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# 'Welcome to Britain'

## *The cultural politics of asylum*

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**ABSTRACT** Questions of asylum and immigration have taken centre stage in national and international debate and figure prominently in the domestic political agendas of wealthy states and nations. In Australia, Europe and the US, harsh and punitive asylum and immigration laws are being enacted incrementally and asylum-seekers are subject increasingly to detention. Through a focus on the detention of asylum-seekers in the UK, this article makes a critical intervention in current theoretical debates around asylum. Focusing on the writing of Giorgio Agamben, this article suggests that within political and cultural theory, there has been a turn to the figure of the asylum-seeker (and the refugee) as a trope for theorizing the political constitution of the present. By opening up a critical dialogue between humanitarian, media studies and abstract theoretical accounts of immigration detention, this article produces a critique of the ways in which theory appropriates the figure of the asylum-seeker.

**KEYWORDS** *abjection, asylum-seeker, critical and cultural theory, Giorgio Agamben, humanitarian, immigration, Judith Butler, refugee, Sara Ahmed*

### *Welcome to Britain Now!*

Right now Britain is one of the most exciting places on the planet, a world in one island. You will find a country of fascinating history and heritage, a country busy reinventing itself with confidence and style, influenced by the hundreds of nationalities who now call Britain home. ('Welcome to Britain Now!', 2005)

**This quotation is** from the British Government's official tourist website, Visit Britain ([www.visitbritain.com](http://www.visitbritain.com)), which aims to brand Britain for foreign visitors through signs of heritage, diversity and hospitality. A section of the site dedicated to 'young visitors' features several profiles of ideal foreigners, described as 'long-stayers' because they have chosen to settle, study, work or travel in Britain for an extended period of time. Their positive experiences of their visits to Britain are detailed, alongside photographs of their smiling faces, as a means of illustrating the diversity of

attractions on offer to the foreign visitor. One of these profiles features Taryn, a white South African: 'what she loves most about being here is "the long days in the summer and the diversity of the people you meet"' (cited in 'Profiles of Britain', 2005). Jonathan, another white South African, 'loves the cosmopolitan nature of British cities' (cited in 'Profiles of Britain', 2005). By inviting us to identify with this community of visitors, Visit Britain establishes what the ideal visitor to Britain 'looks like' and in so doing, forecloses other possible identifications. In other words, it is a very particular kind of foreigner that is entreated to visit Britain. For not only are all the foreign visitors featured from countries with strong colonial ties to the UK, Australia, New Zealand and South Africa, they are all white. Despite the caveat that Britain has been 'influenced by the hundreds of nationalities who now call it home', it is evident that the British Government is not extending its hospitality to all foreigners ('Welcome to Britain Now!', 2005). Indeed, it is clear that some foreigners are more foreign and less desirable than others (see Ahmed, 2000: 6).

If Britain is 'a world in one island', which the addressees of the speech act 'Visit Britain' are invited to enter and experience, then it is a particular ideological vision of 'the world' which is at stake in this branding exercise. The limits of the ideological fantasies that sustain the image of Britain as an inclusive, diverse and multicultural nation in Visit Britain are revealed by the 'border controls' in operation on the site's homepage. On arriving at Visit Britain, you are greeted by the sign/banner 'WELCOME TO BRITAIN' and are invited to click on your country of origin from a given list: this list consists of 34 countries and excludes all African nations (except South Africa) and all Eastern European countries (except Poland). In other words, it excludes almost all the countries from which 'unwelcome visitors', namely asylum-seekers and economic migrants, originate. These exclusions operate symbolically as a border checkpoint. The unwelcome foreigner is deterred from entry: they are given no place of origin to click and thus no legitimate or visible means of entering the site (or indeed entering Britain). If 'the truth of globalisation' is the fundamental divide between 'those included into the sphere of (relative) economic prosperity and those excluded from it', the truth of who is welcome to enter and visit Britain (without risk of immediate detention) is equally divisive and divided on (imagined) economic and racial lines (Žižek, 2002). One of the things this article wants to consider is the ways in which the excluded are required to provide the boundaries of the subject who belongs. As Nyers asks: 'Does the elevated status of cosmopolitanism – its narcissism, as it were – also rely on the construction of an abject other?' (2003: 1073). One way of approaching this question is to explore the relation between the cosmopolitan subject who is free to move, illustrated by the ideal tourists in Visit Britain, and the immobility of the detained visitor to Britain, the asylum-seeker. Indeed, it will be suggested that the figure of the asylum-seeker increasingly secures the imaginary borders of Britain today.



British asylum laws have produced an 'illegal' population who are denied the status of subject-citizen. The experiences of detention depicted in humanitarian reports reveal a limited and edited view of this 'object diaspora – a deportspora' (Nyers, 2003: 1070), the underside of the cosmopolitan face of Britain – that 'world in one island' which the British government is so keen to capitalize upon and brand. Each year, the British Government holds increasing numbers of asylum-seekers in dehumanizing detention facilities in breach of numerous international laws.<sup>1</sup> In contrast to the voices of cosmopolitan mobility featured in *Visit Britain*, detained asylum-seekers, compelled to leave their wealth, communities and families behind, speak of their experiences of Britain with disbelief and despair. Between 2001 and 2004, four British charitable organizations undertook research projects based on qualitative studies of the maternity experiences of women during the asylum process. All of these studies involved interviews with women asylum-seekers, many of whom either were pregnant or had recently given birth. The following quotation is from an interview with a pregnant asylum-seeker cited in the report of the study, *Mothers in Exile: Maternity Experiences of Asylum-Seekers in England* (McLeish, 2002).

The situation I am in makes me believe that I don't have any value and I'm nothing for ever. Because even the animals from the zoo, they treat them nicely. What can I say? Who am I? What can I say? Nothing. What can I do? Nothing. (cited in McLeish, 2002)

This pregnant woman, leading an unliveable life in a legal and social desert at the very borders of visibility, is given a chance to speak to a researcher to give testimony to her abjection from the public sphere. So completely has she been undone by the country whose violence she has fled and the country at whose borders she is now imprisoned, that she can barely speak: 'What can I say? Who am I? What can I say? Nothing.' She has no space, no position from which to speak. To be pregnant while isolated and imprisoned, without access to familial and social support networks, adds to the asylum-seeker's feelings of hopelessness and despair. The psychological impact of detention is compounded by the fact that, for a significant number of the pregnant asylum-seekers, their pregnancy is a consequence of rape. In a second report, *A Crying Shame: Pregnant Asylum-Seekers and Their Babies in Detention*, an interviewee notes:

Having a baby in here would be like asking a person to commit suicide. Having a baby in here, that's the most inhumane thing you can do to another person. We are crammed in here, we are fenced in. I find it hard to breathe . . . I am very depressed. (McLeish et al., 2002: 7)

In a third report, *They Took Me Away: Women's Experiences of Immigration Detention in the UK* (2004), an interviewee notes:

If people who know me were to see me, they would cry. You are locked in this prison, I don't know why. Explain to me. There is no way to explain it. (cited in Cutler and Ceneda, 2004: 38)

The interviewees in these reports repeatedly attempt to explain the chronic levels of stress which being held in indefinite detention generates. As one woman states:

Just being in here is the whole problem. That's the pressure – you don't know when you are going, you don't know how long you are staying . . . Your whole world is crumbling. (cited in Mcleish et al., 2002: 8)

Asylum-seekers held in detention do not know from one moment to the next whether they will be released or forcibly removed from the UK. In *They Took Me Away*, one of the interviewers, Dr Gill Hinshelwood from the Medical Foundation for the Care of Victims of Torture, notes:

They are terrified. The physical manifestations of terror are palpitations, breathlessness, insomnia. They get worse in detention. They are left with a sense that they could be picked off at any moment and removed. (cited in Cutler and Ceneda, 2004: 65)

Welcome to Britain.

## Figuring the asylum-seeker

In Britain 'an elaborate array of bureaucratic and physical impediments to cross-border travel' and 'a vast armoury of technologies of control and exclusion' are being mobilized against asylum-seekers (Nyers, 2003: 1069). For example, once an asylum-seeker is identified, they are issued with an asylum-seeker's identity card, become subject to detention, dispersal and electronic tagging, barred from access to paid work and have limited (if any) access to education, health care, social housing and income support. For the asylum-seeker, the first and most critical stage moment in this process is being identified as an asylum-seeker.

The United Kingdom is a signatory to the United Nations Convention Relating to the Status of Refugees 1951. According to Article 1 of this Convention, a refugee is a person who:

Owing to a 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.

Those forcibly displaced under the terms of the Convention are legally entitled to stay in the UK as refugees. While the term 'refugee' has a



specific international legal genealogy, the term 'asylum-seeker' gained political and popular currency in the UK in the early 1990s. In contrast to the term refugee, which names a (legal) status arrived at, 'asylum-seeker' invokes the non-status of a person who has not been recognized as a refugee. Asylum-seekers are literally pending recognition. Inscribing the category of asylum-seeker in British law through the enactment of a series of punitive asylum laws<sup>2</sup> has enabled the British Government to manoeuvre around the rights of the refugee as prescribed by international law. While the possibility remains that some asylum-seekers will be granted refugee status under the new legislation, this possibility infinitely recedes. For example, section 55 of the Nationality, Immigration and Asylum Act 2002<sup>3</sup> reintroduced the notorious 'white list' of 'safe' countries of origin and removed in-country appeal rights from asylum claimants. The logic behind the white list is that countries on the list are safe and democratic, and therefore nobody coming from these countries can be a 'real refugee'; the almost irrefutable presumption being that claims to asylum from white list nationals must be 'bogus'. The organization State-watch notes that in

one of the first legal challenges under the new regime, the Court of Appeal upheld the Secretary of State's contention that rape of a Roma woman by Czech police was not enough to rebut the presumption that her asylum claim was ill-founded. ('The Worst Law Yet', 2003)

Since the white list came into force, white list nationals who claim asylum are invariably arrested and imprisoned. As Agamben notes, 'the paradox here is that precisely the figure that should have incarnated the rights of man par excellence, the refugee, constitutes instead the radical crisis of the concept of rights' (1994: 3). The identification of a person as an asylum-seeker has become an 'instrument for the refusal of recognition' (Butler, 2002: 11), which in turn shores up a normative fantasy of what it means to be British. Indeed, as it shall be argued, the identification of the figure of the asylum-seeker is increasingly constitutive of public articulations of national and ethnic belonging.

Deprived of recognition and rights, asylum-seekers find themselves in a state of suspension outside of 'the constituting condition of the rule of law' (Butler, 2004: 67). In effect, they are deprived of life 'in the sense that a political animal lives, in community and bound by law' (2004: 67). Detained asylum-seekers describe the way in which the law disappears from view in detention. As one interviewee asks: 'Where is it?'

I am a woman. I have been beaten in England, detained in a country in Europe. I don't even have the strength to defend myself and white people beat me up like that, in a country where there is a rule of law; they want to kill me. I came here with no documents, with all my pain and suffering, and they don't protect

me ... The law in England, where is it? I don't see it being practised here. (cited in Cutler and Ceneda, 2004: 3)

However, while the British Government, the 'voice' of the British people, increasingly refuses to recognize asylum-seekers as refugees, this is not the same thing as saying that 'they' are not recognized at all. On the contrary: in being identified as asylum-seekers, they are recognized as 'not-refugees', bogus, illegals, the unwelcome. As Agamben (1998) suggests, the law affirms itself with the greatest force precisely at the point at which it no longer prescribes anything. This open suspension of human rights within allegedly democratic nations such as the UK raises a series of critical questions about the very meaning of 'democracy' and 'rights'. For example, Agamben argues that these kinds of suspensions of human rights reveal an underlying legitimization crisis in which the very idea of 'rights' and 'citizenship' are revealed to be little more than a facade that protects and enables state power. Indeed, Agamben argues that we should abandon concepts such as 'rights', for to make appeals (on behalf of asylum-seekers, for example) within the normative language of the law is to be complicit already with those legal and political institutions that subjugate asylum-seekers (and others). Agamben suggests that the fundamental language and forms in which 'political' debate takes place in 'democratic' nations spins little more than an elaborate fiction: a fiction which is arguably fast unravelling before our eyes as it becomes ever-clearer that the right to have rights is not only a decreasing privilege of the few, but also the central means of 'our' subjection to the law (Hannah Arendt, cited in Deranty, 2004). As Agamben notes:

It is almost as if, starting from a certain point, every decisive political event were double-sided: the spaces, the liberties, and the rights won by individuals in their conflicts with central powers always simultaneously prepared a tacit but increasing inscription of individuals' lives within the state order, thus offering a new and more dreadful foundation for the very sovereign power from which they wanted to liberate themselves. (1998: 121)

Certainly, 'politics' appears increasingly redundant in the face of the suspension of fundamental principles such as human rights. In contemporary Britain, there is no mainstream political debate about asylum, only the appearance of debate. The political language in which debates about asylum take place is not innocuous (or post-political) but functions to limit what it is possible to ask. For example, there is no open debate about whether or not 'we' should open 'our' borders – such questions would be illegible within the terms of the current political hegemony. Rather, all mainstream political effort is put into the work of producing crisis, an engineered crisis which then is met with political discourses of 'crisis management'. The creation of endless systems to 'manage' the 'asylum



problem' is dependent upon the constitution of the figure of the asylum-seeker as a threat: a threat that must be staged continually. It is through the production of the imaginary figure of the asylum-seeker as an 'illegal' threat to 'our' sense of national belonging that 'we' learn to desire and demand 'their' exclusion. It is within this frame that the radical redefinition of asylum-seekers as outside of the sphere of rights, that is, as less than human, has come to make 'sense'. It is this process that we need to understand better in order to interrogate the 'deployments of power by which human beings could be so completely deprived of their rights . . . that no act committed against them could appear any longer a crime' (Agamben, 1998: 171).

In 2004, the Information Centre About Asylum and Refugees in the UK (ICAR) published a report, *Media Image, Community Impact: Assessing the Impact of Media and Political Images of Refugees and Asylum-Seekers on Community Relations in London*. This report uses detailed content analysis and focus groups to give a 'snapshot' of the ways in which the British news media and political rhetoric represents asylum-seekers. In *The Cultural Politics of Emotion*, Sara Ahmed notes that it is 'the metonymic contact between objects and signs that allows them to be felt as disgusting as if that was a material or objective quality' (2004: 88). As Ahmed suggests, the use of metaphorical and figurative language is central to the process of social abjection. Furthermore, she argues that disgust (for a figure or thing) does not make borders out of nothing, but is a response to the making of borders through a reconfirmation of their necessity. That is, the subject (or nation) feels a figure or thing to be disgusting (a reception that relies on a history previous to the encounter), expels that figure and through expelling it, finds it to be disgusting. It is this expulsion that becomes 'the truth' of the reading of the figure or thing, a reading that is necessary in order for an ideology to 'pass' as a form of common sense. Ahmed argues that this process is dependent upon the way in which signs become 'sticky' through repetitive use, shaping our perception of others. If we develop this thesis, we can see how the figure of the asylum-seeker takes shape through the stickiness of signs used to produce them as a figure. What *Media Image, Community Impact* reveals is how the figure of the asylum-seeker has become sticky with grotesque qualities; qualities that invoke fear, anger and disgust amongst 'native' communities. It is the repetition of these imagined qualities that shapes public perceptions of asylum-seekers. For example, the report lists the language repeatedly employed in newspaper accounts of asylum, including:

crime, dirty, thieves, fraud, deception, bogus, false, failed, rejected, cheat, illegal, burden, drugs, wave, flood, influx, scrounger, sponger, fraudster, tide, swap, flood mob, horde, riot, rampage, disorder, race war, fight, brawl, battle, fighting machine, deadly, orgy of violence, fury, ruthless, monsters, destruction, ruin. (2004: 49–50)



As the report concludes, 'very few are phrases likely to elicit a positive response in the reader. Most could be said to be fear-inducing' (2004: 53). It is the metonymic relationship between the asylum-seeker and these signs that enable her to be repeatedly produced as object, as if being object is a material or objective quality of being an asylum-seeker (see Ahmed, 2004: 88).

Didier Bigo argues that 'the securitisation of immigration' is grounded in the idea of the nation-state as a body 'over whose boundaries control is sought' (2002: 65). It is no accident that we are encouraged to think of the nation as 'a body' under threat, for this is a key means through which the consensus necessary to legitimize the detention of asylum-seekers is generated. News media hate speech against asylum-seekers plays a crucial role in circulating the idea that asylum-seekers pose a threat to 'our' security and happiness. Hate speech induces an object response within 'the public body' by personalizing the threat posed by asylum-seekers, that is, by directing the threat towards 'you'. Taking the example of a single issue of *The Sun*, Britain's bestselling newspaper, the threat posed by asylum-seekers is directed towards the reader through a series of headlines organized around the phrase '*The Sun Says Way of Life at Stake*':

'Halt the Asylum Tide Now: Shock New *Sun* Poll'

'Stand By for Europe Flood'

'Asylum: The Biggest Crisis Facing Your Country Today'

'This man teaches illegals to cheat our system. The Sun says way of life at stake.' (cited in ICAR, 2004)

These kinds of dehumanized depictions of asylum-seekers (i.e. as a tide threatening to breach national borders) play an increasingly pivotal role in structuring the national imaginary ('your country'). While we have become accustomed to thinking about the object as that thing that disrupts or transgresses cultural values, abjection is primarily the means through which 'reality' ('way of life') is safeguarded (against the real) and reproduced. In other words, abjection describes the psychosocial processes through which hegemonic cultural values are reaffirmed. As Julia Kristeva writes, 'the object and abjection are my safeguards. The primers of my culture' (1982: 2). Figuring the asylum-seeker as a threat works to settle the citizen (the readers of *The Sun*, for example) within an illusion of national belonging. As the object thing, the asylum-seeker operates as something akin to a 'security blanket' for the citizen (Kristeva, 1982: 136). Indeed, the figure of the asylum-seeker is comforting, for the creation and exclusion of this imaginary bad object brings 'us' closer together. The mobilization of the asylum-seeker as 'our' national hate figure bestows 'us' with a collective identity and in doing grants 'us' the pleasures of secure identification: we are British, we have a way of life, we must protect it.



*Media Image, Community Impact* describes the process which constitutes the figure of the asylum-seeker, as a 'communications spiral' in which messages 'circulate with increasing frequency and strength' and are 'reinforced, or amplified' (ICAR, 2004: 23). This amplification induces moral panic that feeds back into the political decision-making process, where it is (cynically) mobilized as a means of authorizing 'tough' responses. As the report notes:

In a 'moral panic' large parts of the state, the judiciary and the media combine to portray an uncontrollable situation in which an accumulation of representations . . . promotes calls for severe and exceptional remedies . . . The rhetoric of 'floods' and 'waves' of immigrants is the signal for official endorsement of 'tough' action to stem developments that threaten to bring alarming consequences. (2004: 25)

The aim of the ICAR project was to

ascertain how far media coverage of refugees and asylum-seekers, and political commentary about them represented in the media, contributes to crime against refugees and asylum-seeker communities living in London, and fear of crime amongst them. (2004: 15)

While the report is limited in its ability to gain access to information on the incidence of harassment of asylum-seekers, due to a lack of police monitoring and the reluctance of asylum-seekers to report incidents for fear of reprisals, working with local refugee community organizations enabled the researchers to ascertain that there was a disproportionate number of 'race' hate incidences committed against the asylum and refugee population. Documented incidences of 'race' hate against asylum-seekers included acts of hate speech, vandalism of property and physical violence. What this reveals is the way in which racism is not only 'incited' through media and political rhetoric, but how it travels in ways that work to govern the way in which asylum-seekers 'act'. That is, hate crimes and the fear of hate crimes become a central means of governing asylum-seekers by having an impact on their ability to move freely. Asylum-seekers 'fortunate' enough to be housed within the community find themselves 'immobilized' by the threat of violence and 'deterred' from becoming members of the community. In effect, asylum-seekers are detained by 'race' hate. Therefore, news media depictions of asylum-seekers 'breaching' the national body are not only met politically with tough 'border controls', but these 'border controls' are acted out within 'the body' of the community through acts of racist violence.

What this analysis suggests is that the figure of the asylum-seeker is not invisible, but rather hypervisible. However, this hypervisibility (of the asylum-seeker-as-hate object) works to screen asylum-seekers from view.

As will be argued, this screening is reinforced by the management of the 'asylum problem' through containing – that is, detaining – asylum-seekers in prison facilities. Indeed, it is in the extension of detention policies that the catastrophic impact of the invention of the asylum-seeker figure on those seeking refuge in Britain, both in law and in the popular cultural imaginary, is most acutely felt. Along with increasingly punitive border controls, this mobilization of the asylum-seeker figure has created ever-more sophisticated means of identifying asylum-seekers. It has been suggested that these processes of identification are grounded in deliberate strategies of misrecognition, in that identifying the figure of the asylum-seeker (as an inhuman thing, for example) works to enable negative forms of recognition while disabling ethical forms of recognition. One of the questions that runs through this article is how we might think differently about the relationship between 'identification' and 'recognition'. To what extent is misrecognition a structural feature of the cultural politics of asylum? In what ways can different kinds of recognition form the basis of a political response to the violent process of figuration described here?

Faced with such hypervisibility, one of the central strategies employed by humanitarian organizations is to generate forms of recognition that work against identification of the asylum-seeker as a hate figure. Indeed, the gesture of seeking recognition (on behalf of the other) motivates the humanitarian reports that have been quoted throughout this article. While xenophobic discourses depict the asylum-seeker as a dehumanized, undifferentiated foreign mass, hoard, influx, etc., humanitarian discourses ask the public to recognize 'the human face' of specific asylum-seekers, assuring us that 'close up' they are 'just like us'. Indeed, a favourite device of humanitarian literature is the use of photographic close-ups of asylum-seekers' faces and first-person accounts of asylum. These close-up technologies aim to move the reader in ways that will enable 'us' to identify with 'the victims' of repressive asylum laws. In other words, these strategies attempt to reposition asylum-seekers as subjects who matter, 'like us'. Humanitarian 'subjects' place themselves in the position of agents for asylum-seekers: they use their agency to 'speak' on behalf of asylum-seekers, and they use the frame of their own visibility to make asylum-seekers visible in order to force recognition of asylum-seekers as individuals, in ways that counter the dehumanizing figurations or identifications of governmental and media rhetoric.<sup>4</sup>

The appeals made by these agents or agencies on behalf of asylum-seekers can be extremely effective. In fact, they have been so effective that the British Government is investing billions in building a penal system in which it will incarcerate increasing numbers of asylum-seekers in remote locations across Britain – precisely so that we will be less able to form identity attachments with 'them'. In other words, the government is legislating to prevent the kinds of compassionate recognition that form the



basis of anti-deportation interventions. As the former Home Secretary David Blunkett freely admitted, the reason that he is so anxious not to let the children of asylum-seekers attend British schools is that they risk being recognized as part of the community. As Blunkett stated in parliament, 'the difficulty sometimes with families whose removal has been attempted is that their youngsters have become part of a school' (cited in Cohen, 2003). Humanitarian attempts to garner recognition on behalf of (individual) asylum-seekers have proved to be a useful way of countering the identification of asylum-seekers (as inhuman figures), making their social abjection (and deportation) more difficult to achieve. However, in invoking the exceptional circumstances of the few, do humanitarian campaigns such as anti-deportation campaigns on behalf of specific asylum-seekers become complicit with the system that legitimates the exclusion of asylum-seekers *per se*?

Ahmed argues that the "universalism" of speaking for the other . . . is premised on fantasies of absolute proximity and absolute distance' (2000: 166). There is a tendency either to remain silent, neglecting to get close enough to the other, or conversely imagine that we can inhabit the place of the other, get inside their skin and speak for them (see Ahmed, 2000). Humanitarian organizations elicit political action by encouraging – indeed, entreating – us to put ourselves in the position of the asylum-seekers. They invoke narratives of compassion in which 'the victim' becomes a figure through which 'we' narrate other cultural fantasies – fantasies of benevolence, for example. The kinds of lobbying efforts made by humanitarian groups on behalf of asylum-seekers 'are virtually impossible without recourse to identity politics' (Butler, 1992: 15) and the act of taking up agency on behalf of asylum-seekers raises a number of critical questions. While these identity practices are part of an important attempt to make communities of 'we against', the risk is that in speaking for the (imagined) other, the humanitarian subject takes the place of the other. This 'taking the place of' can make it difficult for us, in turn, to 'hear' those whose place has been taken; indeed 'they' may have something to say (which 'we' do not want to hear). Does the asylum-seeker become another figure for the humanitarian subject, a figure whom it is assumed 'we' somehow 'know'? Do humanitarian discourses risk repeating the disavowal of silenced voices by creating a kind of equivalence of positions between 'us' and 'them', a shared 'against' identity? As Nyers asks:

Should advocates relate to non-status immigrants as clients or allies? Should they speak on behalf of the non-status or in conversation with them? . . . What place is there for abject migrants in the politics of their own liberation? (2003: 1081)

These questions are asked by activist groups such as the International No Borders Network and it is important to distinguish between different

forms of political activism in this regard. However, what this article wants to consider here is whether the responses of humanitarian organizations to the politics of asylum helps to sustain the invisibility of asylum-seekers insofar as they – like the discourses they critique – embrace the figure of the asylum-seeker: albeit a refigured figure, the asylum-seeker as victim, human, like us.

The central paradox facing humanitarian appeals and interventions on behalf of asylum-seekers is that they conform to the law by situating their appeals within the language of the law which they nevertheless contest. For example, they depend on the same categories of inclusion/exclusion, authentic/inauthentic, us/them, as xenophobic discourses. For example, the designation ‘asylum-seeker’ is rarely contested in humanitarian accounts – campaigns on behalf of individual asylum-seekers embrace and fight for the right to asylum. Yet in its short life it is the very concept of the asylum-seeker, through the strategies of hypervisibility described previously, that has worked to erase an entire population from view. For Agamben, this failure to question the contingent foundations of the system signals “a secret solidarity” between humanitarianism and the powers it should fight’ (1998: 133). Yet, as we shall see, Agamben’s response to the politics of asylum is grounded equally in the figure of the refugee. Indeed, in pursuing this figure, it will be argued that Agamben forecloses the uncertain ontology of the excluded.

In *Homo Sacer: Sovereign Power and Bare Life*, Agamben writes that:

The fundamental categorical pair of Western politics is not that of friend/enemy but that of bare life/political existence, *zoē/bios*, exclusion/inclusion. There is politics because man is the living being who, in language, separates and opposes himself to his own bare life and, at the same time maintains himself in relation to that bare life in an inclusive exclusion. (1998: 8)

Agamben’s intention here is to question how the political, the polis, is constituted by the ‘inclusive exclusion’ of bare life (biological life). Agamben is concerned primarily with the constitutive function played by bare life within (western) democratic nations. Certainly, the overdetermination of the figure of the asylum-seeker, for example, in political rhetoric and news media, suggests that this figure functions as an ‘inclusive exclusion’ in the way that Agamben suggests. It is the uncanny figure (of bare life) who, Agamben argues, reveals to ‘us’ the true horror of ‘our’ purportedly democratic politics – hence his suggestion that totalitarianism is not the opposite of democracy, but rather its other face (1998: 10). Agamben argues that those who figure bare life (for us) rupture the illusion of democracy and make it ‘possible to clear the way for a new politics’ (1998: 11). It is the figure of the refugee who most forcefully brings the fictions of modern sovereignty, such as rights and citizenship, to light (1998: 131).



In his essay 'We Refugees', Agamben (1994) argues that 'the refugee is perhaps the only thinkable figure for the people of our time and the only category in which one may see today . . . the forms and limits of a coming political community'. Agamben performs something akin to a theoretical haunting: by inviting us to dwell on the uncanny apparition of the spectral figure of the excluded, the refugee, and situating this figure within the political present, he make us confront the politics of (inclusive) exclusion. However – and this is the crucial shift – the aim of this turn to confront the figure of the refugee is to enable us to contact our 'own bare life' once more (as though bare life resides 'within us' like an unconscious, primal or primitive being, our own ghost). Agamben states then not only that the refugee is the representative of 'the people' but is at the very heart of all individuals, the refugee *is* the people, we are all refugees. Agamben's argument follows a redemptive narrative: bare life appears in the form of singular abject figures such as the refugee, whose task it is 'to clear the way' for 'the people of our time' (1998: 11). It is only when 'the citizen will have learned to acknowledge the refugee that he himself is, that man's political survival today is imaginable' (Agamben, 1994). What is striking is how Agamben romanticizes the refugee as the figure of bare life par excellence. In his hands, the refugee becomes a sentimental trope: 'a key' through which 'the very codes of political power will unveil their mysteries' (1998: 8). For him, the radical political potential of the refugee resides in the fact that when they appear, 'our' collective belief in democracy might fail as power is forced to reveal itself in its 'true' and pure form (biopolitics). This *Wizard of Oz* scenario, in which the curtain of illusion falls back to reveal the operations of power, is incredibly simplistic despite Agamben's theoretical complexity. He suggests that we have entered 'a post-political zone of indistinction' in which the very possibility of politics, understood as the fight for rights and justice, is redundant (cited in Diken, 2004: 97). Therefore, Agamben proposes that radical politics must oppose the very idea of 'legality'. However, it is patently unclear how opposing legality per se can translate into material forms of opposition to the detention of asylum-seekers, or indeed be mobilized in ways that will grant asylum-seekers the possibility of the agency that they desperately require.

What is of concern here about the logic of this theoretical argument is the way in which the figure of the refugee is harnessed for their (political) signifying force, and then performed as an 'unspeakable truth' (we are all refugees) in ways that abstract and disembodify 'the figure of the other' from any embodied referent (actual refugees). As Ahmed suggests, the problem with these sorts of arguments is that they appropriate the figure of the other in ways that function 'to elide the substantive differences between ways of being displaced from "home"' (2000: 5). Differences are concealed by allowing 'different forms of displacement to be gathered together in the singularity of a given name' (see Ahmed, 2000: 5). Such theoretical accounts fetishize the refugee by universalizing the condition

of displacement as something we all experience. In embracing this figure as a site of racial political potential, does Agamben in fact sustain the figure of the refugee, a figure who is a key trope of hegemonic politics, in a way that contributes to their invisibility? That is, while Agamben sets out to contest exclusion, by revealing how it is constitutive of inclusion, does he fetishize the figure of the refugee as exceptional in ways that are akin to (and complicit with) governmental strategies?

bell hooks argues that there is a critical difference between the marginality imposed by oppressive structures and the marginality one chooses as a site of resistance (1991: 153). It is this critical difference, i.e. between being a refugee and the figure of the refugee and the failure to theorize this difference, that is of concern. While undoubtedly Agamben is motivated by the urgency of staking a political claim (on behalf of the included and the excluded), his concept of bare life loses its referent, those who reside at the margins of sociality. The refugee becomes a means of naming the object underside of the already politically existent, a figurative mirror for the subject's own disavowed exclusion or displacement. While the figure of the refugee offers 'us' resources with which to imagine how 'we', the already included, might reimagine 'ourselves', in harnessing the signifying force of refugees to perform that task is Agamben not making a new exclusionary norm? In making the refugee 'our own', is Agamben not foreclosing who will and will not 'qualify as a discursively intelligible way of being'? (Butler, 1993: 190). In Agamben's utopian account, what happens to the already politically excluded: those who know bare life, those who already live it, i.e. refugees and those such as asylum-seekers, who cannot even be recognized as refugees despite their best efforts?

Agamben has something important to tell us about how states of exception, such as the detention of asylum-seekers, are increasingly becoming the normative conditions of 'our' political present and forewarn 'us' of 'our' securitized futures. As he argues, 'the control exercised by the state', for example, 'through the usage of electronic devices, such as credit cards or cell phones, has reached previously unimaginable levels' (2004). Within a British context, the current inexorable drive towards identity cards is an example of the increasing suspension of 'our rights'. However, there is a critical difference between asylum-seekers held in detention and the erosion of 'our' civil liberties. As the two examples with which this article began have demonstrated, there is a yawning gulf, a widening divide, between those cosmopolitans who 'can travel' and those who cannot. Indeed, at this time perhaps more than any other, experiences of the border vary dramatically according to ethnicity, gender, class and national origin (Nyers, 2003).

This article has highlighted the ways in which the desire for the figure of the asylum-seeker, a desire evident in the theoretical turn to this figure, is a desire for a figure that will represent to 'us' our own contemporary sense of displacement, dissatisfaction and disillusionment. It has suggested



that there is a connection between the social abjection of the asylum-seeker and the theoretical turn to the figure of asylum-seeker, as a figure for counter-political resistance. In order to explore this connection and its implications, we need to understand how the asylum-seeker is made to figure across multiple cultural sites. That is, we need to understand how the asylum-seeker has been produced as a figure, who then comes to figure 'our' political desires, both normative (from 'the Left' and 'the Right') and counter-hegemonic. Tracking the figure of the asylum-seeker across different media and cultural sites is a necessarily complex task. In this article, humanitarian reports have been used as a means of problematizing political and theoretical accounts of asylum but it has been argued also that we must critique the ways in which the humanitarian claims made on behalf of asylum-seekers are mediated by universalistic understandings of what it means to be a legitimate and legible subject. The tension that exists between 'the urgency of staking a political claim' (on behalf of asylum-seekers) and the need to reflect critically on the language in which those claims are made, is a tension that we should not seek to alleviate but should encourage and explore in critical-theoretical practice. As things stand, the theoretical turn to the figure of the refugee or asylum-seeker within disciplines such as philosophy and cultural studies risks becoming a means of not hearing asylum-seekers. As Arundhati Roy (2004) reminds us, 'there is no such thing as the "voiceless". There are only the deliberately silenced or the preferably unheard.' At present, the figurative methodology which grounds theoretical accounts of asylum risks participating in, rather than challenging, the logic of hypervisibility as concealment integral to governmental strategies of detention.

Butler argues that foreclosure of the possible takes place when, from the urgency of staking a political claim, we naturalize the options that figure most legibly (2002: 7). What can be understood by this is that counter-political attempts to take a stand 'against' state violence must resist the temptation to construct the imagined 'victims' of that violence as narcissistic figures of 'our own' political hope. In other words, we must attend to the violent foreclosure that accompanies 'figuration', not only in humanitarian, political and news media accounts, but also in the purportedly radical theoretical accounts of 'the asylum-seeker and 'the refugee'. One of the ways we might do this is by thinking more subtly about the differences between 'recognition' and 'identification'; in particular, the ways in which 'gestures of recognition', in the act of recognizing, might become aware of their own limits, their own universalism and ethnocentric bias. In other words, we must repeat political calls for recognition but in ways that reject the constituting or constitutional basis which makes such gestures necessary.<sup>5</sup> This means working at the limits of the available lexicon, including rights discourses, while simultaneously contesting the 'regimes within which the terms of recognizability take place' (Butler, 2002: 12). If analogy, generalization and abstraction take the place of



listening and translation in theoretical accounts of the politics of asylum, then what is forgotten are the bodies and constituencies from whose suffering such accounts takes its cue. What is at stake is imagining how 'socially saturated domains of exclusion be recast from their status as "constitutive" to beings who might be said to matter' (Butler, 1993: 189).

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### Notes

1. See 'Prisoners Without a Voice' (Amnesty International, 1995) in which Amnesty International demonstrates that Britain's treatment of asylum-seekers violates Article 5 of the European Convention on Human Rights 1950, Article 9 of the International Covenant on Civil and Political Rights 1966, the UN Body of Principles for the Protection of All Persons Under Any Form of Detention or Imprisonment 1988 and virtually all of the guidelines on detention of the United Nations High Commission for Refugees (which was established in 1950: see <http://www.unhcr.ch/cgi-bin/texis/vtx/home>).
2. See, for example, the Asylum and Immigration Appeals Act 1993, the Asylum and Immigration Act 1996, the Immigration and Asylum Act 1999 and the Nationality, Immigration and Asylum Act 2002.
3. The Nationality, Immigration and Asylum Act 2002 came into force on 8 January 2003.
4. See the National Coalition of Anti-Deportation Campaigns for examples of campaigns made on behalf of asylum-seekers facing deportation in Britain (<http://www.ncadc.org.uk>).
5. I have repeated this gesture of recognition in my use of asylum-seekers' 'voices' in this article. I hope to have done so in a way that highlights that such voices are always already 'edited' for example by humanitarian agencies. While it is problematic to employ these 'voices' in this way, I hope to have done so in a way that makes the violence being committed against asylum-seekers in contemporary Britain more visible, while leaving open potential spaces of political agency for those imprisoned.

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