as an engaged political subject. The above examples highlight this: while Lena's illness experience left her feeling politically disempowered and disenfranchised — she was still able to speak, but felt deprived of her ability to speak and act politically. On the other hand Mohammed and Rashid's experiences fundamentally upset their understandings of who they were as subjects, and their ability to speak and act as such — their physical pain was inexpressible, and reduced them to prone, injured bodies, as opposed to coherent subjects.

In all of these circumstances, physical illness and injury can be seen to 'unmake' individuals' worlds in a manner similar to that posited by Scarry. The ability of physical illness and pain to reduce one to 'all body' can affect individuals on both a material and subjective level — it can affect their relationships and social behaviour; and it can also impact who they understand themselves to be, and how they are able to express

themselves. Both of these phenomena occur when physical pain reduces an individual to their bodily state, estranging them from their social and political subjectivity and practices. In the context of the asylum system, this estrangement from the self — and the threat to asylum seekers' material and subjective practices that accompanies it — can serve to reinforce normative forms of subjectivity, as well as the precarity and uncertainty that the system has already produced in asylum seekers' lives, effectively reproducing them as disenfranchised, disempowered citizens who are unable to meaningfully engage with or resist power. This may be unintentional, but it can still be impactful: physical illness and injury can lead to asylum seekers being unable to interact with the process of their claim and other bureaucratic obligations, which can cause them significant problems — as was seen in Noor's case — or it can disrupt their self-understanding and cause them to feel pessimistic about the future, as was the case for Lena. In many senses, the condition of the physical body can function to hinder or prevent asylum seekers from acting as social and political subjects, engaging with the legal process, or participating in social practices.

### **The Body as a Referent: Narrating Political Experiences through Discussions of Illness and Injury**

In contrast to the material discussed above, the following discussion addresses cases in which asylum seekers' experiences of bodily illness or injury enabled asylum seekers to articulate narrative, and enabled individuals to voice their subjective experiences and identifications.

Rather than acting as an impediment to narrative and political voice, in these moments the condition of the body acts as a referent which can be connected to the broader political context, and “the articulation of this relationship [between individual body and political context] opens up the possibility of a critique of power, inequality, or injustice”

(Skultans, 1999: 314). Such narratives of the body draw on everyday experiences to articulate political subjectivity or express grievances, in circumstances whereby more formal routes of expression are not available. These political narratives function in a similar way to the embodied acts of agency discussed in the previous chapter: by providing a route for asylum seekers to overcome dispossession from their selves and broader society, and to strive towards a more liveable life, in which they reclaim some control over their identities and engagement with their socio-political context.

One example is the case of Faith, whose experiences were discussed in the previous chapter. During the interview I conducted with Faith, she frequently used discussions of her and her daughter's bodily experiences as a way to articulate what she perceived to be the injustices that the system had inflicted on them. Faith began by discussing the interviews that she and her daughter had been made to undergo after they claimed asylum. While she was able to navigate the interview experience, her daughter was disabled, and yet was still interviewed on her own.

*“So you know my daughter, they make her go for interview. She is mute and deaf.....she is mute and deaf and she cannot understand it when people talk to her. She don't hear and she don't talk, she can communicate but not.... you know not like normal. You know, she get scared when she doesn't understand, and her brain....you know her brain like a child....she doesn't understand.....”*

Faith recalled that, despite being aware of her daughter's medical conditions and their implications, the Home Office had insisted that she be interviewed alone, and had failed to provide adequate interpretation or support to her during the interview:

*“And [the Home Office] brought somebody who was not a professional in sign language, so she couldn’t understand. She cried because she can’t understand what the man was saying! She was scared.”*

Through her discussion of her daughter’s condition, Faith was able to highlight the inadequacy of her treatment during the course of her asylum claim. Faith did not know that, under British law, asylum seekers are entitled to an appropriate interpreter (UK Government, 2018) or that Home Office instructions stipulate that the state ought to provide a “positive and secure” environment for asylum interviews to take place (Home Office, 2015). However, she clearly felt that her daughter’s treatment had been inappropriate, but was unable to express her dissatisfaction with these events in legal language or through official channels. Rather, it was through a discussion of her daughter’s condition, the impacts that her medical state had on her life, and the ways that her illness had affected her claim that she was able to narrate her broader grievance.

Similarly, Faith also discussed her own physical health complaints, linking these to her experience of the asylum system:

*“Now I have high blood pressure, I have...I have diabetes...I didn’t have diabetes before, it’s all because if [the support organisation] give me cake then I will have cake, because I don’t have anything else... I don’t have support. Anything they give me I will have to eat it, you see? So I have eaten the bad foods and been stressed and now I have these....I have diabetes and blood pressure problems... I have a doctor now, because of the diabetes, and I also get depressed so they send me to a doctor...The doctors say I have diabetes and high blood pressure and it’s not good for me, and he is trying to help me but my blood pressure is not stopping.*

*Before, I used to vomit blood. And the Doctor said 'oh, it's a cold....it's a cold that you're having', and I said no, no it's not a cold, I've had a cold before and you don't have blood...blood is coming out of my throat and my nose! In the end it turn out to be that I have a problem in my stomach and it is making the blood come up in my throat. And the Doctor, he tell me actually that this can happen if you are stressed, you can get blood in your stomach and you vomit blood...it's because of the stress... it's because we are neglected."*

A subsequent conversation with Faith and a support worker who was involved in her case confirmed that she had developed an ulcer that had caused her to 'vomit' blood.

In this part of her narrative, too, Faith used her discussion of her experiences of physical illness to critique the asylum system, and to elucidate the treatment that she was exposed to which she felt was unjust. Her experience of illness enabled her to articulate these grievances by narrating them *through* her bodily condition, linking her ongoing physical suffering to the political context in which she lived, and the specific practices of the state. In particular, she directly connected her experience of diabetes and high blood pressure to policies surrounding the provision of financial support to asylum seekers, and implied that the destitution the system inflicted upon her, and the stress and poor health that this caused, were responsible for the development and worsening of these conditions.

Faith was not in a position to express these grievances through formal routes, or to articulate them in legal language — she had limited legal representation, and stated that she did not fully understand the intricacies of the asylum system; what she was entitled to; or who to talk to in order to voice her complaint. However, she was able to use her narrative of her bodily health and illnesses as a way to articulate the difficulties

and injustices that she had encountered, and used this as the basis of a moral critique of the system.

Amir, the Afghan asylum seeker introduced in previous chapters, provided a similar type of narrative, with which he described how he became ill, and had difficulties accessing the care he needed as his initial asylum claim had been refused:

*“If you are asylum seeker and your case [has] been refused, and at the same time if you become ill, like your life gonna be in danger really. I was ill and many times I’ve been in hospital, they refused to treat me proper. They told me they can’t help me anymore because my immigration status, because my claim was rejected at first, it’s not helpful. Many time I was in front of death because the doctors say we are not sure about [providing long-term treatment to someone with no Leave to Remain.] And last time they say we have no choice, we should operate you but we can’t....*

*For more than three years, almost four years, I suffer with pain. I have something....my heart is ill and I was in pain almost all the time, I can’t walk far, I can’t do anything without getting....getting like I can’t breathe or feel like I am going to fall down. They needed to operate me, but they didn’t because of [my] immigration issue. Last time my doctor say we can’t treat you proper[ly] because of the immigration issue, but we are waiting for a disaster happen with you. I never heard the word disaster in my life but when I ask my friend and they explained for me that it meant I was maybe not going to live, I say why — I am human being, I come to here to be safe and to be healthy, to be.....normal but then I end up like this...*

*You know, one time they say to me you have only three hours left in your life, if we don’t operate you’re gonna die cause the....your health has really become more and more worse, and we can’t control it...definitely you’re gonna pass. But I didn’t, and eventually they did help me and I was okay...but I was so ill and I was vulnerable. If you be ill, in this*

*country....definitely it affects you more, because you are feeling worried every day about your case, about your life, about your future, about your family at the same time.”*

Amir used his narrative to critique the system and its treatment of him — he understood the state as responsible for causing and worsening many of his health problems. As such, his discussion of his experiences of physical illness was not simply descriptive, but also functioned as a way for him to articulate his *political* experiences and position. Amir’s narrative clearly pegs the state’s political actions and policies to the material condition of his body, and thus makes his body and his traumatic physical experiences come to function as a tangible representation of the violence inherent to state policy. This is not achieved through his actions, but through his narrative — his body provides him with a route to asserting political voice.

Amir’s narrative of his physical illness honed in on the fact that, since his initial asylum claim had been refused, he was only able to access ‘emergency’ healthcare. Despite his claims that he was close to death, the surgery he required to address one of his chronic conditions was not viewed as an emergency, thus he was unable to access it until he had submitted an appeal and was once again eligible for more extensive medical care. Skultans’s analysis that “at the heart of [illness narrative stories] is a sustained sense of victimhood and a plea for the listener to acknowledge the unreasonable plight in which [he] was put” (Skultans, 1999: 317) is reflected in Amir’s narrative. Through his discussion of his bodily condition and experience of illness, he was able to draw attention to the injustice of the system and the ways that it has affected him, and to highlight the particular ways in which this perceived unreasonableness led him to suffer. Commenting on the system in this way enabled him to posit himself as a political subject — engaged with his context and capable of

critique — as opposed to a disempowered and depoliticised ‘failed’ asylum seeker. Thus, his linguistic expression of his embodied experiences functions to make his body and his traumatic physical experiences come to function as a tangible representation of the violence of state policy. In contrast to the examples outlined in the previous chapter, Amir did not necessarily achieve this *with* his body. Rather, he drew on the political subjectivity that these embodied experiences had crafted, and articulated it in language *with reference* to his body. In this regard, the two phenomena reveal themselves to be intertwined. The political subjectivity that the state had applied to Amir was not a representation of reality. Rather, it can be seen to have come about as a result of the dominant discourses and practices concerning asylum, and to have been subsequently compelled on and through his body. The material reality of his body that the state sought to produce was not real, but was a discursive construction. In expressing his narrative, Amir used language to oppose and challenge those norms and assumptions, arguably drawing on and articulating the subjectivity that his embodied experiences had contributed to crafting. The ‘truth’ of the body – which ostensibly lies in the discursive constructions that are applied to and cultivated through it – can be challenged and exposed on numerous levels, both through the body and in language. These forms of agency and resistance intersect inasmuch as they perform the common function in seeking to intervene in and challenge dominant discourses, and inasmuch as that they expose the fact that the body – and the subject – are not what the state has labelled them as being.

Both Faith and Amir used narratives about their experiences of bodily illness and injury to voice more abstract points relating to their experiences of the asylum system,

express their grievances, or to express their own subjectivities. Unlike in the instances of embodied protest discussed in the previous chapter, the body functioned somewhat allegorically: discussions of the material condition of the body provided a way to articulate political subjectivity and critique, and it was only through these narratives — and not through embodied actions — that the body was brought to represent the injustices and violence that these individuals saw as characterising the asylum system.

These narratives not only provided a way for Faith and Amir to rationalise their experiences and articulate a coherent narrative of their selves, they also enabled them to speak *politically*: through discussing their embodied experiences of illness and injury, Faith and Amir were able to constitute themselves as political subjects, and to express their grievances with the system and its treatment of them. By linking the state of the body to their political experiences, they were able to articulate a political position, and often to oppose the system's practices. This resonates with Skultans' idea of the body becoming a 'yardstick' against which the reasonableness of politics is measured. These two participants were not in any position to voice their political opinions and grievances through more formal routes — they were both rejected, 'bogus' asylum seekers, to whom the state denied access to the representation and rights of citizenship. However, through their narratives, they were able to speak politically — albeit in a more grounded and less abstracted sense than traditional conceptions of political speech might expect. In this sense, the state of the body is closely linked to their political experience.

In a crucial way, these narratives of the body function in a similar way to the embodied acts of agency discussed previously, inasmuch as they enable asylum seekers to

strive for a more 'liveable' life, even as the system seeks to disempower them. By speaking politically and asserting a form of political subjectivity over and against the system's attempts to depoliticise them, these narratives enabled Faith and Amir to resist the dispossession from their identities that the asylum system affects. While their narratives of their bodily experiences did not provide material benefits, they provide a way for asylum seekers to reclaim their identities from disavowal and thus obtain some level of mastery over their own subjectivities. In both of these examples, the narratives were deeply rooted in the individual's context and experiences. However, by using the condition of the body as the basis of a narrative that was articulated in a common language, they were able to garner sympathy and recognition, and effectively voice a meaningful political and moral critique of the asylum system. Similar to the discussion in the previous chapter, meaningfulness is not necessarily measured in terms of pragmatic efficacy, but rather in terms of an individual's capacity to effectively voice their political position and concerns.

On the one hand, these narratives of the body provide a route for asylum seekers to express political voice — in contrast with the instances described previously, these examples show how the body can function as a referent which can enable political expression. Narratives of the body enable asylum seekers to express their views and grievances vis-a-vis the asylum system and the wider political context. Moreover, these narratives can also be seen to be constitutive of subjectivity and — in many instances — to function subversively, enabling asylum seekers to strive for a more liveable life from within a system aimed at depoliticising and dispossessing them. While the state understood Faith and Amir as politically disempowered, tractable subjects, through their narratives of the body and the political subjectivity they

articulated, they were able to subvert these state-allocated labels, and instead assert an alternative, critical, resistant form of subjectivity. While this resistance addressed the injustice and violence of the system more broadly, it was deeply rooted in their individual circumstances, and functioned chiefly to enact a more individualised form of resistance.

As such, these instances highlight moments at which the body was conducive to political voice and resistance. Narratives function to link individual's experience of bodily injury or illness to the broader political context, and enable individuals to use the body as a referent through which they can articulate political subjectivity and critique. As a result of these narratives, the injured or chronically ill body can come to represent the injustices and violence inflicted by the system. Bodily narratives therefore enable asylum seekers to express political subjectivity, and often to articulate subversive or resistant perspectives. Moreover, they often play a role in constituting subjectivity, by re-establishing asylum seekers as political actors, and enabling them to articulate their self-understood subjectivities, in contrast to the normative notions compelled by the state.

### **Bodily Narrative and Performativity**

This final section addresses the relationship between asylum seekers' narratives of the body and the performative perspective adopted by other chapters in this thesis. I also use this discussion to draw out a broader argument concerning how asylum seekers' embodied actions and narratives of the body can challenge traditional conceptions of what constitutes political behaviour, and the widely-rehearsed view of asylum seekers as 'bare life'.

The first point of note is the way that these narratives of the body complicate the traditional distinction between voice and political speech and, in doing so, pose questions about what can be seen to constitute meaningful political speech. Common understanding of political speech view it as that which takes place among privileged citizens, and which often takes an abstracted, technocratic form. As a result, those who are not recognised as political subjects, and are thus not able to participate in political speech, have often been presented as depoliticised 'bare life'.

Discussions of biopolitics have helped to partially quash this understanding, by highlighting the ways that embodied practices and behaviours can also be inherently political. The kinds of narratives discussed in this chapter also challenge the distinction between political speech and voice. These narratives are not objective or abstract speech, but "reflexive first person stories", they are "more than a definition or series of statements about a phenomenon.... [rather, they] tell us something that connects with universal human qualities so that the reader can relate personally to the themes...[they are] a story that readers can imagine in a personal way" (Todres and Holloway, 2004: 90). Narratives are personal, contingent, and reflexive, and often communicate meaning through intuitive inferences and emotional connections. Individuals' narratives of their lives and bodily experiences would not conventionally be considered political speech. However, as discussed, some arguments from political theory have begun to critique the idea of the political as something abstract or detached from 'regular' experience. McNay's argument that routine, grounded acts, encounters, and expressions also constitute the political enables a more inclusive understanding in which the everyday can also be understood as political phenomenon (McNay, 2014). This is not only conducive to a more open and diverse view of what constitutes the

political, it can also enable us to consider speech and action that conventional understandings of political speech overlook or exclude.

These narratives of the body are one such phenomenon: they cannot be understood as political speech in the conventional sense, but can still be seen to function in a political way. In using discussions of physical illness and injury as the basis of political expression and critique, these narratives enable asylum seekers to constitute themselves as political actors, and to voice specific forms of subjectivity and opinions. They can unsettle the traditional hierarchy between political speech and voice, and to illustrate how everyday — and often marginal — expressions can still function politically. Understanding these narratives of the body as political phenomena — and thus, understanding asylum seekers as capable of agency and resistance — challenges the notion that asylum seekers are ‘bare life’, fundamentally disempowered and unable to meaningfully act. Much like embodied actions, then, everyday narratives of the body are political, and can be efficacious.

Relatedly, this discussion also complicates the traditional distinction between body and voice. This is also a binary that has been upheld by much philosophy and political theory, with materiality generally being seen as inferior to rationality and speech. Once again, biopolitical thought’s focus on materiality — and the material effects of discourse — has gone a long way in unsettling this distinction. Narratives of the body similarly undermine this body/voice distinction: these narratives involve political speech, but that speech is articulated with reference to the body, and is deeply rooted in the experiences of the body. This highlights both the difficulty of maintaining a clear

distinction or hierarchy between materiality and voice, and shows instead how they are often interrelated and mutually dependent.

Narratives of the body can therefore be seen to unsettle these problematic binaries which are often perpetuated within political theory, and to some extent, this justifies how discussing them alongside more material practices is valid. This said, it is still important to consider the specifics of the relationship between narratives of the body, and the more material, performative perspective that the previous chapters have developed; including how these two perspectives complement one another, but also how they highlight one another's flaws and limitations.

On the one hand, a focus on narrative highlights some of the limitations of a performative perspective. In her work, Butler explicitly states how she seeks to focus on the discursive nature of materiality — as opposed to focusing on linguistic practices. While the performative perspective is attentive to the ways that language is powerful — for example, how linguistic labels can be forcibly materialised and contested — it does not necessarily analytically accommodate linguistic interventions into the milieu established by power. Despite the fact that these narratives are rooted in and responsive to bodily experience — and despite them being fundamentally subjective responses to the experiences that the asylum system exposes individuals to — the understanding of performativity established here is not *quite* conducive to analysing such narratives in sufficient depth. Arguably, the political importance of narratives of the body — as illustrated in the analyses above — shows that materiality and language are closely related in the formation of political subjects, and that language should not be overlooked, even in a discussion of embodied phenomena. Likewise, it is

insufficient to *only* consider language, or to consider language in isolation from the broader material context: the political processes of governance and resistance are simultaneously constituted by both linguistic and material processes and practices, that can be seen to be heavily intertwined themselves. Where performativity captures the body's propensity to be shaped by, and to resist, dominant discourses and norms, narratives highlight the ability of the subject to take their embodied experiences and articulate them into a subjective, political account which expresses subjectivity and makes certain claims or demands. As such, both phenomena show how the subject can act or speak in order to intervene in the normative, dominant discourses that constitute the asylum system, and which attempt to constitute them as political subjects. On an embodied level, this occurs through the production and contestation of what bodies are and mean, whereas narratives function to directly intervene in linguistic discourses of who asylum seekers are, and what they think. They differ, but they compliment one another, and coalesce around a common purpose of contesting and reclaiming political subjectivity from a position of abjection and precarity. This discussion of narratives of the body has reaffirmed this, and illustrates the potential limitations of adopting a performative perspective without considering how the material expressions of political action coexist, intersect, and interact with linguistic expressions of political speech.

However, to recognise their differences is not to suggest that they this discussion of narrative undermines the previous discussions of material phenomena. Rather, the two views share myriad key similarities and, when brought together, arguably reinforce and complement one another, and thus provide a more overarching way to think about the political nature of the body and embodied experiences in the context of the asylum

system. These similarities and complementary points are both conceptual and political.

Conceptually speaking, given that both views are also attentive to the relationship between political subjectivity and the body, they can be seen to be rooted in the same discursive-biopolitical milieu. Both a performative perspective and the understanding of narratives forwarded in this chapter are both fundamentally discursive — neither of them understand the socio-political context of the asylum system as objective or fixed, but rather focus on the fluid, transient and constructed nature of political processes and subjects — how political subjects are constituted through processes of domination and contestation, and how governance and agency occur through everyday processes and experiences. Moreover, both perspectives unsettle the idea that politics is a lofty or abstracted phenomenon, and instead prompt analyses that focus on everyday perspectives and experiences. This means that both perspectives can unsettle pervasive binaries between materiality and language, and voice and speech. As a result, both of these perspectives are valuable inasmuch as they are conducive to an alternative understanding of what constitutes political subjectivity and action. By elucidating the ways that asylum seekers — through their embodied practices and narratives — can contest the norms espoused by the biosovereign state, both of these perspectives pose a significant challenge to the notion that asylum seekers are ‘bare life’. Moreover, since both of these perspectives are deeply embodied, they each reflect ways that the materiality of the body is a fundamental part of political subjectivity, and contribute to an overarching understanding of the variety of ways that the body is implicated in political life. As such, in both perspectives we see political

agency, which often transcends traditional conceptions of the political, or of political speech and behaviour.

Beyond this, these two perspectives — material and narrative — also complement one another in a political sense. This is primarily since both of them have a distinctly emancipatory flavour, and function to enable asylum seekers to express political autonomy from within the system. This challenges the aforementioned perception that they represent ‘bare’ life, and enables them to assert their ‘authentic’ subjectivities, claim rights and recognition, or critique the practices of the system in order to demand greater justice. More specifically, the analyses provided in the last two chapters have illustrated how both political narratives of the body and embodied acts of agency often represent asylum seekers striving to achieve a more liveable, bearable life, from within a system that seeks to disenfranchise and disempower them. Both engaging in acts of political autonomy and articulating political narratives enable asylum seekers to reclaim some control over their political subjectivities and how they are understood, allowing them to act or speak in ways which exceed or subvert the normative forms of subjectivity imposed by the state. This provides a route for them to overcome the dispossession from oneself that the dehumanising system often affects and enables them, to some extent, to resist the normative violence that the state inflicts. Moreover, as some of the cases explored here have shown, these political acts can also sometimes enable asylum seekers to achieve a more liveable life by overcoming the dispossession from wider society that they often experience — for example, by garnering attention, empathy or support, or by enabling them to engage in activities which further integrate them into British society.

As such, rather than being mutually exclusive or fundamentally oppositional phenomena, a performative perspective and an understanding of narratives of the body as a route for asylum seekers to reclaim political agency and assert political voice can, to some extent, be understood as two sides of the same coin. Drawing on Butler's understanding of performativity and Skultans' understanding of narratives of the body respectively highlights how they are both rooted in the same biopolitical, constructivist oeuvre. While the two perspectives differ, they also share significant commonalities and — in many crucial ways — complement one another. This, allows for a fuller and more nuanced analysis than drawing on a performative perspective alone. By considering the ways that the body can also be conducive to political speech, the understanding of narrative presented here highlights another facet of the body's political role in the asylum system, one which occurs alongside and, often, in tandem with asylum seekers' performative practices. Considering them alongside one another helps illustrate the variety of ways the body can become implicated in the process of claiming asylum, and also elucidates the numerous, and often unexpected, ways that asylum seekers can constitute themselves as political subjects, despite the disempowering constraints of the system.

## Conclusion

### **Conclusion: Bodies as Precarious, Bodies as Sites of Contestation**

Each chapter in this thesis has examined a facet of the relationship between the materiality of the body and political power in the British asylum system. This final chapter draws out the overall findings of the thesis, and considers its core arguments, contributions, and implications.

The first part of the discussion elaborates on the thesis' overarching key findings and contributions to knowledge — the centrality (and heterogeneity) of the body in the asylum system; biosovereignty and performativity; and the production and contestation of precarious life. I discuss these conclusions, and consider their limitations. The latter part of the chapter discusses the broader implications of this work: first outlining academic implications of the thesis, before addressing some applied implications — in particular, any implications for policy or practices within the asylum system.

#### **Key Findings and Contributions of the Thesis**

##### ***The Centrality (and Heterogeneity) of the Body in the Asylum System***

One of the initial research questions posed in the introduction to this thesis was “How is the body an important political site in the British asylum system?” This question emerged from the observation that the asylum system is more than a series of legal and bureaucratic structures, but rather a more all-encompassing experience, involving asylum seekers' socio-economic, relational, psychic, and embodied lives — essentially, a *lived* experience. Asylum seekers' legal statuses, and the ways that the state identifies them and processes their claims, have serious ramifications for their everyday experiences. The body appeared to be central to this: asylum seekers'

experiences of governance and expressions of agency are deeply embodied, and the surface of the body seemed to be central to a number of techniques and processes within the system. However, although the body often appeared central to the process of claiming asylum, the particular way that it was varied and was unstraightforward.

The literature review in chapter 1 echoed this observation. On the one hand, the scope of existing work showed that the body functions politically in a variety of different ways. Initial field observations also supported this early hypothesis. However, existing discussions of the importance of the body to the process of claiming asylum proved sparse, and generally focussed on only one aspect of the body's political functioning in the asylum system. As such, I set out with the aim of providing a systematic analysis of the ways that the body is a politically important site within the asylum system, incorporating the variety of ways that the body functions in this context, and the relationships, connections and contradictions between them.

The thesis has outlined a number of contributions and findings in line with this aim. Firstly, I developed a conceptual framework for thinking about the various political functions of the body in the asylum system, and to illustrate the relationships between them. I showed how this framework provided a useful way to both retain the specificity and depth necessary to discuss individual phenomenon, while also highlighting the heterogeneity of the body's functions, and the ways that different conceptual functions of the body relate to one another. This conceptual schema allowed the thesis to illustrate that the body is a locus of the broader politics of asylum: it is a site at which various governmental and agential processes occur; where political battles and contestations are materialised; where abstract categories of identity and notions of

inclusion and exclusion are inscribed, contested, and enacted. It is a deeply political site, but its political functions are diverse and varied.

The four empirical chapters drew out this perspective, analysing both the individual ways that the body comes to function within the system, and drawing connections and highlighting the relationships between them. On the one hand, this showed how the body's functioning was diverse and varied. The story of Kamal — who was almost removed back to Greece — which was included in Chapter 3, is wildly different from Rashid's anecdote — in chapter 6 — of showing his self-harm scars to Home Office officials, in the hope they would acknowledge how the system had traumatised him. The impacts of the system are also extremely diverse: Rashid's depression at having been detained, in Chapter 4, differs significantly from Ibrahim's turning to sports to feel more in control of his body, discussed in Chapter 5. These examples do not intuitively sit together, and highlight the diversity in the ways that the body is implicated in the asylum system, as well as the array of impacts that this can have on asylum seekers.

While the perspective developed in this thesis is attentive to this specificity, and allows for analysis of their particularities, it also provides the conceptual tools to highlight and interrogate the connections between them. In particular, it highlighted the connections between governance and agency, and between the individual and collective levels. With respect to governance and agency, an approach based on biopolitical and performative theory enabled me to posit them as deeply interrelated phenomena whereby agency can be understood as a necessary byproduct of power, which arises since power cannot contain the entirety of the subject (Butler, 1993: 241). This view was borne out in the contrasts and connections between chapters 4 and 5 — which focused on processes of governance — and chapters 6 and 7 — which tended to agency.

The distinction and connection between processes which work through individual bodies and those which apply on the collective or population levels (Foucault, 2007: 242), is also elucidated here. These are also distinct, but intimately related and co-dependent. Where processes of identification and evidence-gathering concern individual subjects, techniques of control work on both the individual and collective levels — enabling the state to discipline and regulate the broader population of asylum seekers. Moreover, narratives of the body generally reflect individual experiences, the examples of agency and resistance work on the more collective level. While these acts always emerge from individuals' experiences, the political points they make, and the audience who may be impacted by them, is often collective. However — while these processes are distinct, they dovetail into and complement one another: for example, while Rashid's fingerprints marked him out as a 'bogus' asylum seeker on the individual level, his detention not only functioned to discipline him on the individual level, but also to enforce the state's more general aim of excluding and monitoring suspicious bodies. Much like in processes of governance and agency, the perspective adopted here enables interrogation of these processes in their own right and for considering how they relate.

As such, the thesis highlights how, while the body is of central importance to the process of claiming asylum, the precise ways that it is politically important, and the particular political functions it performs, are heterogeneous: they are varied, cross-cutting, and often contradictory. The body may function as a site at which the broader politics of asylum — with all of the conflicts and contestations that they involve — play out on a material level, but the precise forms that processes of governance and agency, as well as the ways that they interact are deeply diverse and changeable. This is both one of this thesis' central arguments, and perhaps its main contribution to

knowledge — building upon and transcending the more piecemeal, singular analyses provided by the existing literature.

Of course, this assertion is not without its limitations. The most obvious limits are practical. Most pertinently, the fact that the system is not exclusively embodied: at its heart, it remains a legal and bureaucratic process of status-determination, and there are many significant aspects that remain administrative, as opposed to embodied. It is essential that this embodied perspective is not considered as totalising or in isolation. Nonetheless, it is embodied; it goes beyond individuals' legal status, and actively reorders their embodied identifications, behaviours, and relationships — processes which have a significant impact on asylum seekers' subjectivities. Similarly, I do not intend to suggest that all of these processes apply in every case. There are asylum cases in which the body functions in only one way, or in which the different functions of the body become entangled and indistinguishable. The aim of providing a loose conceptual taxonomy was precisely so that this perspective could accommodate the diverse array of phenomena observable within the system, and to acknowledge that while some cases involve the body functioning in a variety of ways, others are comparatively straightforward.

Finally, this focus on embodiment is not immediately compatible with the ideas of narrative addressed in Chapter 7. Material processes and speech are distinct phenomena, and to some extent, the turn to focus on narrative highlights some important limitations of the embodied perspective. That said, narratives are not conventional political speech: they are rooted in the grounded, everyday experiences of marginalised subjects. While they are immaterial — and thus distinct from embodied processes — they can perform similar expressive, emancipatory functions as embodied acts of agency. While it is crucial not to collapse the distinction between

body and voice, an embodied perspective is not incompatible with a focus on asylum seekers' ability to narrate their experiences.

### *Biosovereignty and Performativity*

A second aim of this thesis was to develop a robust, distinctive theoretical perspective capable of addressing the second research question: precisely *how* do every day, embodied practices of governance and agency within the asylum system bring bodies to perform particular political functions. I sought to develop a theoretical understanding that encompassed *both* how the body can be considered a political entity, and the specific manners in which it functions as such. This question also demands the development of a distinct view of power and 'the system' more generally, to understand how this relates to the body, and the processes and techniques within the system that affect the body.

Chapter 2 articulated a theoretical understanding of the asylum system, and the nature of power therein, which is attentive to the centrality of the body. This involved an understanding of state power within the asylum system as a *biosovereign assemblage*. The state employs a vast range of techniques and technologies in order to manage asylum seekers, and to achieve its political aims vis-à-vis asylum. Moreover, state power can be seen to exhibit both sovereign and biopolitical characteristics, which coexist within the system and contribute to the state's more general aims. Biosovereignty provides a valuable way to theorise the nature of state power in the asylum system. Chapters 1 and 2 also advocated in favour of a broader understanding of the system as constituted by a wide range of actors — political, legal, economic, and social — and by asylum seekers themselves. Throughout the empirical discussions, the role of non-state actors and the agency of asylum seekers themselves were frequently highlighted. This functioned to highlight how the body and embodied

experiences are not solely formed and influenced by state actors, but also by a wider array of institutions, companies, organisations, and individuals, as well as by asylum seekers' individual backgrounds, actions, and personalities. The body's rendering as a political site is not determined by one actor or political force, but is the outcome of being subjected to a diverse, complex, and often-contradictory form of power. While the state is the primary power-possessing actor that this thesis has engaged with, this view contextualises and limits the power of the state and its capacity to influence the body, explicitly acknowledging these other actors which work alongside and against the state.

The second element of this aspect of the thesis is a theoretical account of exactly how the body relates to this power. To do this, I turned to Judith Butler's account of performativity. I argued that power within the asylum system — notably state power — is performative inasmuch as it compels bodies to materialise specific forms of normative, embodied subjectivity. In the empirical analyses concerned with governance, I highlighted how the state utilises various processes and techniques to apply and materialise these normative labels on and through the body: Rashid's labelling as a bogus asylum seeker, which led him to be detained — discussed in Chapters 5 and 6 — regimented his activities so as to materialise notions of criminality and risk on his body; Ibrahim's age assessment concluding that he was a minor — outlined in Chapter 4 — allowed him access to the spaces and services that enabled him to live an embodied life that materialised childhood, genuineness, and innocence. Power within the asylum system can effectively compel certain kinds of bodies — and, by extension — subjects, which support its aims and reproduce norms.

However, the ability of state power to performatively compel normative forms of embodied subjectivity is not limitless. There is always an 'excess' that power cannot

capture (Butler, 1993: Chapter 5) which subjects can re-invoke to assert agency and/or challenge power's norms — as illustrated in Chapter 6. Like governance, these processes of agency are varied and changeable, but all represent a turning of the body back against power, a refusal to 'be' what power demands, and the ability to physically enact alternative forms of subjectivity.

The thesis has advocated for an understanding of the asylum system as both biosovereign and performative, and the empirical analysis have illustrated how this perspective provides a robust theoretical lexicon for thinking about the nature of systemic power and its relationship to the body. This performative understanding of the asylum system is another of the thesis' original contributions. In drawing on Butler's understanding of performativity to frame the analyses here, this thesis has sought to show how this perspective could be valuable for thinking about the way that states govern asylum seekers, and asylum seekers lived experiences of the system.

Of course, there are certain limitations to the performative perspective. Most pertinently, Butler has been critiqued for overlooking the material reality of the body in favour of a linguistically-driven, radically constructive approach (Butler, 1993: preface). However, this is to overlook a crucial caveat: to adopt a performative perspective is not to make any claims about the ontological, fleshy nature of the body. Rather, the performative perspective I elaborate on here is concerned less with the body as a biological object, and more with the political nature of that object: how is it framed and understood, how is it regimented and disciplined by political power. While Butler's understanding of the body *is* essentially discursive, it nevertheless enables a robust understanding of the body as a *political* site.

A second criticism lies in the idea that Butler's understanding of agency — as subversive mimicry — is inherently resistant. McNay elaborates on this, noting Butler does not provide an account of agency so much as a description of the structural preconditions for its emergence (McNay, 2014: 45). This view of agency as subversion or resistance has also been challenged for romanticising mundane, everyday acts as somehow noncompliant or resistant (ibid). These criticisms are valid to some extent — when Butler's theoretical account of agency is considered in the abstract sense, it is somewhat untethered from the specificities and diversities of empirical reality, and these are important limitations to acknowledge. This said, applying her theoretical position to a rich empirical context — such as the asylum system — means that these limitations can be broadly overcome. As opposed to providing a blueprint for agency, when applied to an empirical context these theoretical insights function more to elucidate how acts can be understood to interact with power, and how the body functions as a site of political resistance within a specific context. While this does not invalidate these critiques of Butler *per se*, it is to suggest that critically applying her theoretical insights to particular contexts provides these concepts with an empirical tether, enabling them to largely overcome criticisms based on their abstractedness.

### *The Production and Contestation of Precarious Life*

The third conclusion drawn by this thesis is the idea of the asylum system as a milieu in which precarious life is produced and contested through the body.

As well as questioning how the body functions as a political site within the asylum system, the thesis also set out to ask how the body's implication in the process of claiming asylum impacts asylum seekers' embodied experiences. In many senses, the impacts on asylum seekers' embodied lives and subjectivities is as diverse and changeable as the techniques and processes of governance and agency themselves.

Kamal absconding from the system and living illegally after his biometric data threatened to send him back to Greece; Lena turning to developing her professional skills as a way to pass the time while her claim was processed — these vastly different instances are ‘impacts’ of the system on asylum seekers’ bodies and self-understandings, and constitute answers to the third research question(s) posed by the thesis: how do the ways that the body is brought to function in the system impact asylum seekers’ embodied experiences? Furthermore, how do asylum seekers understand and respond to these experiences.

However, I also sought to move beyond identifying the particular impacts of the system on asylum seekers bodies and self-understandings, and to couch this consideration in more general terms. Ultimately it was the notion of precarity — in particular, Butler’s concept of precarity — that provided this conceptual hook. Arguably, the system is characterised by the state’s desire to *produce* precarious life — and thus demand subservience and compliance — and asylum seekers’ attempts to contest precarity. As was outlined in chapter 5, Butler does not understand precarity as a solely economic state, although it can be productive of material deprivation. Rather, it indicates uncertainty or vulnerability more generally, and can also be symbolic — pertaining to the denial of legal or social rights. Precarity exposes subjects to violence, and deprives subjects of recognition (Butler, 2009:1). Butler understands precarity as an inevitable by-product of state power: states only offer recognition to forms of life that support its normative order, life that does not sustain the norm can be exposed to violence, and rendered precarious.

I suggested that the state purposefully instils asylum seekers’ lives with precarity, to maintain its authority and demand compliance. However, just as power always bears resistance, the system’s production of precarity inevitably produces contestation. As

chapters 6 and 7 showed, asylum seekers' embodied behaviours and political speech often serve to overcome precarity, by seeking out a way to overcome the dispossession caused by precarity, and make their lives more 'liveable' — be it in material or symbolic terms (Butler, 2004: 39). Lena's engagement in voluntary work and advocacy — described in chapter 6 — helped her to achieve a sense of purpose that made her legal status more bearable. Agency does not only seek to transcend or challenge the forms of governance affected by the state, it also works to enable individuals and communities to contest precarity. While the experience of going through the asylum system has immediate, tangible impacts on asylum seekers' bodies, and while the attempt to overcome precarity often occurs on and through the body, this process of the production and contestation of precarity transcends the body, and has significant impacts on asylum seekers' self-understandings, and broader material circumstances. This too is a small theoretical contribution of the thesis: while a number of scholarly articles have discussed the notion of precarity with regards to asylum and forced migration (Harney, 2013; Griffiths, 2014; Lewis and Waite, 2015; Kynsilehto and Puumala, 2016), there has yet to be a discussion of how asylum systems can be seen to systematically produce precarity as a way to maintain dominance and demand compliance.

This is not to say that *all* state practices ought to be understood as productive of precarity, or that every instance of agency represents striving for a liveable life — these are of course processes that require some degree of intentionality. The point is that the production and contestation of precarity — and the significant impacts this has in both everyday and political terms — are widespread within the system, and characteristic of the ways that the state demands compliance, and asylum seekers work around these demands.

## **The Body, the Asylum System, and Intersectionality: A Caveat**

While these findings and contributions are significant, it is also important to highlight a key caveat to the analyses and conclusions presented in this thesis, and to indicate a compelling direction for future work on this topic. This concerns the importance of considering intersectionality – in particular, with regards to gender and race – when discussing issues of the body and embodiment, and the ramifications of more explicitly considering intersectionality when analysing both the importance of the body in the asylum system, and the differential impacts that encounters with the state and public perceptions have on different kinds of bodies.

As Mountz notes in her criticism of Agamben, the bodies and subjects caught up in the power relations of asylum systems are not blank canvasses, but specifically gendered (and racialised) bodies, with specific heritages, presentations, and culturally imbued behaviours (Mountz, 2011). As such, it is important to acknowledge the ways that race, nationality, and gender can intersect with the experience of being an asylum seeker: how state power treats different kinds of bodies in different ways; how widespread assumptions about and perceptions of different kinds of bodies impact how they are understood and treated in the asylum system; and how this impacts the kinds of experiences that different asylum seekers have in the UK.

Given that so little work on the body and embodiment in the context of asylum systems exists, this thesis opted to take a broader and more foundational approach, and to consider and highlight the centrality of the body in this context more generally. This means that the analysis here does not always explicitly address the impacts of intersectionality of asylum seekers' embodied experiences. However, including this caveat in the conclusion hopes to achieve two things: firstly, to highlight moments in

the data at which the concept of intersectionality elucidates important points, and helps to highlight the fact that different bodies often have different experiences of the asylum system, and the impacts that nationality, race, and gender have on asylum seekers' embodied experiences. Secondly, to point towards an avenue for important future research, which could build upon, nuance, and stretch the conclusions reached by this thesis. Here, I consider nationality, race, and gender as prominent loci of intersectionality. I highlight both moments in the data whereby these factors can be seen to be prominent, and also provide some reflections on how this both strengthens and challenges my theoretical framework, which is based on the notions of performativity and precarity.

### Race

One key way in which bodies are differentiated and perceived differently within the asylum system is along the lines of race. Ahmed notes that race is not something that bodies simply have or are: rather, it is a process of investing skin colour with meaning. Race is an assumed identity – both by a subject and those who encounter them – a social construct based on ethnicity, which makes bodies come to be seen as having particular essential characteristics (Ahmed, 2000: 46). Ahmed also notes that the construction of racialised identities and the processes through which bodies become racialised is not neutral, but is rather that these processes epitomise a “history of appropriation and violence” (ibid, page 47). Much like in Butler’s discussion of gendered identities, race is constructed in manners which mean that bodies of particular races come to connote certain characteristics or qualities, and so that bodies of certain races are seen to be less dominant or less desirable than those of others- some bodies are instantly judged to be more dangerous, more suspicious, or more fear-inducing than others based upon their race.

Ahmed further asserts that this is heightened when it comes to migrant bodies. In the UK, a social space that is generally white, migrant bodies of different races are hypervisible: they are 'out of place' (Ahmed, 2007: 159), and require that body to adopt certain ways of being and ways of moving through space if they are to be seen as valid, discernible subjects. Indeed, whereas the white body frequently goes unnoticed and is considered a site of political subjectivity, the body of colour is often a focus of attention and suspicion, and thus becomes more a site of control than of subjectivity. In the context of the asylum system, where bodies are *already* widely understood as sites of both essential identity and control, this racialised aspect is important. Bodies of colour are caught up in a double-bind: they are constructed, assumed to be certain things, and expected to behave in certain ways on account of their race, *and* on account of being asylum seekers' bodies.

This is borne out in the data used in this thesis. Take, for example, the experiences of Faith and Lena, which were both discussed at length in previous chapters. Both of these women had had their initial asylum claims rejected, and were awaiting the results of their appeals. Moreover, both of them were mothers of sick children: Faith's daughter had severe learning difficulties and required constant care, while Lena's young child had a number of chronic conditions which required complex treatment. Despite these similarities, the women had vastly different experiences. Faith faced significant harassment and racist abuse, and was accused of stealing money from a family she was made to work for. Lena, on the other hand, was praised for her dedication and entrepreneurial spirit when she started volunteering and speaking about her experiences. Both women were engaging in work in order to fill their time and establish themselves in the UK, but the consequences and outcomes were very different. This difference likely has numerous reasons, but the fact that Faith – who is

Liberian – is black, and Lena – who is Ukranian – is white, should not be overlooked. Faith’s activities led her to be seen as suspect, dangerous, and potentially criminal, whereas Lena’s led her to be seen positively: as productive, spirited, and full of potential. Arguably, race had a role to play here. Faith’s body was *already* understood as more suspect and potentially dangerous, as a site that ought to be observed more keenly and governed more stringently on account of its race. On the other hand, Lena’s body was less visible, and considered less of a threat, which led her to have very different experiences.

While these two cases epitomise the different experiences that asylum seekers of different racial backgrounds often have in the UK, they are not isolated examples. Frequently, I noticed that asylum seekers from Albania or Ukraine had notably different experiences to individuals from Sudan or Yemen, even if their claims or circumstances were broadly similar. Asylum seekers of colour are invariably understood – both by the state and by many members of society – as being noticeably and immediately different; as coming from an alien culture; or as riskier and more suspect. These assumptions are baseless but efficacious, and can have significant impacts on individuals’ subsequent experiences and the ways that their claims are judged.

While the asylum system can be seen to identify and control all asylum seekers’ bodies, the constructed identities and assumptions surrounding race in the UK intersect with these processes in interesting and important ways. Asylum seekers of colour are often already the victims of powerful prejudices and assumptions, which lead them and their actions and behaviours to be assessed and understood in particular ways, often negatively. When combined with the demands and pressures of the asylum system, this can be especially injurious. As such, consideration of how race and – at moments, nationality and religion – can effect and temper the ways that

bodies are understood, controlled, and permitted to behave in the asylum system, and the ways that asylum seekers and their embodied lives are understood and responded to, is crucial.

### Gender and Sexuality

Gender is another key locus of intersection with the ways that bodies are understood and treated within the asylum system. Male, female, and non-binary asylum seekers face different assumptions concerning their identities, truthfulness, and behaviours, and an individual's sexuality and relationships can also feed into these powerful assumptions, and lead an asylum seeker to be understood and responded to in particular ways.

This arguably leads one to return to Judith Butler. In *Gender Trouble*, Butler focusses on the ways that gender is socially constructed and performatively invoked in embodied subjects: how they are brought to be certain things and behave in certain ways in order to be understood as an iterable, normative political subject (Butler, 1990). While this thesis has adopted the structure of Butler's theory of performativity and subject-formation in order to discuss how the asylum system produces and regulates subjects, it is also important to consider how her original subject matter – that is, gendered identities – are efficacious in this context, and how normative understandings of and assumptions about gender can structure the ways that the system responds to asylum seekers, and the types of behaviours they are expected to engage in.

Once again, the ways that gender intersects with the politics of the body in the asylum system is highlighted in my data. For example, Nadia and Amina – the Malian and Iraqi asylum seekers discussed in the thesis – spent the majority of their days

undertaking domestic tasks such as cooking and childcare. On the other hand, Hakim and Usama – who also both had families – were much more likely to spend their days socialising with other men at the community centre, or engaging in hobbies. Their everyday experiences and activities were vastly different, despite their family circumstances, backgrounds, and claims being relatively similar. While this may not have impacted the outcome of their claims to any significant degree, their embodied activities and experiences of the system differed on account of their gender, and likely reinforced their self-understandings and the ways that they were understood by others. The woman whose claim was denied on account of her looking well-groomed and well-dressed, when she in fact had significant mental health problems, is another case in point: arguably, her maintaining her physical appearance and appearing in a certain way was a result of the pressures of normative gender roles, whereby women are conventionally expected to be well-groomed and composed. While she was successful in performing these gendered norms, they arguably led to problems in her claim by leading an interviewer to feel that she was stable, and that she was therefore being deceitful about her poor mental health.

Gender can also be a disruptive force within the asylum system. Although I did not engage with any individuals whose gender or sexuality had caused a problem in their claim, there is evidence to suggest that individuals whose gender identity is unconventional or whose claim is based on sexuality can face particular problems (Schuman and Bohmer, 2014; Morgan, 2006). The UK Lesbian and Gay Immigration Group (UKLGIG) notes that government decisions making often falls short in cases based on gender or sexual identities (UKLGIG, 2018) and often face invasive questioning, lengthy delays in their claim process, heightened demands for sophisticated narratives about their identity and corroborating evidence, and the

implication that they could return to their home countries and live 'discreetly'. UKLGIG also found that individuals whose claims were based on gender identity, or who did not present in a binary way, often faced confusion from decision-makers, who were poorly-equipped to handle such claims (ibid). Of course, asylum seekers who claim on these grounds are not only the victim of assumptions and poor-decision making at the hands of the state, they are also more likely to face victimisation and abuse within society more generally and from other asylum seekers – particularly those who are from traditionally conservative communities.

As such, gender and sexuality can intersect with the asylum system in a number of ways, and can affect asylum seekers' embodied experiences, and the ways that they are understood by the state and by society at large. On the one hand, gender norms mean that male and female asylum seekers are understood differently, and expected to present in different – and often specific – ways. This does not only affect the outcomes of claims, but can have serious impacts on the experiences, activities, relationships and behaviours – thus leading to extremely different experiences of the asylum system and the UK. More concerningly, gender and sexual identities that are non-normative – and which thus fail to performatively reproduce what Butler would term intelligible forms of subjectivity – often face significant difficulties during the asylum process. These include heightened suspicion and demands for evidence, a heightened risk of abuse or violence, and their appearance and behaviour being judged more acutely.

Similarly to race, then, gender is a powerful construct which can *both* dictate and structure how individuals are understood to identify and *be*. However, when individual bodies are seen to be outside of the norm, they are often subjected to violence and prejudice. Individuals who do not perform a normative gender or sexual identity are

exposed to assumptions about who and what they are, and to heightened enquiries from the state, and the threat of violence from the public. In various ways, then, the ways that gender and sexuality govern bodies and make them socially intelligible can be seen to intersect with the ways that the asylum system also does so – leading to vastly different experiences for asylum seekers with different gender and sexual identities.

In sum, while the asylum system identifies, governs, and regulates bodies, this is not straightforward or consistent. Numerous different factors intersect with the asylum systems' domination of bodies, and with the ways that individual asylum seekers might choose to perform or express agency and opposition. Race, gender, and sexuality are among the most prominent of these: these facets of identity – although broadly constructions – are powerful, and can vastly impact both how the state responds to asylum seekers (with regards to how claims are judged, the demands for evidence that an individual faces, and the assumptions that are made about asylum seekers) and their day-to-day lives and experiences – including their activities and relationships, routines, and experiences of the wider social sphere. While this thesis aimed to introduce the importance of the body by developing a more general perspective, the importance of these intersections and the impacts they can have ought not to be lost. Future work on this topic could explore the relationships between these facets of identity and acceptance rates within the asylum system, or explore in more detail the different experiences of asylum seekers from different demographics – charting how the system and society understands and responds to different bodies in different ways.

### **Broader Implications and Future Work**

This thesis also has several broader implications, both for academic work and more practically, regarding systemic policies and practices.

### Academic

I have identified four implications of this work in terms of academic work.

First, highlighting the centrality of the body in the asylum system may have implications for future discussions of asylum systems, both in the UK and elsewhere. Shedding light on this facet of the system hopes to encourage future work not to overlook this aspect of the system. This could encourage future sociological work on asylum systems to further interrogate the impacts of these processes; to identify other ways in which the body functions as a political site in this context.

Likewise, understanding of the asylum system as a performative political milieu might also have implications for future discussions: both in terms of sociological studies which seek to analyse particular phenomena within the system, and for more theoretically-driven discussions of power in the system. Understanding the relationship between state power and asylum seekers' bodies and everyday experiences as performative could influence how future work thinks about the ways that norms, identification, compliance and agency function within the asylum system.

Thirdly, and relatedly, the idea of precarity as performative could have implications not only for future work on asylum systems, but also for work drawing on biopolitical theory more broadly. In terms of discussions of asylum, this linking of concepts may be helpful in facilitating future discussions to elucidate the relationships between state power and the impacts it has on asylum seekers' day-to-day lives. More broadly, this conceptual connection could be worth developing further and applying to other fields; to show how power and processes of domination function on both the abstract level and in day-to-day life. It is perhaps especially relevant since it provides a route to understanding how power can affect domination and demand compliance on both the symbolic and material levels, and how these processes intersect and relate — and might allow for

interesting analyses of other contexts characterised by unequal power relations and punitive governance.

Finally, the more conceptual elements of the thesis may have some relevance for discussions of the political nature of the body and embodiment in other contexts, in particular — again — contexts characterised by inequality and domination. This may be especially relevant since the perspective developed here does not simply analyse the body's role in socio-political processes on a purely material level, but rather seeks to show how the governance and agential practices of materiality both reflect, constitute, and challenge more abstract relations of power and political processes — a view which could have implications for understanding the lived experience of domination and exclusion more broadly.

### *Policy and Practice*

As was mentioned in the introduction to this thesis, some findings also lend themselves to making a small practical contribution to discussions of policy and practice within the asylum system.

### ***Policy***

In terms of the policies and practices of the state, the thesis has two implications.

First, policy ought to re-frame how the techniques within the system that function to draw information from the body are understood, and how the information drawn from the body is presented within asylum claims. By this, I mean that information from the body — such as biometric data or medical information — ought not to be presented as providing truth, but rather should be seen as partial and contextual information, which cannot be fully understood without listening to an asylum seeker's narrative.

As discussed in chapter 4, information drawn from the body that pertains to ‘prove’ an asylum seekers identity or act as evidence is often flawed, and can only reveal a limited amount about a person. However, as the examples highlighted in chapters 4 and 5 showed, this evidence is often used by the state in order to apply reductive, totalising labels to asylum seekers, and held up as concrete proof that they are genuine or bogus. Whether or not state actors genuinely believe these labels and evidence to be accurate — or whether they are simply instrumentalised in order to achieve the government’s aims surrounding asylum — is open to debate. In either case, what this over-reliance on bodily data achieves is a devaluation of the narratives that asylum seekers provide, and a blindness to the broader content and context of their claim, ultimately increasing the chance that a decision will be flawed.

This is not to suggest that the state should abandon any technologies or techniques that draw on the body as a source of information. Rather, it is to say that policy and practice should be attentive to the fact that such information is only ever partial and incomplete, and should be considered *alongside* asylum seekers’ narratives, and not as decisive evidence in deciding a claim. Moreover, state actors should acknowledge that — often — experiences of torture, or other aspects of identification such as age and sexuality — do not necessarily leave physical evidence, and can manifest on the body in unpredictable and changeable ways. As such, cases should not be automatically dismissed due to an absence of physical evidence, and state actors should avoid basing decisions on poorly-informed visual assessments of asylum seekers’ appearance or behaviour. Adopting a more considered approach to physical evidence — and spending more time focusing on individual’s narratives and the wider context — would perhaps risk making the assessment of claims slower or more costly. However, given the high rate at which asylum decisions are appealed, and the high

rate at which these appeals are upheld (Hawkins, 2018), a more considered approach in the first instance could prevent so many cases from resulting in poor judgements — and thus progressing to a lengthy, costly, and stressful appeals process.

Secondly, the findings established in this thesis advocate for moving away from excessively punitive forms of physical governance and control within asylum systems. Many of these techniques addressed here rely on overly punitive physical control. While this is often justified by the need for the state to ensure its security (Muller, 2004), the cases discussed here imply that the negative consequences — in terms of asylum seekers' human rights and health — regularly outweigh the often-negligible level of risk aversion that such techniques achieve.

The most startlingly obvious example of this is the use of immigration detention within the asylum system, which has now become routine, and which — as Bosworth and Turnbull note — is justified by its propensity to remove suspicious individuals from the public sphere, and maintain the security of citizenship (Bosworth and Turnbull, 2015). However, as we have seen, the negative impacts of detention on asylum seekers can be significant, and often do not seem proportionate to the 'risk' an individual is said to present to the state. Moreover, it is not uncommon for the state to detain inappropriate individuals—such as pregnant women and victims of torture — and there have been many valid criticisms of the condition and general safety within the UK's detention estate. Detention is not unique in this way. As the discussions in previous chapters showed, other forms of control — such as dispersal and the demand that asylum seekers do not work — are often deeply demanding, and enforced with a level of vigour such as that asylum seekers are unnecessarily punished for relatively minor 'transgressions'. The negative impacts that this can be seen to have on their physical

and mental health, sociality, and general sense of wellbeing can be — as we have seen here — significant, and largely negative.

On some rare occasions the state may be justified in utilising harsh forms of governance such as detention, and the argument that some asylum seekers ought to be moved from densely-populated areas to ensure local authorities are not overburdened has some validity. However, on many occasions, the state utilises these techniques inappropriately, and seemingly without adequate rationale. Given that techniques such as mass incarceration, dispersal, and the prohibiting of paid work are arguably of limited effectiveness in helping the state to achieve its political aims — combined with the catastrophic impacts they can have on already-traumatised people — it is logical to suggest that state policy and practice ought to adopt a more measured, sympathetic approach. Moving away from a systemic culture that applies overly punitive forms of embodied control and punishment would likely have positive impacts on asylum seekers' health and wellbeing, and avoiding unnecessary criminalisation could promote fairer decision-making, by removing the potential for unconscious bias and stereotyping. Moreover, given the high cost of techniques such as detention and mass dispersal, moving towards a system whereby state control over asylum seekers is reduced could lower the cost of the asylum system, and promote greater integration of the asylum-seeking community.

Both policy implications would require overcoming the culture of suspicion and control that have come to characterise the asylum system. Both are reasonably radical, and in the current political climate, could be dismissed as unlikely. That said, they have been kept purposefully general in order to facilitate incremental implementation, and translation into a diverse array of contexts. Given that the system is an assemblage of diverse actors and processes, it is perhaps more realistic to expect piecemeal and

incremental change, rather than coherent, system-wide transformation. As such, these implications support small-scale change as well as advocating for more general changes within the system. Moreover, there is no reason for scholarship *not* to advocate for fundamental changes to the system, which would ostensibly make it fairer and more just. While, on the one hand, scholarly analyses should be reflexive and responsive to the realities of the empirical and political contexts at hand, there is no reason why scholar-activism ought to shy away from “envision[ing] sites of possibility” (Routledge and Derrickson, 2015), and arguing in favour of greater social justice and progressive change more broadly.

### ***Practice***

Finally, the findings of the thesis may have some implications for practitioners in the field, that is, for those who work to support and advocate for asylum seekers. Given that my experience of the field is limited in comparison to that of many professional practitioners, these implications are presented in a modest manner.

In an immediate sense, the focus on the body and embodiment could be useful in drawing practitioner’s attention to the embodied nature of much of the system. While the majority of practitioners are keenly aware of the material impacts of claiming asylum on asylum seekers’ day-to-day lives, the insights provided here could provide further explanation into precisely *how* the system impacts on asylum seekers embodied lives, and might promote and justify the provision of specific forms of support. For example, the insights into the way that lack of financial support and the prohibition on work affect asylum seekers in a physical sense could be adapted into strategies aimed at helping to provide funding for food and transport to destitute asylum seekers; the finding that sporting and creative hobbies can be of significant

therapeutic value to asylum seekers could be actioned in the provision of more such activities in drop-in centres.

Relatedly, these implications could form the basis of longer-term strategies aimed at providing the space and opportunity for asylum seekers to express themselves and engage in activities that allow them to partially overcome the restrictive forms of embodied subjectivity demanded by the state. For example, by providing the opportunity to engage in creative practices whereby asylum seekers can express themselves and their experiences; by providing training for individuals to develop their skills and combat the inertia and lack of productivity that the system enforces. Of course, many organisations and practitioners already focus on such issues and provide such services. However, the insights provided here could provide extra motivation and justification for doing so, by setting out alternative ways that they could be beneficial, and precisely how such practices might assist asylum seekers in overcoming and mitigating some of the restrictions and violence enforced upon them by the system.

### **Concluding Remarks**

While the implications and recommendations outlined here are diverse and context-dependent, they cohere around three main impulses that inspired this research in the first place, and which underpin and connect all of its arguments and findings: a heightened recognition of the ways in which claiming asylum is a deeply material, embodied experience and not simply a legal process; a conviction that asylum seekers lives and senses of self ought not to be so fundamentally impacted and reordered by the process of claiming asylum, and that humanitarian protection ought not to be offered as a reward for compliance with arbitrary political norms; and a desire to move

towards an asylum system that is fairer, more just, and more effective for everybody involved.

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## **Appendix One: Ethical Approval**

The field research for this project only began after gaining full ethical approval from the University of Exeter. The ethical approval reference for this research is 201516-013.

## **Appendix Two: Further Details About the Research Site and the Organisations I Worked With**

During this research, I worked primarily with three support organisations that worked with asylum seekers and refugees in the South West of England. In order to maintain confidentiality, I have named them Organisation 1, 2 and 3.

Organisation 1 is a medium-sized charity, located in a large city in the South West of England. The organisation started a decade ago as a casual and relatively uncoordinated effort aimed at providing meals and emotional support to the city's asylum seeking and refugee community, and has since grown and significantly expanded its activities. The organisation works exclusively with asylum seekers and refugees, providing services aimed at helping them navigate the bureaucracy of the system, and providing a welcoming environment. The Organisation runs a drop-in centre, where members can receive support. The centre also provides free English lessons; meals and food packages; as well as creative and social activities. The Organisation has connections to local legal organisations, healthcare providers, and local community groups that provide low-price home wear and clothing — and refers its members to these services when necessary. My involvement with Organisation 1 was extensive: for eighteen months, I worked with them at least one day a week — usually on multiple days — and maintained regular contact with its staff and other volunteers. I volunteered as an English teacher, and spent time assisting with other tasks around the drop-in centre — such as reading letters or making phone calls on behalf of members, and assisting with arts and crafts projects. I also participated in volunteers' and members' forums, in which decisions about future activities were made — developing strong working relationships with many staff and members.

Organisation 2 is a larger charity, based in the same city as Organisation 1. It started in the early 2000's, and has also seen significant expansion in its activities in response to high levels of demand. The organisation also runs a drop-in centre, which includes one-on-one support and advice sessions; a large social space; and conversational English sessions. The centre also provided snacks and food parcels to members, and ran a service which enabled donated clothes and household items to be distributed to members in need. This organisation reaches a larger number of people, which means that the turnover of members is more rapid, and the atmosphere of the centre more hectic. I did not work as closely with Organisation 2, and did not take on any set roles within their operation. However, between June 2016 and April 2017, I made regular visits, and spent time talking with members and helping out when it was needed.

Organisation 3 is a support charity, based in a smaller city in the South West of England. It provides services on a one-to-one basis, and focuses on providing advice with the claims process — for example, helping asylum seekers know their rights and navigate paperwork — and supporting refugees in accessing support they are entitled to. As there are fewer collective, social activities at this organisation, my involvement

was limited to communicating with staff and volunteers over e-mail, and meeting with them and some service users on an occasional basis.

The three organisations I primarily worked with were based in the same area, and thus shared in a distinct local context. While many of the particularities and challenges surrounding asylum were distinct to the local area, the area was also characteristic of the national context more generally, inasmuch as it faced local authority budget cuts, and had many pockets of high deprivation and poverty. The city where the majority of my fieldwork took place — and where Organisations 1 and 2 are based — is designated a dispersal area, and since the early 2000's has been home to several thousand asylum seekers at any given time, and has witnessed the setup of a variety of organisations and support services. While these organisations operate independently, they often cooperate under the rubric of the city's Sanctuary status. Moreover, the city has historically been home to large migrant communities and demonstrated a high level of diversity. The presence of asylum seekers was not confounding to the community — many locals are supportive of efforts to support them. Organisation 3 is located in a city which — in recent years — has been used as to accommodate refugees who have been resettled to the UK. While the city does not have any significant tensions between locals and migrant communities, the issue of asylum seekers' and refugees' rights is less salient, and support groups operated on a smaller scale. As such, while each of these organisations had distinct practices, they were embedded into a broader of asylum and refugee support.

## **Appendix Three: Interview Guides and Consent Forms**

### **1- Consent Form Provided to Participants who were Professionals or Volunteers**



### **INFORMATION SHEET AND CONSENT FORM FOR RESEARCH**

#### **Title of Research Project**

Embodied Experience in the British Asylum System.

#### **Details of Project**

This research investigates the experiences of asylum seekers in the U.K. In particular, it looks at physical, embodied experiences within the asylum system. Its main aim is to understand how asylum seekers themselves understand and respond to these experiences.

Asylum seekers often have very specific bodily experiences as they go through the asylum system. For example, they are often physically confined in immigration detention, and bodily injuries can sometimes act as important evidence in supporting an asylum claim. This research will look at the various ways that the scrutiny and control of the body is central to an asylum claim, and will ask how the physical experiences faced by asylum seekers impact upon their lives. Ultimately, the research will use these insights to consider how the asylum system could alter the ways that it thinks about and controls asylum seekers on a physical level, in order to make it fairer and less distressing.

A lot of the information for the project will be gathered through working alongside support organisations and community groups that work with asylum seekers. This participation is especially important as it will allow me to gain first-hand accounts of the experiences of asylum seekers and the issues that they face. It will sit at the heart of my analysis, and will inform the practical suggestions that I hope to make. The experiences and insights that participants offer are therefore central to the research, and will also hopefully allow for the project to make a small contribution to discussions of asylum policy and realities of asylum seekers' lives by drawing attention to this aspect of the asylum system.

If you choose to participate, I have taken a number of steps to ensure that your information will be kept strictly confidential and that your participation will not have any negative impacts on you, which are outlined below.

I am a PhD student in the Department of Politics at the University of Exeter. The data I collect in this research will be used only for my PhD study, and I do not have any commercial or other interests that could affect how I carry out the research.

### **Contact Details**

For further information about the research /interview data (amend as appropriate), please contact:

Name: Rebecca Mavin

Postal address: Department of Politics, University of Exeter.

Amory Building, Rennes Drive

Exeter, Devon

EX4 4RJ

Telephone: 00 44 (0) 78 479 366 61

Email: [rm480@exeter.ac.uk](mailto:rm480@exeter.ac.uk)

If you have concerns/questions about the research you would like to discuss with someone else at the University, please contact:

Dr. Andrew Schaap

[A.W.Schaap@exeter.ac.uk](mailto:A.W.Schaap@exeter.ac.uk)

### **Confidentiality**

All notes, interview tapes and transcripts will be held in confidence. They will not be used other than for the purposes described above and third parties will not be allowed access to them (except as may be required by the law). However, if you request it, you will be provided with a copy of your interview transcript so that you can comment on it as you see fit (please give your e-mail address so that I can contact you at a later date). Your data will be held in accordance with the Data Protection Act.

Any information shared during the research will be held in the highest confidence **unless** you reveal any information that suggests a risk to the safety of yourself or anyone else.

### **Data Protection Notice**

The information you provide will be used for research purposes only. Your personal data will be processed in accordance with current data protection legislation and the University of Exeter's notification lodged at the Information Commissioner's Office.

Your data will be treated in the strictest confidence and stored securely for the duration of the research project, and not disclosed to any third parties. Any data collected during this research may be used in the final report, or in publications and/or presentations that I produce during my PhD. At the end of the research project, any personal information about you (such as names, locations etc.) will be

destroyed. Anonymised data will be submitted to the Research Council U.K.'s Data Depository, where it will be securely stored for an indefinite amount of time. Data will be reported and/or published in an anonymised form.

This research is funded by the Economic and Social Research Council, U.K.

### **Anonymity**

Interview data will be held and used on an anonymous basis, with no mention of your name. If you are a member of a community organisation, that organisation will be given a pseudonym in the final report.

### **Consent**

I have been fully informed about the aims and purposes of the project.

I understand that:

- there is no compulsion for me to participate in this research project and, if I do choose to participate, I may withdraw at any stage;
- I have the right to refuse permission for the publication of any information about me;
- any information which I give will be used solely for the purposes of this research project, which may include publications or academic conference or seminar presentations;
- all information I give will be treated as confidential;
- The researcher will make every effort to preserve my anonymity.

.....

.....  
(Signature of participant)

.....  
(Date)

.....

.....  
(Email address of participant if they have requested to view a copy of the interview transcript).

.....

.....  
(Signature of researcher)

.....  
(Printed name of researcher)

One copy of this form will be kept by the participant; a second copy will be kept by the researcher(s).

Your contact details are kept separately from your interview data.

## 2- Interview Topic Guide Used With Participants Who Were Asylum Seekers or Refugees

Note: While this provided an extensive guide, the semi-structured nature of the interviews meant that I did not stick exclusively to these questions: irrelevant questions were skipped, and some questions were rephrased or expanded upon depending on the interviewee's experiences.

### Section One: Formalities and Consent

Before we begin, I'd like to run through a few things about what we will be doing today and what it means for you. My name is Becca and I am a PhD student at the University of Exeter. I'm researching people's experiences of the asylum system in the UK. Talking to people in interviews like this is very important, so thank you very much for agreeing to talk to me today.

I need to let you know that anything you say today is completely confidential; I won't tell anyone else any of the things that you tell me, including the people here at [organisation]. I also want to let you know that I don't have any connections with the Home Office, so whatever you tell me today won't have any effect on your asylum claim.

I am mostly going to be asking questions about the experiences you've had as you've claimed asylum, and how these have affected your life. I'd appreciate it if you could answer in as much detail as you can, but if there are any questions that you'd rather not answer, then let me know and we can move on. If there are any questions that you don't understand, then tell me and I can explain more about what I mean.

After the interview today, I'll store the information you give me on a computer that only I have access to. If I write about anything that we discuss today, I won't use your real name or any information that could let anyone know who you are.

I have given you a sheet that has my contact details on it. If you have any questions in the future, then you can get in touch with me using these. If you decide that you'd rather not participate any more, you can contact me to let me know.

Can I ask you, are you okay with me recording our conversation today? Also, just to let you know, I may write some notes during our conversation, just to help me remember important points.

Do you have any questions about anything that I have just told you? ...In that case, just for the tape, **I'd like you to confirm that you're happy to take part in this research, and that you understand what this involves?** Thank you.

### Section Two: "Warm-up" questions

**How long have you been in [City]? How have things been since you arrived here?**

**Can you tell me a little bit about your typical day here in [City]? *What do you do, who do you do it with, how do you feel most days?***

**Could you tell me a bit about what happened when you first arrived in the UK? *Were you given a chance to offer an explanation at that stage, or was a decision made immediately about what would happen next? Can you explain what happened?***

**Can you talk me through the process of your claim: how has it gone so far/ how did it go? *Here, I will pay particular attention to whether they have had any 'notable' experiences- such as being detained, dispersed, have asked to testify... or any other difficult experiences that they identify as being relevant to them.***

Then (if appropriate) ask/clarify:

**Where are you from/ When did you leave [the country of origin]?**

**Can you tell me about why you decided to leave?**

### **Section Three: Explore Participant's Embodied Experiences**

#### **Identity**

**We talked before about when you first arrived in the UK. Can you tell me, were your fingerprints taken when you arrived? What was that like?** Did that change anything about what the Immigration Officers thought about you? How did you feel about providing them with this information?

(if appropriate) **Did they ask any questions about your age when you arrived? What happened then?** Do you feel as though the Immigration Officers and social workers listened to what you said about your age? How did this make you feel?

**Did you have any passports or identification documents with you when you arrived?** Did the Home Office trust these documents? [If not] what did they do when they suspected that? Did anything happen as a result of that? How did that make you feel?

**Did you feel as though they believed you when you told them who you were?** Did they listen to you, or judge you on your fingerprints/ what you looked like? Why?

**[If they have said anything relevant] How do you feel that this affected your claim? Did it affect your day-to-day life at all? How?**

**Did anyone explain the process/decision to you?**

#### **Evidence**

**Could you tell me a little bit more about what it was like when you had your interview to explain why you needed to claim asylum?** *Follow up, did you feel like you were listened to?*

**Were you asked to explain about the things that had happened to you? What was that like?** How did they ask you about these things? Did you feel as though you were able to properly explain? How did they respond?

*If they had to testify at a hearing...* **What was that like? Did you feel you were listened to there? How did that make you feel?**

**[If mentioned abuse or injury] Were you sent to see a doctor? If yes, What was that like? Did you feel as though you were listened to? Did it have any impact on your claim?**

**Do you ever feel as though you were under pressure to behave in a certain way?** How? Did you do this? Why?

**What happened after you had given your statement?** *Follow up: were they given any choice in what happened, or was their future decided for them by the Home Office?*

**How did that affect you? How did you feel about that?**

#### **Control**

**[If relevant] You mentioned before that you had been [detained/dispersed/other notable experience resulting from the application of asylum policy]. Can you tell me a little bit more about what happened?** *Use follow-up questions to explore details as appropriate, e.g. why was this; what happened; how did it make you feel; how did it affect your life?*

**What sort of things happened on a normal day during this time?** *What sort of rules were there, what were you made to do? Did you do this? Were there punishments if you didn't?*

**...and during this time, did you ever feel as though you were physically controlled, or made to behave in a certain way?** *If they answer 'yes', probe for more details as appropriate. Why was this? How did it make you feel? Did it affect your life at all? How?*

**Did anyone explain why this was happening to you?**

**Overall, do you feel that the system was in control of you, or your day to day life? [In terms of what you do, who you have contact with etc...]** Probe how, what, why. How did you feel about this? How did it affect you? Probe: are/were there things you had to do during your asylum claim [e.g. signing on]

**How much control do you feel as though you have over your own life at the moment?** Why do you say that?

## Agency

**I know there are a lot of rules and regulations in the system. For example, when you were [insert relevant situation]. Can you tell me a little bit about the rules that you faced?**

**Were you made to do things that you didn't want to do?** Was there anything that you felt as though you couldn't do? What? Why?

**How did all of these rules and regulations make you feel?**

**Was there anything that people do to get around these rules to make things easier for yourself?** Did you ever do what you wanted, even if you weren't supposed to? What did you do, why, with whom? **How did that feel? Were there any consequences?**

**I want to ask you about your day-to-day like: is there anything that you do that helps you to forget about your claim, where you can be yourself?** What? How does this make you feel?

**What about the people you socialise with?** Who? What do you do? How do you feel about that? Does

## Section 4: Considering External Factors

**[if they have mentioned any injuries or illnesses] You mentioned before that you had [injury/illness.] Can you tell me about how that has affected how you've felt as you've claimed asylum?**

**Do you think that it has changed anything about your claim?** *Follow up, how has it made things more difficult/easier? Do you think it has affected how the Home Office has judged you? Were you offered the necessary treatment or support?*

**[if they have mentioned any particularly traumatic experiences] You mentioned before that you experienced [X]. Can you tell me about how that has affected how you've felt as you've claimed asylum?**

**Do you think that it has changed anything about your claim?**

**You're from [country of origin]. Is there anything about [country of origin's] culture (or, if appropriate/applicable, religion/ethnic group/tribe etc.). that is very different to here, that has affected how you've felt as you've claimed asylum?** *Follow up to gain enough detail, clarifying how any customs/beliefs have affected their understandings and experiences.*

**Do you feel as though people here can understand that?** *Follow up, especially if they mention that they feel unable to do certain things in the UK? Why is that, etc.?*

**Have you ever encountered any prejudice in the UK?** *Follow up, what, when etc.*

## Section 5: Life in general and overall impacts of the system

**I asked before if you ever felt like you'd been physically controlled. I want to ask now, have there been any other ways that claiming asylum has physically affected you?**

Do you feel like you've ever been physically judged?

Has it had any other effects on your day to day life?

**I'd like to ask you about your contact with the Home Office: What has that been like? How have you felt about it?**

**What do you think that they think of asylum seekers?** Do you think it trusts people or is suspicious of them? Why? Do you think that the system wants asylum seekers' voices to be heard? Is it willing to let them be themselves?

**I'd like to ask you about your contact with the Home Office: What has that been like? How have you felt about it?**

**What do you think that they think of asylum seekers?** Do you think it trusts people or is suspicious of them? Why? Do you think that the system wants asylum seekers' voices to be heard? Is it willing to let them be themselves?

**Do you feel like the system is helpful for making them feel like a part of society? How, why, why not?**

**Do you feel as though the system gives enough consideration to the fact that most asylum seekers have been through difficult things?**

Do you think it offers them enough support to help them build their lives?

**Have you been able to get help when you needed it? Were you ever told where you could get this help from?**

**What about coming to [name of organisation they are affiliated with]? How has that changed things for you?**

**Has your health/wellbeing suffered because of going through the asylum system? Is it possible for you to take care of yourself?** How? What are most important needs? E.g. food, shelter.

**What kinds of support do you think asylum seekers in the UK need most?**

**I want to ask you a few more general questions, now. Can you tell me about the main ways that claiming asylum has affected you, overall?**

**What have been the changes that have been the most noticeable for you?** How do you feel about that/those?

### **Section 6: Cooling Down Questions**

**We're coming to the end of the interview now. Before we move on to the final few questions, is there anything else that you'd like to raise, or anything that you want to speak about that hasn't been covered?**

**To finish, I want to ask you about your hopes for the future. Can you tell me what they are?**

We've reached the end of the interview now.

I'd like to double check that you're still happy to take part in this research?

Thank you very much for speaking to me today. If you have any questions in the future, then don't hesitate to get in touch.

### 3- Interview Topic Guide Used with Professional/Volunteer Participants

Note: While this provided an extensive guide, the semi-structured nature of the interviews meant that I did not stick exclusively to these questions: irrelevant questions were skipped, and some questions were rephrased or expanded upon depending on the interviewee's role and experiences.

#### Introduction and Formalities

Thank you for speaking to me today. Before we begin, I'd like to give a little more information about what I'm researching and what I'd like to do today. There is also some information about what it means for you to take part that I am legally obliged to tell you.

As you already know, my name is Becca and I'm a PhD student at the University of Exeter. I'm doing a research project on asylum seekers' experiences of the system in the UK. I'm especially interested in the ways that going through the asylum system is a physical process: how the system can control asylum seekers on a bodily level, and how this can affect their experiences. I'm firstly trying to understand the ways that the system 'uses' the body, for example as a way to find out asylum seekers' identities or control their activities, and why it does this. Secondly, I'm investigating how this affects asylum seekers experiences and their lives in the UK. I'm doing this with the aim of finding out the best ways that policy could be changed and asylum seekers could be supported to make the system fairer.

There are two reasons that I want to have this discussion today. First of all, I want to hear from people who have an insight into the asylum system, to help me identify common experiences, and the ways that these often affect people. I am also keen to hear your thoughts about the ways that the system ought to be changed, or the best types of support that should be offered to asylum seekers.

I'm going to be asking questions that relate to this. You can talk in general terms, about things that you commonly see, or you can be more specific. It would be good if you can give as much detail as you feel comfortable with. Of course, if you are going to talk about another person who isn't here today, then please don't share any personal details about them.

As I mentioned before there are a few things that I legally need to tell you, because this is technically a part of my research.

Firstly, I need to let you know that whatever you say today will be confidential. I won't share it with anyone else. If I include anything that happens today in my research, it will be presented anonymously, and without any details that would help anyone to work out who you are.

Once we're done, I'll be making a written record of the conversation we have today. This won't have anyone's name on it, and it will be stored securely on a computer that only I have access to.

If there are any questions that you'd rather not answer, then please let me know and we can move onto another topic. If you want to change anything that you say today or withdraw your participation then you are free to do so. Please feel free to ask any questions that come up throughout the course of the discussion.

I have given you two sheets of paper. One of them is a form that shows you have agreed to speak to me today. If you could sign that and return it to me now. The other is an information sheet containing details about the research I am doing and my contact details. This is so that you can contact me if you have any questions.

Finally, I need to check that everyone consents to me recording the discussion today.

#### **[Begin Recording].**

Before we begin, could I get a little bit of information about you? Position, how long held, etc.

### Part One: Finding Out About Common Experiences of the Asylum System

The first questions are about common experiences of the asylum system. I'm asking these because I'd like to know what the most common experiences you have seen are, and how you understand them. Like I said before, you can answer them in more general terms, about things you commonly see or your general understandings, or mention more specific things.

After someone arrives in the UK and claims asylum, in your experiences, what are the things that commonly happen to people?

*Find out about common experiences, ask for participant's understandings of why this happens and what it involves.*

*How are people generally affected by these common experiences?*

Do asylum seekers understand why the system works in the ways that it does, why these things are happening to them?

Overall, do you feel that asylum claims go smoothly, or do people usually face difficulties? What kind of difficulties? Why?

Overall, what do you think people's experiences with the Home office/NASS are like?

What makes you say this?

Do you feel as though these actors in the system (Home Office, NASS) recognise or are sensitive to the things that asylum seekers have gone through, or the difficulties that they often face as they go through the system?

### Part Two: Exploring how People Understand These Experiences (and how far my four key understandings of the body are useful concepts)

We've been talking about experiences of the system more generally, but now I'd like to ask about some of the ways that the system involves the body, and how this affects asylum seekers' experiences.

The system often uses physical information, such as fingerprints and biometric information, as a way to 'prove' asylum seekers' identities and where they're from. I want to ask, from the cases you've seen, how do you think that this influences the ways that cases are judged?

How much value do you think is placed on what people tell the Home Office about who they are and why they need asylum? How else are cases judged?

I know that the main evidence is supposed to be the narrative that asylum seekers provide about what has happened to them. But if a person has suffered physical violence or there are doubts about how old they are, then often that bodily evidence can become important to judging their claim. How do you think that can affect a claim?

Do people generally believe asylum seekers' claims or are they doubted?

Are people generally sent to see specialists such as doctors or social workers? Is this useful?

Does being judged in this way affect people at all?

I want to ask about the ways that the system can control asylum seekers. How much control do you feel the Home Office has over asylum seekers' lives? Can you give me some examples of why you say that?

Can you tell me, are there any ways that asylum seekers are physically controlled? If yes, how?

Why does that happen? Do people understand why it happens to them?

What are the effects of this?

A lot of what we have talked about so far involves how the system makes decisions about what happens to people. I want to change direction, and ask about asylum seekers' day to day lives, and the things that they do. Do you feel as though asylum seekers have freedom in their day-to-day lives? E.g. to do things socially, do the activities they want to?

Do you feel as though they're able to build up a social network? *With whom?*

*What kind of things do they do?*

Are there things that they can't do, that they'd like to? What?

Generally, do you feel as though asylum seekers ever do things that break or challenge the 'rules' of the system? What? Why?

Have you found any ways that asylum seekers can attain some level of freedom within the system?

From your experiences, can you think of any other ways that asylum seekers can be physically affected by going through the asylum system? (If they need clarification: any other ways that their bodies are involved/affected).

Talking about physical experiences like this can be quite abstract and can involve asking for quite personal information. If I was in a situation where I was interviewing asylum seekers one-on-one, what do you think the best way to approach this kind of topic would be?

### **Part Three: Finding out about the Common Outcomes of Going through the Asylum System**

**I want to ask a few questions now about the common ways that going through the asylum system can affect people. The questions relate to the effects on asylum seekers' day-to-day lives, and on the ways you think seeking asylum affects their understandings and world views more generally.**

Can you tell me a bit about what you think the main impacts of going through the asylum system are on peoples' lives?

What about the effects that going through the asylum can have on people's bodies. Are there any common physical issues or impacts that you see? E.g. are asylum seekers left physically vulnerable? Lack of accommodation, healthcare? Are they offered enough support? Healthcare, advice on how to access services?

In your experience, what aspects of the system affect people the most? How so?

Can you tell me a little bit about the common problems that asylum seekers face?

And how do you feel that facing these problems make people feel?

Does it affect how they think about themselves?

About the UK?

I know a lot of asylum seekers have trouble understanding the system, or aren't able to Participate in it as much as they need to because of illness, injury or trauma. Do you think that the system is understanding and supportive about these kinds of things?

Finally, I'd like to ask what you feel the most important form of support that can be provided to asylum seekers. Why do you say that? Do you feel they can access this easily?

We've reached the end of the discussion. Is there anything that we haven't covered that you'd like to add?

Thank you very much for speaking to me today. If you have any questions in the future, please don't hesitate to contact me.

## **Appendix Four: Interviewee Demographics**

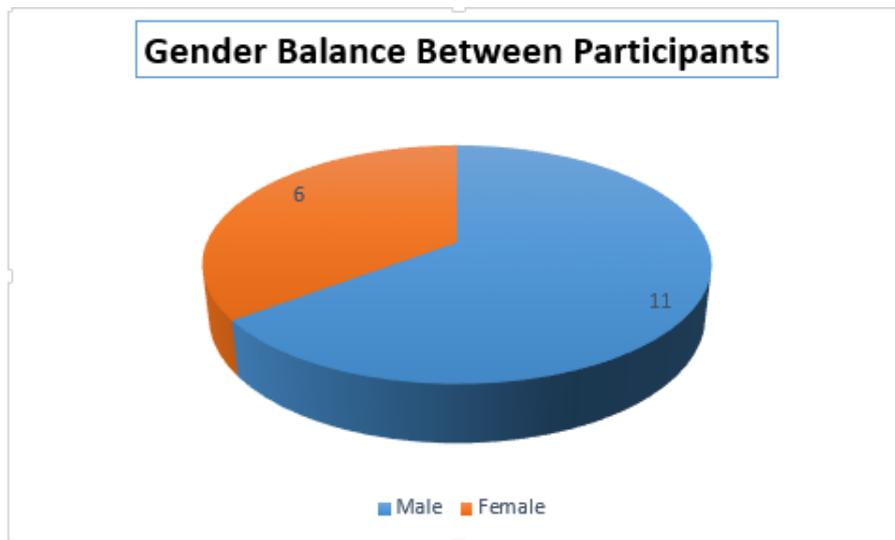
**Figure 4- Overall Breakdown of Interviewees**

<b>Status</b>	<b>Number</b>
Asylum Seeker	11
Leave to Remain	6
Staff Member	4
Volunteer	4

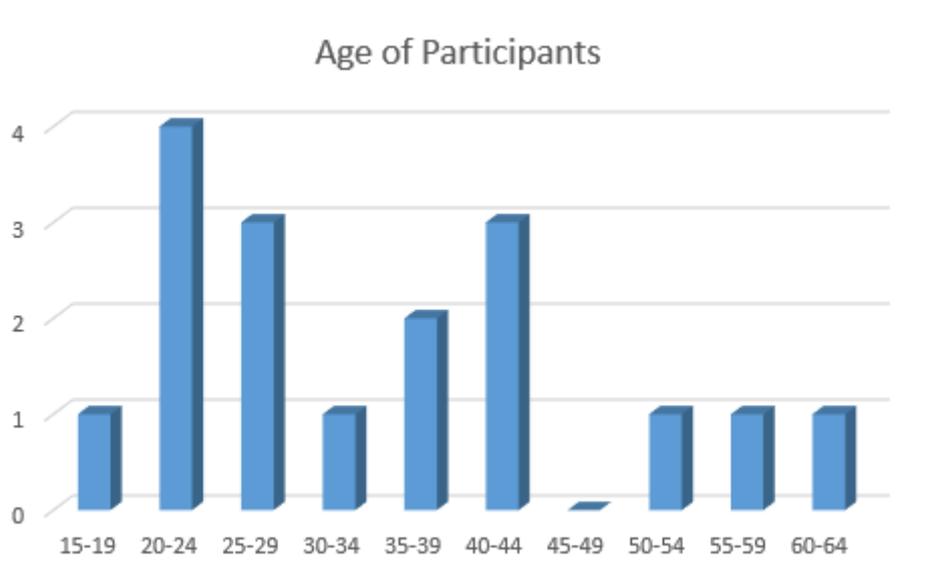
**Figure 5- Table Showing the Names (Pseudonyms) and Demographic Information of Participants who were Asylum Seekers or Refugees**

<b>Name</b>	<b>Gender</b>	<b>Age</b>	<b>Nationality</b>	<b>Immigration Status</b>	<b>Year Arrived in the UK</b>
Nasr	M	30-34	Somali	Asylum Seeker	1999
Faith	F	60-64	Liberian	Asylum Seeker	2008
Kamal	M	40-44	Somali	Refugee	2008
Amir	M	35-39	Afghan	Asylum Seeker	2008
Lena	F	20-24	Ukrainian	Asylum Seeker	2013
Hakim	M	50-54	Algerian	Asylum Seeker (Humanitarian Protection)	2014
Abshir	M	20-24	Sudanese	Refugee	2017
Rashid	M	25-29	Qatar	Asylum Seeker	2015
Musa	M	20-24	Eritrean	Humanitarian Protection	2015
Ibrahim	M	15-19	Sudanese	Refugee	2016
Nadia	F	40-44	Malian	Asylum Seeker	2015
Noi	F	25-29	Vietnam	Asylum Seeker	2016
Usama	M	35-39	Afghan	Humanitarian Protection	2008
Francis	M	25-29	Angolan	Refugee	2009
Amina	F	55-59	Syrian	Asylum Seeker (Humanitarian Protection)	2011
Jamal	M	20-24	Eritrean	Asylum Seeker (Humanitarian Protection)	2015
Fatima	F	40-44	Iraqi	Asylum Seeker	2006

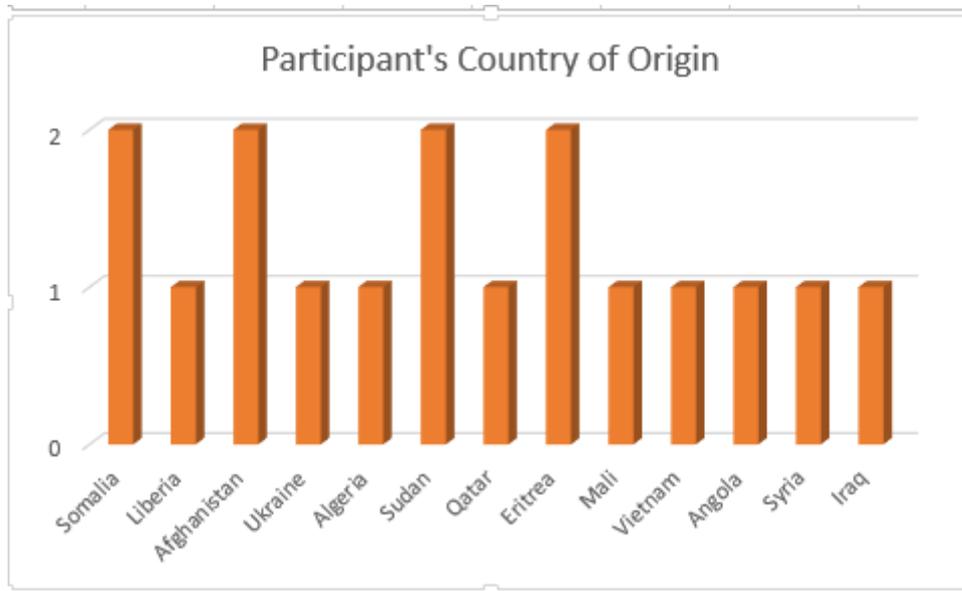
**Figure 6 — Chart Showing the Gender Distribution of Participants who were Asylum Seekers or Refugees**



**Figure 7 -Chart Showing the Age Distribution of Participants who were Asylum Seekers or Refugees**



**Figure 8- Chart Showing the Countries of Origin of Participants who were Asylum Seekers or Refugees**



**Figure 9- Table Showing the Legal Status of Participants who were Asylum Seekers or Refugees, and whether or not they had gone through the appeals process in order to attain their current legal status.**

Current Legal Status	Number	
Right to Remain (Refugee)	4	
Right to Remain (Humanitarian Protection)	2	
Seeking Asylum	8	
Seeking Humanitarian Protection	3	
Legal Status	Appeal	No Appeal (Thus Far)
Participants With Leave to Remain	2	4
Participants Without Leave to Remain	7	4

**Figure 10- Table Showing Demographic Information about Participants who were Staff Members or Volunteers**

<b>Name</b>	<b>Organisation</b>	<b>Role</b>	<b>Notes</b>
Leyla	1	Drop-In Centre Manager	
Alisa	1	Volunteer Manager	
David	3	Volunteer	
Florence	3	Volunteer	
Sam	1	Volunteer	
Aqeel	3	Volunteer	Had Refugee Status
Pat	An NGO focussed on rights within the asylum system	Research and Policy Officer	
Helen	An Immigration Law Firm	Paralegal	



## Figure 12- Codes Used in This Research

### Topic-Based Codes

- **Identification and Evidence**
  - Processes of Bodily Identification
    - Where state and asylum seeker agreed
    - Where state and asylum seeker disagreed
  - Processes of Bodily Evidence
    - Test-based e.g. biometrics, age assessment.
    - Deportment/ Credibility based
    - Where state and asylum seeker agreed
    - Where state and asylum seeker disagreed
  
- **Control**
  - Demanding Control
    - Individual Level
    - Collective Level
  - Prohibitive Control
    - Individual Level
    - Collective Level
  
- **Agency**
  - Agency
    - With positive outcome for asylum seeker(s) involved
    - With negative outcome for asylum seeker(s) involved
    - Individual Level
    - Collective Level
  - Resistance
    - With positive outcome for asylum seeker(s) involved
    - With negative outcome for asylum seeker(s) involved
    - Individual Level
    - Collective Level
  
- **Narrative**
  - Bodily condition/experiences prohibit narrative
  - Bodily condition/experiences conducive to narrative

### Outcome-Based Codes

- **Outcomes for Asylum Seekers**
  - Negatively impacted by experiences
    - Physically

- Emotionally/Mentally
    - Materially
  - Positively impacted by experiences
    - Physically
    - Emotionally/Mentally
    - Materially
- **Outcomes for the State**
  - 'Positive'- e.g. able to monitor asylum seekers and the system overall
  - 'Negative' – e.g. unable to monitor asylum seekers and the system overall
- **Outcomes for Support Workers/ Organisations**
  - Providing material support
  - Providing legal/ procedural support
  - Challenging the state
  - Providing social/ developmental opportunities

### **Conceptual/ Theoretical Codes**

- **Performativity**
- **Precarity**
  - Material
  - Symbolic
  - Liveable lives
- **Biosovereignty**
  - Sovereign Power
  - Anatomico-political power
  - Biopolitical power
- **Excess/Masquerade**
- **Narrative**
  - Prohibitive, 'Unmaking Worlds' e.g. Scarry
  - Constructive, 'Bodies as Yardsticks' e.g. Skultans

### **Phenomena Codes**

- Biometric Technologies
- Detention
- Dispersal
- Reporting
- Removal
- Work
- Self-Harm
- Protest

- Poverty
- Illness
- Trauma
- Relationships and Social Activities
- Sports and Leisure