Introduction: Embodied Violence and Agency in Refugee Regimes

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In forced migration studies, "the refugee regime" is very often expressed in the singular, due to the influence of policy-oriented and humanitarian intervention-oriented approaches, and thus of academic disciplines such as demography, international relations and law. This usage implicitly entails the terms "global/international" and "legal", which in turn means that "the regime" has been analysed as a complex but single institution, or as a multi-level structure (Betts 2010; Kleist 2018). This implies, in turn, that "the refugee regime" has been studied against differing empirical contexts but is portrayed as a structure beyond them. The singular also means that "the regime" has often been approached at the cost of much of its internal subjectivity, let alone its complexity. However, actual situations of flight and the intrinsically interwoven multipolar regulations and restrictions on human (im)mobility suggest that "the refugee regime" is constituted "around contested and competing notions of sovereignty and belonging" (Kleist 2018, 169). It is in fact a much more complex meshwork of social relations and political principles, but also moral imperatives, dispositions, and experiences replete with affect. Through this lens, it becomes indispensable to understand which forces shape forced migration (im)mobility and the instruments and mechanisms designed to identify and engage with it, and how these instruments and mechanisms relate to each other contextually and to forced migrants.

This book engages with these broad questions through critical anthropological inquiry and carefully contextualized ethnographic case studies from Latin America to Europe and East Asia. It draws on the emerging literature on "regime complexity", referring to "the ways in which two or more institutions intersect in terms of their scope and purpose" (Betts 2010, 20, 35), and offers a more nuanced approach to: the study of what we prefer to call forced migrants and "refugee regimes" (in plural); the complex agency of diverse so-

cial actors in their engagement with each other; and how violence is often engendered by the very mechanisms created to protect forced migrants, and at times is even invertedly embodied by forced migrants and sympathizers themselves.

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According to Gil Loescher (1994), "the refugee regime" had five main phases up until the 1990s, having developed as it confronted challenges to its authority: 1. the interwar period: marked by the absence of a general definition of who is a refugee, and by decentralized and limited policies; 2. the immediate post-Second World War era: marked by the emergence of the first general legal international instruments to regulate refuge; 3. the period of expansion into the "Third World" (late 1950s'-1970s): characterized by a switch to most refugees being located in camps in the Global South rather than in Europe; 4. the 1980s: marked by the superpowers' involvement in proxy wars and conflicts mainly in Africa, Asia and Latin America; 5. the post-Cold War era: marked by internal displacements and repatriations in situations of civil conflict.

It all started in 1921, when Global North governments established the High Commissioner for Refugees within the League of Nations, as the first multilateral coordinating instrument for refugees, with a mandate over Russian and later Greek, Turkish, Bulgarian and Armenian refugees. The idea was to reduce tension between nation states by actually addressing what these states saw as "the problem of refugees". In the 1930s, the major European powers agreed to extend this mandate to refugees from the former Russian and Ottoman empires, and later to those fleeing from Germany and Austria. This, however, did not constitute "an effective regime". Only specific groups were designated as refugees, and the mandate of the High Commissioner was deliberately narrow, restricted to providing only minimal protection (Loescher 1994, 353-354).

In the aftermath of the Second World War[1], international efforts to resolve the refugee crisis initially followed the interwar pattern of temporary measures to curb specific contextual situations. But such efforts proved to be highly ineffective in their responses, even to the Shoah, which was the main

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1   Before that, in 1943, the Big Four created the United Nations Relief and Rehabilitation Agency (UNRRA) with the aim of managing the repatriation of displaced people under Allied control. However, the UNRRA was not a refugee organization (Loescher 1994, 355), and was short-lived.

focus of such efforts (Loescher 1994, 355). It was then that the first international set of norms, rules, principles, and decision-making procedures – or what we call instruments (deliberate) or more broadly mechanisms (both deliberate and unintentional) – to regulate refugees emerged. To this day, these instruments are still the most established and long-standing mechanisms for governing human mobility (Betts 2010, 35). They are: the 1951 Convention on the Status of Refugees, defining who is a refugee and what are their rights; and the United Nations High Commissioner for Refugees (UNHCR), which had the mandate to ensure that nation states would comply with the 1951 Convention. Even though governments agreed to formulate these first set of rules and procedures in the early Cold War period (1949-1951)[2], they concomitantly limited "the regime's" responsibilities because they were "unwilling to commit themselves to indefinite financial costs and large resettlement programs" (Loescher 1994, 352).

When the flux of Eastern European refugees waned in the late 1950s, international instruments to manage refugees turned to the Global South. The UNHCR was, and still is, a donor-funded institution, and besides the USA, some of its main donors were colonial powers during the Cold War. In other words, some of the same countries producing refugees were also funding international refugee instrument in a bid to manage problems they themselves had often created. Since there were no communist states funding or managing these instruments, Global North states increasingly turned to them for the good image they offered and for solutions. Thus, the international refugee scenario in the 1980s was characterized by refugees fleeing regional conflicts in Central America, Asia and Africa, living in refugee camps and depending on the UNHCR for care and protection. It was then that large numbers of these refugees started to seek asylum in the Global North, causing the world powers to backtrack on their commitment to fund, development and support the international instruments to manage the refugees which they had themselves created. With the end of the Cold War, the 1990s also brought great changes to how refugees were managed internationally. Most forced migration processes emerging in this era were marked by ethnicity and religion

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2   At the same time, the United Nations Works and Relief Agency for Palestine Refugees in the Near East and the United Nations Korean Reconstruction Agency were created – and set apart from the UNHCR – to manage specific groups of refugees located in strategic conflict areas where the USA (which at that time was the main patron of "the refugee regime") was involved, such as the Middle East and Korea (Loescher 1994, 358).

and were triggered by conflicts which were deemed internal to nation states or regions, even while these "internal" conflicts most often have deep roots in colonial struggles and the world-wide imposition of the nation state model.[3]

As a result of nation-state interdependence and globalization, however, many more international instruments regulating human (im)mobility and social relations were created, such as those regulating travel, labour migration, human rights, humanitarianism, peace-building, development and security.[4] Many of these mechanisms intersect significantly, some complementing instruments regulating refugees and some contradicting them. Among these, travel instruments are perhaps those which intersect with refugee instruments the most (Betts 2010, 15; Kleist 2018), especially in what relates to regulations on spontaneous asylum-seekers. This makes it no longer possible to "speak of a compartmentalized refugee regime; rather, there is now a 'refugee regime complex'" (Betts 2010, 12), in which instruments regulating refugees intersect with other regulations. These intersections can overlap, exist in parallel or be "nested within one another", thereby shaping nation states' responses toward refugees (Betts 2010, 13).

In addition, since its inception and up to the present day, international regulations on refugees not only occur through the international normative institutional framework of asylum developed around the principle of non-refoulement, but also through bi-lateral and multi-lateral state-to-state negotiations that bypass international organizations, and are typically known as "burden-sharing" practices (Betts 2015; 2010, 18). These latter practices are characterized by weaker and decentralized, non-legally binding political frameworks, such as the recent agreements between the EU and Turkey and the EU and Tunisia to keep forced migrants away from European borders. In fact, the preamble to the 1951 Convention clearly states that the premise of the international instruments on refugees is international cooperation (Betts 2015). Furthermore, many countries of refugee departure and host countries do not abide by the 1951 Convention. And the period following the so-called Summer of Migration, when large numbers of asylum seekers reached Europe in 2015, was significantly marked by European and non-European countries' (largely successful) strategies to circumvent non-refoulement norms (Betts 2015). Acknowledging that instruments regulating the lives of

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3   See, for example, (Schiocchet 2011).
4   More recently, some authors have been including the refugee regime within the migration regime (see for example Kleist 2018).

refugees have increasingly depended on bargain and lobby among nation states is not only to acknowledge the complexity of a singular refugee regime, but also the plurality of intersecting contextual refugee regimes.

As the above paragraph suggests, from the outset international refugee instruments have depended on cooperation between nation states, this cooperation being the sole binding factor for refugee regimes. Refugee regimes are thus characterized by low built-in international accountability, given that the UN or any other international institution does not mandate sanctions or other reactive measures in case of non-adherence to international norms. In other words, as the Palestinian case presented by Schiocchet shows, when states do not abide by international legal refugee instruments, they may simply not suffer any consequences. This, in turn, means that it is imperative to understand mechanisms of refugee regimes in practice and in context, beyond the legal and global character of international legal refugee instruments and their supposedly binding characteristics.

Therefore, this book takes Betts' insights as a departure point, but differs in that it acknowledges not only international/global legal regulations as part of the mechanisms regulating the movement and lives of refugees, but also: a) regional (Kleist 2018, 167), national, and local instruments; b) legal but also political (Kleist 2018, 167), military, social or moral mechanisms alongside legal instruments; c) these mechanisms' targeting of not only refugees and not all refugees in general, but of specific groups of forced migrants defined by legal status, race, ethnicity, religion, or political inclination. This frame further differs from Betts' "refugee regime complex" because it acknowledges that rather than a single global regime, complex in nature, but geared toward a common goal and seeking homogeneity, the multiplicity of forces shaping instruments regulating the lives of refugees cannot be said to have the same goals, do not operate necessarily in the same levels or global arenas, and do not necessarily aim for international recognition and legitimacy. As such, we prefer to group these mechanisms under the definition of multiple, intersecting "refugee regimes".

Kleist (2018) argues that the lack of consensus on who is a refugee is the foundation for "the refugee regime", because if there was a consensual definition, there might have been a "refugee agency" as an administrative body, rather than a contradictory at heart, multi-institutional "regime". Our definition of "regimes" above, however, is in line with a Foucauldian approach that recognizes not only a multiplicity of social actors informing a given social situation, and the complexity and multi-directionality of agency within insti-

tutions and between institutions and social and individual subjects, but also the largely embodied and not necessarily deliberate character of dispositions and practices which are regulated by regimes of knowledge, or what Michel Foucault called "biopower" (1979) and "biopolitics" (2007).

Furthermore, instruments and mechanisms of refugee regimes more broadly are not limited to governments, international organizations or even to non-governmental organizations and private institutions. To the extent that academic debates on refugees help to define who is a refugee and the "regimes of truth" around the topic, our Foucauldian approach entails that these debates are also, among other things, an instrument within refugee regimes. Constant reflection on academic practice is thus imperative.

Heath Cabot, for example, suggests that "The business of anthropology reinforces the European refugee regime, which makes border crossers into targets of policing, intervention, and study" (2019, 261). She follows David Szanton's (2004) remarks that the "explosion of area studies in the 1970s and 1980s" would be an example of "academic work's imbrication in apartheid-like logics, emerging in the Cold War finding that hierarchized sectors of the globe" (Cabot 2019, 262). And following James Ferguson's discussion of Lesotho's development of the "anti-politics machine," she contends that anthropologists have critiqued the "depoliticizing ethos of humanitarianism"; that is, how the "imperative to 'do good' occludes the exclusion and even violence embedded in humanitarian practice" (Cabot 2019, 262), while the anthropological practice is in itself part of the "business" of refugee regimes and the "rescue industry" but does not tend to portray itself as such. The "anthropology of displacement in Europe's doorsteps", in particular, has the propensity to chase crises, "assuming that 'refugee experience' need to be studied", and "heeding the call to 'do good' through scholarship in ways that deflect attention from anthropology's own politics of life", which for her entails "notions of relevance", or a hierarchization of "which people, things, situations, and places are worthy or deserving of study" (2019, 262-263).

In this book we acknowledge the importance of Cabot's arguments on "anthropology as a business" but complexify it in that we understand that notions of relevance are guided by "disciplinary tradition": the rules and norms by which, among other things, a topic is deemed important in a given discipline, which in turn conflates the "business" aspect she highlights and moral imperatives (what Cabot calls the imperative to 'do good'), within a disciplinary framework that is legitimated by regimes of knowledge. In other words, we assume that what Cabot calls the "anthropology of displacement in Europe's

doorsteps" or elsewhere is not only or mainly a business, but also stems from, for example, the discipline-generated need to pay attention to what is happening in the contemporary world and the drive to build synchronic models (focused on the ethnographic present). And while we prefer to use different terms that are more in line with our theoretical approach, we agree with Cabot that we must remain self-critical, and avert from writing about fashionable objects primarily because they open up job and/or funding opportunities, or simply because they are fashionable. In this sense, the first part of this book is self-reflective about approaches that "claim to critique or challenge power relations" (Cabot 2019, 263) while the book at large maintains a critical position on refugee regimes largely by focusing on refugee experiences. Far from completely detaching scholarship from these regimes, or reifying one single realpolitik-driven "refugee regime", each chapter in this book highlights the complexity and contextuality of the forces involved in regulating the lives of refugees world-wide.

According to our perspective as presented above, multiple national and international refugee regimes govern the lives of forced migrants simultaneously and often opposingly. Inasmuch as refugee law and governmentality originally aimed to protect refugees, like any mechanism of inclusion/exclusion, they often engender the violence they sought to manage or dissipate. To understand the mechanisms of these regimes and the violence they engender, one must turn to two of its most fundamental components: humanitarianism and securitization, which if they may appear to be contradictory at first glance, are in fact often just two sides of the same coin.

Unpacking humanitarianism shows how it affects refugee regimes on several layers. Despite the two being closely tied historically,[5] humanitarianism

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5   There have been various humanitarian answers to crises throughout various epochs and across geographical locations. One incident shaped the future development of organized humanitarianism which stands out in particular was the intervention of Swiss Henry Dunant who became a witness to the aftermath of the battle of Solferino in 1859. He organized a local response, mainly amongst women and girls, to take care of the injured and sick soldiers regardless of their side in the conflict under the idea of "tutti fratelli" (we are all brothers). This experience inspired him to create a neutral organization dedicated to the care of wounded soldiers and to publish his ideas in "Un souvenir de Solferino". This book led to the emergence of the International Committee of the Red Cross and to the Red Cross Movement. His main principles were the neutrality of this agency, which became the basis of the later Geneva Convention (first

has developed into various forms, ranging from military, political and economic interference to direct humanitarian intervention and aid. Humanitarian intervention, in its form based on humanitarian law, refers to the act of using military force within another state, for example when there are major violations of human rights.

Humanitarian aid, on the other hand, does not depend on a third legal body but instead on the willingness of a state to allow humanitarian agencies to become active on their grounds whether in response to a crisis or as developmental agents. These forms are often intertwined and are united by the shared principle of "alleviating human suffering". Humanitarian aid is usually executed by non-government organisations. Critical analysis shows, however, how tightly linked these two developments of humanitarianism – military intervention and aid – (still) are. Michel Agier, in a consideration of the policing force of humanitarian aid, describes how interlinked while legally separated, these two developments are, when he writes, "it follows on the heels of and smoothes over the damage wrought by military intervention" (2010, 29).

Following the example of the Red Cross movement in the 19th century, the humanitarian aid sector has grown immensely in recent years, leading to the emergence of a humanitarian industry, mainly, but not exclusively, comprising relief organisations funded and staffed by the Global North to execute their ideas of aid in the Global South. With the growth of the sector, a platform was needed to bring NGOs, the Red Cross Movement, as well as the UN and its subordinates together, which happened when the Global Humanitarian Platform was founded in 2006 (Agier 2010, 35). Other similar initiatives then followed. As a result, humanitarian agencies agreed on a number of principles that should lead their actions in the field. These are "humanity, neutrality, impartiality and independence" (OCHA 2012), albeit different agencies have adapted these to their own visions, lingo and profiles. Thus, Elizabeth Cullen Dunn (2012, 1), in her critical analysis of humanitarian aid, observes that "Humanitarianism thus presents itself as an apolitical regime of care, one concerned with not only keeping people from dying but making them live".

Despite the attempts to clarify its roles and meanings, humanitarianism has developed polysemically. Ilana Feldman (2012, 156) describes the many faces of today's humanitarianism, demonstrating, again, the many ways that

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signed 1864). This shows the historically tight connection between humanitarianism and refugee regimes.

the concept serves as a major element within refugee regimes, as described above. Humanitarianism is, primarily, a form of legal framework based on documents like the Geneva convention. Yet it is also a discursive field, based on compassion and spurred through the circulation of images of human(s) suffering. It is also a practice, focusing mainly on the delivery of aid in emergencies. Moreover, the anthropological literature engaging with humanitarianism is in dialogue with Giorgio Agamben's notion of "bare life", which implies the production of "pure victims" and "pure helpers", as designated by relief projects (see Feldman 2012, 155). This same literature has also questioned the claims of impartiality and apolitical self-understanding of humanitarian agencies, and has instead understood them as the continuation of politics by other means (Barnett 2009 and Calhoun 2006). And, according to Agier, the reinterpretation of terms fundamentally influences the humanitarian discourse, thereby forcing its repoliticization: "[I]t is because these actions put into play conflicting interpretations of the available words—'refugee,' 'vulnerable,' 'aid,' 'UN,' and so on—and in this act, they repoliticize humanitarian discourse." (Agier 2010, 40).

Didier Fassin and Mariella Pandolfi (2010) also critically engage with the question of humanitarian aid, by examining the power disparities between self-entitled powerful states in the Global North and assessing how they bring or protect human rights and, through this, how they both undergird national sovereignty and involve themselves in local politics. These forms of self-entitlement are not historically unpreceded, which is why Agier also refers to humanitarianism as "the left hand of empire".

Feldman also criticizes the humanitarian agencies' principle of being supposedly impartial and apolitical, whilst, however, rendering political questions, such as the situation of Palestinians, as a question of service providers. Hence, she clearly points to "[t]he focus on how humanitarianism constrains and disables", which "has illuminated crucial dynamics of a field that is generally valorized as 'doing good,' but these constraints are not all that needs to be understood about humanitarian effects" (2012, 156).

Agier, himself a humanitarian working with MSF, tells us that "humanitarian intervention borders on policing. There is no care without control", which he attributes to humanitarians being caught in processes, "seemingly pragmatic, but far too powerful for humanist goodwill" (Agier 2011, 4). For him, the establishment of large-scale refugee camps throughout the 1980s to protect vulnerable populations, served to prepare a "political strategy and control technique that closes the gates of the 'World'" for all those inside (ibid.).

Agier underlines the ambiguity of such places where humanitarians both protect whilst also having the "power of life and death", as well as having power over the "transformation of individual lives, [and] of social and cultural models" (ibid, 5). In turn, this ambiguity reproduces dependance and power asymmetries, while all too often humanitarians are unable to fulfill their own principles of impartiality and, conversely, are implicitly tied to policing structures that limit many forms of autonomous agency. Agier (2011, 4), who sees himself as a "critical humanitarian", finds even stronger terms for the policing character of humanitarianism by referring to it as "totalitarianism" and "in secret solidarity with the police order" (...) "that embodies the Western world's desire to control" others.

Hence, Dunn includes inherent violence in her definition of humanitarianism: "Humanitarianism is thus presented as a regime of violence as well as care, seeking not just to keep people from dying but to make them live in particular ways as dominated political subjects." (Dunn 2012, 1). Yet, in her research on aid in Georgia, she also criticizes Agier, by questioning the reach of humanitarianism that would allow it to be referred to as "totalitarianism". In her research following the war between Russia and Georgia and the breakaway of South Ossetia in the late 2000s, she describes the interplay of "six UN agencies, ninety-two NGOs, and five government ministries" (2012, 3) in their attempt to support the 250,000 displaced ethnic Georgians, their rivalries, competitions and challenges, as well as the changing perspectives of the affected IDPs (internally displaced persons) on the impact of these agencies on their lives. Dunn points to the limitations in ambitions and impact that others, like Agier, have attributed to NGOs (Dunn 2012, 3). Rather than being fully structured and organized, she acknowledges the amount of guess work and rule of thumb under which relief agencies operate. She then introduces the concept of *adhocracy* as the leading principle of humanitarian aid, which is, in itself, based on the contradictions between multiple refugee regimes and embodies "a form of power that creates chaos and vulnerability as much as it creates order" (Dunn 2012, 3). Dunn rightly identifies refugees, more specifically the IDPS of Ossetia, in her research, not as beneficiaries of humanitarian aid but as part of the means of production for organizations to meet the requirements of their donors (2012, 15).

As such, agency becomes another key concept for understanding the mechanisms of embodied violence inherent in refugee regimes. The understanding of agency as being relational extends back to, at least, Michel Foucault's concept of "the order of things", which he developed very early

in his career and constituted one of the basic pillars of his thought (see Foucault 1961; 1966). According to this paradigm, agency is never a quality that a social actor possesses, or does not possess, but rather is embedded in the relationships and dispositions between them (Scherr 2012). More recent authors such as Albert Scherr or Bettina Schmitt, for example, develop this paradigm in relation to an overt theory of agency. Relational agency theories do not proclaim humans as unlimited in their autonomous possibilities, nor do they understand them as being socially determined through structural forces (Schmitt 2019, 3). These theories promote an understanding of agency as a result of previous positionings within social networks, rather than as being a characteristic of a person, institution or thing. Schmitt, in particular, argues that research must on the one hand focus on the facilitation and/or prevention of agency as a result of the social processes of forced migration and, on the other hand, on the relationship between agency and vulnerabilty, in what she calls the "agency-vulnerability nexus" (ibid, 5). Through this relational approach, agency, just as vulnerability, may be understood as the result of complex relationship networks, vulnerable life situations and life stages. Hence, many of the chapters in this volume exhibit a focus on positionings and their implications, which in turn allows for a multi-dimensional analysis.

Relational agency theorists Mustafa Emirbayer and Ann Mische (1998, 974) argue that agency must be understood through its relation to temporality. They unpack the concept into three main dimensions, which they name as "iterational, projective, and practical-evaluative" and attribute them to different temporalities, "a chordal triad composed of three analytically distinct elements (oriented variously toward the past, future, and present)". The iterational dimension of agency is oriented towards the past and focuses on routines, patterns, dispositions or perceptions (1998, 975). Projectivity is oriented towards future possibilities of reconstruction, innovations, intentions or plans (1998, 984). The last, present-centered dimension is the practical-evaluative dimension that is mainly focused on real-world circumstances and context (1998, 994). These three dimensions allow actors to reconstruct and transform their surroundings. Their interplay explains why some forms of agency are more oriented towards the past, present or future. While the scope for agency in the respective ad-hoc context of forced migration might appear limited and diminishing, this temporal understanding of agency orientation causes us to broaden the focus of our narratives. Based on this insight, agency is not just a possibility to act in the present situation, but can also focus on striving towards an alternative future or the re-creation of old lives and sub-

jectivities, as will be shown in this volume. While all chapters engage agency, some contributions underline its projective dimension to reinterpret one's exile, future or life plans (Schiocchet). Other contributions focus on agency in its itineral expressions for recreating routines, roles or ideas of "home" (Bauer-Amin, Nygren et al.). Again others, take a stronger focus on the practical dimension of agency and the ad-hoc possibilities of expanding or limiting one's scope for action that arise in the process (Monsutti, Mokre, Tan).

Yet, it remains important to not neglect the context of forced migration. Current tendencies in researching agency, in particular in volatile fields, also warn against over-emphasizing human capacity to act, while ignoring their vulnerability. In particular, Andresen et al. (2015, 9) warn against a short-cut usage of relational agency theories that would cut out the dependence on enabling conditions for certain forms of agency. The term forced migration already underlines the often-limited scope and coerciveness of situations for those affected by them. Also, Mackenzie et al. urge us to use the concept critically when oppression, abuse or restrictive political and social environments shape the experience of self-efficiency, yet, as described above, they do not undermine it altogether (Mackenzie et al. 2007, 310).

Agency and vulnerability often overlap particularly in contexts of violence and war. The danger of portraying refugees only as "exemplary victims" (Malkki 1996, 384), can be circumvented by a focus on people as social actors (Essed et al. 2004, 2). By highlighting agency and, in the process, putting the experiences of people in the centre, one also avoids generalisations. Norman Long (2001, 49) defines agency as "both a certain knowledgeability, whereby experiences and desires are reflexively interpreted and internalised (consciously or otherwise), and the capability to command relevant skills, access to material and non-material resources and engage in particular organising practices". According to him, the three elements of "knowledgeability, capability and social embeddedness" constitute agency in empirical terms and thus the possibilities to act or reflect upon an individual's situation. Following Long further, agency becomes a crucial point of departure for any actor-centred approach. This approach allows due respect to be paid to intersectional factors such as gender, age, education or social class, and thereby will "rehumanise" refugee regimes by showing how they are experienced and what their real-life consequences are (Essed et al. 2004, 2). These consequences, in turn, reflect the ambiguity of refugee regimes and the selectiveness of their mechanisms of inclusion and exclusion.

Refugees find ways to recover their agency even within these strict corsets of refugee regimes. They carve out possibilities and find ways to overcome their powerlessness and respond to the coerciveness and violence engendered within these regimes. Undoubtedly, some are pushed into defying the regulations (Harrell-Bond 1986; Lubkemann 2000). Others reclaim agency through social media and the abilities new technologies allow them; become founders of their own initiatives in their countries of residence; reconstitute their social identity (Malkki 1995; Wilson 1994); reinterpret their exile; contribute to new emerging cultures (e.g. Nordstrom 1997); or "creatively reformulate social relations and replot life strategies" (Lubkemann 2019, 216).

Similar to Essed et al.'s usage of the term "agency", we do not limit our focus to only the agency of forced migrants but also acknowledge the interconnectedness of their agency with the agency of bureaucrats, humanitarian workers, policy makers and other social actors (Essed et al. 2004, 2). As such, they are both the human face of refugee regimes, as well as their interpreters, implementers, executers and defiants.

People on the move are typically exposed to multiple national and international refugee regimes, and have to deal with liminalities, obligations, prescriptions, requirements, dependencies and subordinate integration. The entailments of these overlapping regimes and how refugees experience them are of particular concern within this volume. This edited volume therefore presents a multifaceted comparative approach, contrasting a range of national and international refugee regimes, and groups of refugees with multiple ethnic, social and religious backgrounds.

To sum up, the concept of humanitarianism was developed around the idea of a humanity common to all peoples, and the need to acknowledge and safeguard its values. This was endorsed in the principle of nonrefoulement (Gibney 2000, 690) and the Responsibility to Protect (R2P), which serves as a guideline for international actors to protect victims of international conflicts since 2005.

This stands in sharp contrast to the securitization policies for refugee regimes, which instead of protecting refugees, mainly protect borders and territories from people transgressing them. This tension materializes, for example, in the establishment of so-called safe zones in transit countries like Libya (Klepp 2010, 3-9), the Frontex mission in the Mediterranean (Klepp 2010) or Hot Spots in Lesbos. These policies encompass centralised accommodations during asylum procedures, temporary protection and the meticulously planned steps and regulations regarding the stay and deportation of forced

migrants in countries executing "protection". These are all faces of securitization regimes which are aimed at controlling forced migrants and limiting their mobility and agency to and within countries of protection. Some chapters in this volume refer explicitly to the ambiguities of humanitarianism and securitization, while others make further forms of inherent violence and its effects in refugee regimes visible. In this edited volume, two relatively young and interdisciplinary anchored social anthropological research fields are connected: refugee studies – with a critical approach to humanitarianism – and the anthropology of violence. Both fields have hardly found space in anthropology before the 1980s (see Colson 2003; Chatty 2014; Nordstrom 2004; Schepper-Hughes and Bourgois 2004, Whitehead 2001).

Scientists engaged in the anthropology of violence have argued that studies of violence can never be reduced to evident structures and visible acts, but should instead attach importance to its various symbolic and psychological forms, as well as to forms of (re)presentation.[6] Thus, research on violence differs between direct and indirect, collective and individual, legitimate and illegitimate, concrete and structural, physical and psychological as well as manifest and symbolic violence. This conceptualisation encompasses the acts and consequences of intentional threat and force to harm the other (Lorion 2001, 16192). Social scientists brought in concepts like "markets of violence" (see Elwert 1999), brought their focus to violence on civilians in the shadows of wars (Nordstrom 2004), and elaborated on the continuum of violence in war and peace (Scheper-Hughes and Bourgois 2004).

The facticity of violence is just one pole of research, the other is centered around the subjectivism of experiencing violence and its long-term effects on the individual. These specifications and epistemological approaches must be taken into account when approaching embodied violence and its long-lasting effects in and for refugee regimes.

Göran Ajimer and Jon Abbink (2000) inaugurated the study of violence by integrating communicative, symbolic and ritual aspects into their ontological understanding. The closer focus on the "meaning" of violence on diverse social and individual levels is a hallmark of this approach. Violence is never without meaning or "senseless", but has a strong symbolic component (Schmidt and Schröder 2001) and can be seen as a "cultural performance" (Whitehead 2004).

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6   "Violence entails inflicting emotional, psychological, sexual, physical and/or material damage. It involves the exercise of force or constraint perpetrated by individuals, on their own behalf or for a collective or state-sanctioned purpose" (Stanko 1996, 896).

Public violence studies have examined "organizational outcomes", results of "coordinated destructions" and, e.g., questions of "(fragmented) resistance" (Tilly 2001, 16206ff). We suggest that these questions could be better developed if they were detached from a territorial/space centred focus and were instead directed toward a more deterritorial or transnational understanding of refugee regimes.

To analyse violence on various structural, symbolic and cultural levels, the epistemological and methodological research focus of the anthropology of violence encompasses intersubjective levels as well as political components. Approaching the complexity of embodied violence in refugee regimes allows us to grasp the structural, physical, symbolic and psychological effects of violence in refugee regimes. Veena Das (2007) has convincingly shown how violent experiences, besides being witnessed and remembered, become part of ordinary life. Thus, to perceive the effects of violent experiences, scholarship needs to consider refugee regimes in historical depth.

Besides elaborating on the structural, psychological and other above-mentioned dimensions of the inherent violence in refugee regimes, it is necessary to consider its performativities[7], ranging from border-closing speeches, narratives of criminalisation, intended deterrent effects arising from the deportation of asylum seekers, and how these enforce the legal or epistemological categories discussed above. The sources and agents of such performativities can be seen as crucial mechanism of embodied violence, which not only encompass political discourses and practices, but also humanitarian ones.

These considerations also lead us to consider the epistemologically and methodologically relevant triangular approach to the study of violence, encompassing the victim, the perpetrator and the witness. In each specific empirical context, refugee regimes are characterized by often overlapping, mutually dependent and interacting triangles of violence. In other words, as with the role of INGOs and their relationship to powerful states, these positions become blurred.

Anthropological research on violence has focused on the diverse strategies of silencing and the denial of violent acts – mostly in the aftermath of events. The research interest extends from the rhetoric and logic of denial,

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7   Performativity here refers to the power of language to change the world. Language not only describes the outer and inner world, but also works as a kind of social action. Performativity relates to the execution and ascertainment of what is expressed linguistically.

to questions of credibility of victims or witnesses, political rationalities, responsibilities and media manipulation. Various forms of denial are not only individual or group affairs, but also happen even on state levels (e.g. Robben 2012). Forms of implicatory denial can arise when violent acts are performed in a moral vacuum where perpetrators and performers are relieved of any responsibility (Cohen 2001). At first glance, this field might not look relevant to the study of refugee regimes, but the overlapping of anthropologies of forced migration and violence is evident in the long-lasting effects of embodied violence in refugee regimes. Here, again, the list of topics is long, for example, the selective process of granting asylum to some groups and not others, the denial of responsibility for care and provision, rhetoric about asylum-seekers, and so forth. In this regard, Bandura's outline of moral disengagement, which becomes manifest for example in moral justifications or in the displacement of responsibility, is also a constructive approach to employ in the study of strategies and effects of inherent violence in refugee regimes (Bandura 2002).

The denial of legally entitled asylum procedures, the experiences of push backs and that of limited residence permits over decades, among others, are forms of implicit denial of rights, an integral part of a fragmented social fabric, and reflects exposure to violence in various refugee regimes. Moreover, it is only in the last few years that some host countries have acknowledged the long-lasting effects of the violence experienced by asylum seekers in their countries of origin. The undecipherable interplay of experienced violence in asylum procedures, deportation or the constant threat of being deported, trauma specific treatment necessities, and questions of intergenerational transmission of extreme violence are still only incipient topics of research. And scrutinizing embodied violence in refugee regimes – short and long term – entails raising the question of its long-lasting effects.

Didier Fassin notes the contradiction in refugee regimes between compassion and repression (Fassin 2019, 5050), but these two sides are not mutually exclusive. Both protection and control in effect work towards channelling agency through mechanisms of either tutelage and victimisation or criminalisation. Even when states recognise the need to provide a "safe and protective environment" (Gibney 2000, 690) they often base this right on responsibilities for refugees and additional control mechanisms.

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This volume consists of three sections, all of which acknowledge the strong interconnectedness of refugee regimes, violence and agency. The selection and arrangement of the chapters shows the diversity and arbitrariness of refugee regimes, given the overlapping national, inter-national and selective forces at stake. In doing so, the chapters reveal the inherent coercive violence present in all levels of refugee regimes: from the violence of displacement and expulsion, to the violence of stereotypification and exclusion in host countries, or essentialisation within academic knowledge production.

The violence of refugee regimes begins with conceptualising forced migration and displacement. This is not only done by politicians, legal experts or the media, but also by academic researchers themselves. By preferring one concept over the other, researchers shift the perceptions of their audiences, turn a blind eye to painful experiences encountered by the refugees, or add enforced categories on perceptions of the self. In the first section of this volume, Heidrun Friese, Alessandro Monsutti and Leonardo Schiocchet put the terms of engagement with refugee regimes and agency into perspective, as well as overlapping and intersecting approaches, such as border regimes or concepts of diaspora. Their chapters provide insight on how nation states, international actors, and scholars approach this topic.

Friese reminds us that the notion of "humanity" derives from the Latin "humare", meaning to bury someone. These roots are conspicuous in her chapter, for she analyses how border regimes in the Mediterranean combine humanitarianism with the surveillance of mobility and "necropolitics" (Mbembe 2003; 2019). These borders no longer serve to protect against other sovereign states and military incursions, but instead seclude nonstate transnational actors, thereby creating what she calls a "tragic border-regime" (Friese 2017a, b; 2019a). Such a regime, in turn, amounts for what Jacques Rancière (2014, 135) calls "the transformation of the democratic theatre into the humanitarian theatre", characterized by the exclusion of mobile people from the political realm. The naturalized order of nation-states, sovereignty and citizenship, marginalises illegalized people, aliens, residents and citizens and allocates unequal, asymmetric socio-cultural and political rights. Moreover, the overlap of humanitarian intervention and border management creates a "humanitarian border" (Walters, 2011), distinguishing between humans and the superfluous. Friese urges us to subvert this border to uphold a European moral and political order that rejects the logic of mobility as emergency and the erasure of the rights of "others". She reminds us

that the substance for change is already there. For, beyond control, current borderlands are also shared spaces of civility and activism.

Monsutti departs from Thomas Faist's (2008) invitation to amalgamate scholarly traditions and "think outside existing boxes". He suggests that experiencing the "inequalscape" of a post-Cold War World – the most unequal in human history – should entail re-examining our conceptual framework of human mobility to reveal the human cost of existing dichotomous categories such as migration/forced migration. According to him, we must heed the moral fatigue of those arriving at Europe's doorsteps towards inequality. Mobility should be seen as a moral protest and a political act, a testimony to the immorality of global moral polity. Likewise, our conceptual toolkit must become a political act. Monsutti's "ethnographic wandering" among Afghans in Lesbos (Greece), Friuili (Italy) and Calais (France) illustrates his reasoning by appealing to the reader's own sense of morality.

Schiocchet closes this section by questioning to what extent speaking of a diaspora in cases such as the Palestinian, strongly marked by exile, captures the collective experience of the displaced. He concludes by suggesting that common Palestinian expressions of their situation point to a fundamental experiential dimension of displacement that must be brought to the centre of analysis. This in turn, suggests that the anthropology of (im)mobility must turn to the affective dimension of experience, beyond territorial displacement, if it is to understand forced migrants' relative space of agency within the refugee regimes imposed on them, including regimes of knowledge constructed or empowered by academics themselves. Moreover, beyond discussing the concept of exile, his chapter urges caution with regard to the poorly reflected academic usage of various staple concepts expressing human (im)mobility, such as diaspora, hybridization, and transnationalism.

In the second section, Maria Six-Hohenbalken, Yeo Seon Park, Sabine Bauer-Amin and Denise Tan analyse the complexity and arbitrariness of refugee regimes. By showing the effects, developments and porosity of these, they point to the violence exerted on forced migrants' lives. These chapters single out and discuss the inherent coercion present within processes of inclusion and exclusion, even when they are not perceived as such by governments, volunteers, and others.

Six-Hohenbalken unpacks the various concomitant refugee regimes affecting the fate of diverse groups of Iraqi refugees. Several refugee regimes had historically developed in Iraq and, hence, govern the lives of refugees of various ethnoreligious groups, creating multipolar forces and challenges

for nation states, NGOs and the refugees themselves. Historical and recent political developments show ambiguities and ambivalences within Iraq as an emitting, transit and target country for refugees. Six-Hohenbalken also points to the transnationalisation of various communities due to the continuation of violence within Iraq, which influences individual actors, NGOs and policy makers. These different refugee systems create inclusion and exclusion based on previous historic developments, their interdependencies and multi-polarities. Based on these complex interplays, she discusses whether and how these refugee regimes limit or enable refugees' agency. The chapter is based on empirical studies based in Iraq, Armenia, Austria and Germany, and focuses especially on the situation of Yezidis from Sinjar (Iraq), their situation as Internally Displaced People and as asylum seekers in Europe and beyond.

Where Six-Hohenbalken goes back to the 1930s in her analysis, Park takes us to a context of a relatively newly developing refugee regime based on the global aspirations of South Korea. She questions whether refugee status determination and the debate on integration should fall solely into the legal realm. By examining the discourses and policies surrounding refugees, she shows the development of the Korean refugee regime in relation to global and mainly European developments, as exemplified by the so-called "Yemeni incident", in 2018. However, she also considers refugee communities existing prior to the new Refugee Act, and to their inclusion into local society beyond legalisation. By doing so, she shows institutional gaps and porosity, as well as contradictions between historically developed local inclusion, and the new desire for managing Yemeni refugees according to global refugee regimes. Park suggests a more holistic approach towards refugee inclusion in Korea. In this way, the question of refugees does not remain in a divisive and political arena, but opens space for the public to imagine what it means to live in diversity and how we engage with global phenomena which are inseparable from our everyday life.

Bauer-Amin draws attention to the usage of the politically-discussed term "integration" in national refugee regimes and the exclusion mechanisms this usage produces by looking into the tendency of the Austrian state to fuse migration and refugee regimes, and into the consequences for those who are affected by it. She argues that this conflation causes a neoliberally induced devaluation of people who cannot find employment. While the current public debate on Austrian integration revolves around the fast acquisition of language and inclusion in the labour market, elderly refugees are often unable to fulfil these criteria, which leaves them with limited prospects and little

room for improving their current situation in Austria. Within this refugee regime, forced migrants who cannot integrate quickly into the labour market, are excluded and marginalized. In addition, non-governmental or private humanitarian initiatives often focus on engaging young adults into civil society rather than focusing on the specific situations of the elderly. This leads to an exclusion and marginalization in particular of elderly refugees and causes the denial of their value for the community and as testimonies of a pre-war Syria.

Tan underlines the role of NGOs in refugee regimes through her ethnographic research in Izmir, and through comparison with two other recent case studies. International and local NGOs are central actors within the context of refugee regimes, as many states rely on their services for the implementation of national migration and integration policies. Departing from an understanding of civil society as inclusive of not only formal international and national NGOs, but also of informal networks (see Layton 2004), Tan points to the critical situation of formalized civil society in present-day Turkey. Many Turkish NGOs and initiatives were founded in recent years to work exclusively with refugees. On the one hand, the Turkish refugee regime is characterized by a constant tension created by the urgency within the host country to support refugees and set against the desire to control them. On the other hand, the focus on non-formalised civil society shows how refugees manage their new life situations without interference or support from official NGOs. By considering un-official forms of civil society, she highlights the role of self-organised refugee groups. Through this, she shows the porosity of civil society, which, in turn, allows refugees to recover their agency, create their own organisations and empower others.

The contributions in the third section discuss the contradictory discourses and mutually exclusive narratives at play in the humanitarian rhetoric. In this section, titled *Ambiguity and (Un)settlement in Agency*, Monika Mokre, Mirian Souza and Katarina G. Nygren, Sara Nyhlén and Rozalie E. Böge show how refugee regimes limit and shape refugee experiences of agency. They outline how the selectivity, volatility and ambiguity of refugee regimes is shaped by representational considerations, which in turn influence and shape public discourses and guide the expectations of NGOs, volunteers and practitioners towards refugees. This section therefore exposes and problematizes tensions between agency and refugee regimes by evoking and recapitulating refugees' own experiences of unsettlement.

Mokre critically analyses the application of the vulnerability concept when large numbers of refugees started to arrive in Austria from 2015 onwards, and

the subsequent change to a discourse on threat and security measures. Mokre argues that this was not a swing from one political strategy to another, but rather that both discourses are complementary. Referring to a postcolonial concept of desubjectivation, she suggests that policies representing refugees as endangering and endangered are forms of biopolitics, and coining people as vulnerable, or fragile, without social and political rights, turns longing for agency and participation into a kind of threat. The chapter focuses on gender related differences, showing how young male refugees, predominantly of Afghan origin, are excluded from the re/presentation of vulnerable persons, and how their specific reasons for refuge are neglected. While vulnerability concepts were often exclusively applied to "womenandchildren" (Enloe 1993, 166), in discussing the young male's perspective, Mokre shows inherent conceptual ambiguities.

Mirian Alves de Souza's contribution also focuses on gender related topics and scrutinizes the ambiguous images of refugee women. She shows how organizations acting upon Syrian refugees in Brazil deploy divergent images of ideal behaviours. The expectations herein and the entanglement with cultural conceptions or perceptions of traditional versus modern, reverberate in the aid work of humanitarian agents, fostering or impeding refugee agency. Souza thus scrutinizes the expectations that NGO workers have with regard to their clients' agency and to serve their specific imagery. In devising agency, refugees have to muddle through various rhetoric, and to grapple with contradicting images and ideology-laden representations to engage with the host society. This affects almost all aspects of life - social, temporal or spatial.

Katharina Nygren, Sara Nyhlén and Rozalie Böge discuss how people whose prospects for a positive asylum application are rather poor, and whose possibility for residency might only be temporary, engage in finding space in an urban Swedish setting. Applying an innovative methodological approach based on visual anthropology, photo-elicitation and walk maps, these authors depict the place making practices of asylum applicants. Refugees' subjective engagements in (dis)connection with former and new environment in spatial-temporal strategies of home-making, shows the importance of referring to the past (belonging) and to the nature in the residence country.

This edited volume contributes towards a growing number of studies which bring the voices of refugees to the forefront and expose the violence inherent in refugee regimes. Using a qualitative approach and highlighting refugee agency, the contributors analyse the often-neglected social implications of (inter)national refugee regimes. The intrinsic violence of refugee

regimes transcends national borders: it is international, national, society based, internalised, and embodied, and it urgently needs due attention by scholars.

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