

Taking Political Agency : ‘No Border’/’No One Is Illegal’ Politics in Canada

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“A specter haunts the world ...
and it is the specter of migration” (Hardt and Negri 2000: 213; my italics)

Introduction

With a specific focus on the growing ‘No Border’/‘No One Is Illegal’ movement in Canada, this paper will argue that because refugees and non-citizens have been actively mobilizing as political agents, we should reject the depoliticizing idea that migrants are voiceless, agentless ‘victims’ that must be *spoken for*. The rise of non-status refugee groups such as Montreal’s Comité d’Action des Sans-Statuts (CASS) has prompted increased awareness of possible strategies to resist deportation measures and racialized citizenship in Canada. However, the bio-politicization of refugee subjectivity is largely neglected in juridical-political, humanitarian and human rights discourse, which can act as part of the securitization process itself, by constituting norms that help distinguish between ‘bogus,’ illegal migrants, and legitimate, or ‘genuine’ asylum-seekers. ‘No Border’ movements, on the other hand, open up a space for political voice and agency, disturbing our perceived narratives of the nation-state and domestic security. By continuing to suppress the deeply *colonial*, *class-based*, and *racist* character of contemporary national citizenship, norms of state-sovereignty continue to discriminate against individuals based on bio-politicized understandings of refugee bodies, and perceived ‘authentic’ national identities. To conclude, this paper will consider a number of strategies utilized in the ‘No Border’/‘No One Is Illegal’ movement in Canada, including image polluting, face-to-face encounters, the creation of Church and ‘sanctuary zones,’ and solidarity with the labour unions, anti-poverty coalitions, faith groups, and other social movements.

‘No Border’ Movements: The International and Canadian Contexts

In the context of restrictive border controls, the criminalization of asylum-seekers, and a general climate of securitization, it comes as little surprise that a politics of resistance has responded in a variety of shapes and forms. Campaigns for open borders have gained prominence in a number of global contexts, calling for the “free movement of all persons” (Walters 2006b). In Western Europe, for example, anti-deportation activism is highly visible. The German anti-racist network, *Kein*

Mensch Ist Illegal, has initiated a Deportation Class project of “image polluting” that campaigns against exclusionary immigration practices, specifically targeting specific airlines that profit off deportations (see Walters 2002). Also from Germany, the ‘Caravan’ movement has opened a political space for non-citizens, organizing meetings, protests, and a hunger strike in Cologne during the EU and G7 summits in June 1999. The Caravan hunger strike was organized under the slogan, “we are here because you destroy our countries” (Nyers 2003: 1081). Refugees and migrants were successful in organizing a Migrants European Assembly at the European Social Forum in Florence, Italy in 2002 (1081), and in Australia, large-scale campaigns organized against the detention centres of Woomera. In this “festival of freedoms,” around 1000 people helped facilitate the escape of 50 prisoners from government detention centers (Walters 2006b: 25). Highly politically active, finally, France’s *sans-papiers*² have gained global allies through their “fundamental challenge” to traditional notions of “democracy, civil rights, and citizenship” (Wright 2003: 5; see also Lowry and Nyers 2003a).

In Canada specifically, mobilization and organization for the support of refugees and non-status migrants is based predominantly in urban locales, notably Montreal, Toronto, and Vancouver (Wright 2003: 7). Besides CASS in Montreal, No One is Illegal,³ who protested under the banner at the G8 protests in Ottawa of June 2002, organize in all three major cities (9). The ‘Open the Borders!’ network in Vancouver, Montreal’s ‘Solidarity Across Borders,’⁴ and the Ontario Coalition against Poverty (OCAP) based in Toronto, have done much to raise the national consciousness about campaigns for the protection of refugees (Lowry and Nyers 2003b; Nyers 1999: 1084). As a pan-Canadian campaign, moreover, the coalition group STATUS continues to struggle for the regularization and legalization of the

² “The *sans-papiers*, the excluded among the excluded (though certainly not the only ones), have ceased to simply play the victims in order to become the actors of democratic politics. Through their resistance and their imagination, they powerfully help us give [politics] a new life. We owe them this recognition, and to say it, and to commit to ourselves ever more numerous at their side, until right and justice are repaid them” (Balibar 2000: 42-43).

³ ‘No One Is Illegal’ operates in solidarity with immigrant, labour, student and women’s groups, as well as union organizations such as the Canadian Autoworkers (CAW), teacher’s unions, and the Canadian Union of Public Employees. Highly active at the National Day of Action on May 5, the solidarity is most evident in the allied groups’ protest chant, “Immigrant Rights are Workers’ Rights!” See the following:
<http://toronto.nooneisillegal.org/>

⁴ See <http://www.solidarityacrossborders.org/en/sab>. (“Status for All!”)

undocumented in Canada (Wright 2003: 11; Nyers 2003: 1082). Central to the politics of protection, furthermore, has been a distinctive rise in the creation of ‘sanctuary zones’ - in churches or otherwise - by faith-based groups and other communities, as a strategy for resisting the expulsion of refugees. Another tactic, commonly used by members of CASS in Montreal, is the disruption of routine administrative processes – through ‘face-to-face’ encounters with officials in the bureaucracy- as strategies for resisting the expulsion of refugees back to violent and repressive countries.

*Universal Human Rights: “A New Standard of Civilization?”*⁵

The ‘international refugee regime’⁶ is an aggregate of global actors that involves state governments, NGOs, inter-governmental bodies, academics, experts, and UN agencies, and the United Nations High Commissioner for Refugees (UNHCR). As states actively seek out partnerships with ‘civil society,’ global and domestic practices continue to assess the role of migration by presupposing “norms of territoriality” (Owen 2002: 666). Lui (2004) defines a ‘regime’ as a discursive formation comprising codified set of norms, rules, values, and decision-making procedures that helps “empower some people and silence others” (121-122). Rather than reflecting the rise of universal human rights norms, the grid of intelligibility for policy-makers continues to be phrased in terms of “national security,” “national interest,” and “public order,” over and above the protection of refugees. The global regime is commonly perceived to be a “humanitarian/political” endeavor, while refugees are construed as either “victims,” or “villains” (116). In this respect, through imaginaries of the *national* citizen, “cosmopolitanism is not in opposition to the state-nation-citizen order; the cosmopolitan aspirations of ‘humanity’ are articulated through the discourse of national citizenship” (Lui 2004: 120; Malkki 1994). Despite its universal aspirations, for instance, the UN *Declaration of Human Rights* is careful to place responsibility for refugee rights on the very state for which the individual belongs (Hindess 2002: 130).

⁵ This phrase is taken from Donnelly (1998).

⁶ For an interpretation of the ‘International Refugee Regime’ through the lens of governmentality, see Lippert (1999). For an analysis of the overlap between Canadian and international refugee regimes, see Lippert (1998).

Refugees and displaced migrants across Canada are faced with the daily threat of displacement, detention, and possible deportation back to a country of persecution. Many undocumented persons, similarly, face the prospect of an extended and delayed “legal limbo,” in which the individual’s rights are significantly curtailed (see Brouwer 2005). In recent years, the Canadian government, under the rhetoric of national security, has partaken in a number of violent acts, restrictive laws, and exclusionary practices of deportation. In the post 9-11 context, there are, indeed rising concerns in Canadian popular discourse for increased securitization, deterrence, and incarceration (Gauvreau and Williams 2002: 68). Canada’s *Immigration Act* of 2002, for instance, expands the powers of detention and deportation to authorities (Wright 2003: 6). Moreover, the *Immigration and Refugee Protection Act* (IRPA), which conceptualizes immigration as a security threat, was passed in November 2001, expanding measures for the use of detention (Gauvreau and Williams 2002: 68). As part of Citizenship and Immigration Canada’s (CIC) ‘Smart Border Action Plan’ with the United States, the ‘Safe Third Country’ provision, moreover, stipulates that refugees who first arrive in the US, cannot make a claim in Canada, despite its more ‘compassionate’ system.⁷ According to statistics from Citizenship and Immigration Canada (CIC), an average of 455 persons including 11 minors, at any one time, are detained under the Immigration Act every year (68). As perverse as it seems, a 13 year old Congolese girl, for example, was detained in 2002 in a detention centre in Laval, Quebec (69).

The Canadian government has further pursued other strategies for tightening border controls, and extending its authority to implement repressive and restrictive refugee and immigration policies. For example, the ‘Smart Border’ initiative, between Canada and the United States, provides a number of protocols for increased cooperation between state authorities, including information exchange, and the harmonization of immigration policies. Endemic to this process, new and proliferating modes of surveillance have led to new practices and technologies of citizenship, such as new categories of identity, and the proposed introduction of ‘bio-metric’ identification cards. In this increased security climate, critics have responded by speaking of “Fortress North America” as a means to convey the restrictive nature of such harmonization policies (Bhandar 2004; see also Klein 2003).

⁷ As defined in a story by the Canadian Broadcasting Corporation (CBC). See http://www.cbc.ca/canada/story/2002/12/07/border_deal021207.html.

Refugee Movements and the Problem of Political Agency

When theorizing, and mobilizing in favour of movements for refugee and migrant rights, especially their assertion political voice, there arises a fundamental question of political agency. The problem is summarized nicely by Lowry and Nyers (2003a):

When it comes to advocating for refugee and migrant rights, who is an effective political actor? Is it the UN and its agencies? Governments? NGOs? Citizens Groups? What of the refugees and migrants themselves? Must they be “spoken for”? Or can they speak, advocate and organize for themselves? (2).

Should civil organizations, social movements, or NGOs speak on behalf of the undocumented, represent them, and protect them? Or can “the endangered speak for themselves?” (Nyers 2003: 1071). Because refugees and non-citizens, in this sense, *have* been acting as political agents in their own right, we should reject the depoliticizing idea that migrants are voiceless, agentless ‘victims.’ Movements that organize around a “No-Border/No One Is Illegal” politics, are generally united in their anti-racist, anti-national, and anti-colonial perspectives, favoring a common discursive framing that aspires to *de-nationalize* the state (Wright 2003: 9). In this sense, no-border campaigns tend to emphasize not only the free movement of people, but are committed to Aboriginal rights to self-determination, sharing a “common critique of displacement, dispossession, and the power of nation-states to construct regimes of racialised citizenship” (9). Furthermore, the explicitly capitalist nature of modern citizenship is reflective of bourgeois values of “nationalized, racialized, gendered, and class-based hierarchies of worth – the very things necessary for a competitive, global, capitalist environment” (Sharma 2003: 38). Left nationalism, in the Canadian context, has failed to expose the exclusionary character of the national-capitalist project. As a result, movements for social justice continue to accept norms of national sovereignty, which in turn, reinforces the power of the state to selectively determine legitimate asylum-seekers, and to decide, not only what sorts of people can be deemed ‘illegal,’ but also, to determine what can and can not be considered a threat or *risk* to national security.

In the context of humanitarian/development agencies and their representations of refugees, Rajaram (2002) points out the potential implications for political agency.

Described in the language of “helplessness” and “loss,” the diversity of their lived experiences are reduced to images of mute, bare, naked helplessness, or to faceless bodies consisting only of brute, physical mass. The refugee is a displaced, “helpless victim” – “lost,” “*in limbo*,” lacking citizenship, and figured as mute, and “speechless” (248). The representations of refugees by international organizations through humanitarian characterizations, transforms refugees into “speechless emissaries” (21; see also Malkki 1996). The individuality of refugees, with all their historical and contextual circumstances, is reduced to technocratic ways of representing. The implication, by this logic, is that refugees need an agent, or ‘expert’ to speak politically for them. Life experiences are bureaucratized into Western ways of *knowing*, and classifying, thus “dehistoricizing” and “depoliticizing” refugee claimants into the image of the ‘universal victim.’ This is an essentializing image. With little regard for the complexity of personal experience, the top-down analyses of humanitarian agencies consistently fail to contextualize the priorities and needs of specific, individual refugee-claimants. Rajaram (2002) calls this the “commodification,” or “objectification” of refugee experience and identity, which in turn, reinforces state-centric perspectives (251).

By characterizing the refugee phenomenon as an ethical crisis for the international order - as a persistent “humanitarian emergency” - the United Nations High Commissioner for Refugees (UNHCR) explicitly defines the refugee phenomenon as a “humanitarian and human rights issue” (Nyers 1999: 3). There is, however, a contradiction between the humanitarian concern for both a common *humanity*, and its concern for a world order that relies on “*citizenship*” as its “authentic ethico-political identity.” The UNHCR, as well, represents the refugee in opposition to the ‘norm’ of the nation-state citizenship paradigm. As Nyers (1999) argues, “refugeeness” is portrayed, in a variety of UNHCR images, as a “lack,” or “emptiness.” The underlying humanitarian theme is one of lack, where the refugee is seen as displaced from a proper *home*. In another recent report, *The State of the World’s Refugees: A Humanitarian Agenda*, refugees are represented as “invisibility,” as shadows lacking all trace of “presence” (20). The “humanitarian emergency” discourse takes on a problem-solving perspective whose practical aim is to maintain order/normality amidst persistent “crisis,” and “emergency” (23). The norm is, of course, the legitimacy of the sovereign nation-state with its corresponding political identity of the ‘citizen.’ Just as norms presuppose the production of the abnormal, so

to does the subject assume the production of an *abject* (Dillon 1995: 325; see also Butler 1993). It is precisely this “refugee discourse,” and not some extra-discursive reality, that is responsible for this “speechless condition” (Muller 2004: 51; see also Soguk 1999). Refugees, illegal migrant workers, and the stateless, as such, are reduced to a representation of temporary and silenced “non-political” identities, emptied of all political agency. A normal, ‘authentic,’ political identity, by contrast, is understood to be the subject-citizen of the territorial nation-state.

The Bio-politicization of Refugee Politics: New (In)securities, New Racisms

Contemporary problematizations of war and security operate within a framework of post-Cold War rationalities. The enemy during the bipolarity of the Cold War, was of course, Communist ‘infiltration,’ seen as an external threat to the boundaries of state-sovereignty. The perceived danger was seen as a threat to the peace and welfare of the national interest, to the extent that refugees were selected on the basis of ideological backgrounds, “in order to add support to the ideological stance of the state” (Lowry 2002: 30). Security, in a context of interstate relations, meant militarized state-security, arms, and deterrence, directed especially towards the Soviet Union and its satellites. Moreover, there was a clear distinction between the ‘inside’ and ‘outside’ of borders, with the notions of external threats and dangers coming *from without*. In the grammar of contemporary national-security discourse, however, who and what constitutes an ‘enemy’ or ‘alien,’ has shifted dramatically. In the context of ‘Homeland Security,’ *Schengen* in Europe, and Canada’s new portfolio for *Public Safety and Emergency Preparedness*, Bigo (2002) employs the term “internal-security state’ to denote the marked convergence that has occurred between the meaning of international and internal security (63). He describes a more recent security “continuum” of threats that includes terrorism, crime, unemployment, asylum-seeking, drug-smuggling, and human trafficking. In this securitized climate, migration flows themselves are becoming increasingly understand as a security issue. Refugees and the non-status are drawn into a national security problematic, where those who ‘abuse’ the system and ‘bogus’ asylum-seekers constitute the new enemy or threat.

Bigo (2002) analyzes technologies such as population profiling,” “risk assessment,” and “proactive preparation,” as characteristics of a relatively new rationality, or ‘governmentality,’ he calls, the “*ban-optican*.” In risk societies,

“technologies of surveillance sort out who needs to be under surveillance and who is free of surveillance, because of his profile” (82). Migrant flows, in turn, become classified ordering to danger or threat levels, as “risky groups,” or “risk populations” in order to be managed more effectively. The (re)presentation of the refugee as an ‘abuser’ of the system, a terrorist, “sick body,” “banal asylum seeker,” job thief, or “disease carrier,” provides the discursive environment for which the state can tighten border controls that discriminate based on factors such as race, class, economic need, health, and national fears (Muller 2004: 52). In the words of the Canadian Ministry of Foreign Affairs, “this new generation of threats shows no respect for national borders and inevitably becomes the source of our own insecurity” (in Lowry 2002: 30). Refugees, migrants, and the non-status, in this respect, are construed as a security risk resulting from the mass displacement associated with globalization.

Sovereignty and Bio-politics: The ‘Governmentalization of the State’

The ‘bio-politicization’ of refugee politics, argues Muller (2004), is a way of coping with the core “paradox” between the imperatives of neoliberal globalization, notably, the free movement of capital, goods, and labour, *and* the continued commitment to domestic state security in light of perceived terrorist threats (50). While neoliberals still find it important not to inhibit capital, service, and labour mobility in order to “serve the (perceived limitless) growth of the post-Fordist global economy,” it is nonetheless reasoned that “undesirables might still sneak in the back door” (50). Through the production of ‘normality,’ bio-politics denotes a particular art of government that takes the population itself as its object of knowledge. *Life* itself becomes politicized (Nyers 1998). Lemke (2005), drawing on Foucault, clarifies this theoretical position:

Biopolitics is not a sovereign decision over life and death. The historical and political novelty of biopolitics lies in the fact that it focuses on the productive value of individuals and populations; the ancient sovereign power that was centred on death is reorganized around the imperative of life. In this perspective, Foucault analyses modern racism as a vital technology since it guarantees the function of death in an economy of bio-power. Racism allows for a fragmentation of the social that facilitates a hierarchical differentiation between good and bad races. The killing of others is motivated by the vision of an improvement or purification of the higher race (8).

Sovereignty and biopolitics, in this sense, are complimentary forms of power. In his power/knowledge thesis, Foucault considers the complex interplay between juridical and disciplinary forms of power by analyzing “territoriality and sovereignty

simultaneously with those of population and biopower” (Dillon 1995: 326). The biopolitical imperative to optimize and administer the health of the body politic, in the modern era, provided the biological grounds for which state-sponsored killing or punishment could be articulated (Muller 2004: 52).⁸ Whereas disciplinary power has as its target the normalization of the individual, bio-power, on the other hand, has as its target the entire population. In this respect, “the right to kill takes on a biological imperative: the death of the other will ensure security, make life more ‘healthy,’ purer” (Foucault in Marks 2000: 228). Sovereignty, in other words, is an *effect*, or end-product of a series of complex societal power relations.⁹ Foucault calls this process, ‘the governmentalization of the state,’ whereby it is exactly this “governmentalization that has permitted the state to survive” (Foucault in Butler 2004: 52). As the law operates more and more as a norm or governmental ‘tactic,’ sovereign power extends itself into the field of governmentality. The racial politicization of refugees as undesirable, ‘dangerous’ mobilities that potentially ‘abuse’ the system, provides a means of dealing the sovereign-state’s twin commitments to economic globalization, and securing the national interest through domestic security. In the words of Lui (2004), the “refugee problem,” is an effect of biopolitics and geopolitics: “the former politicizes life and the government of human beings as population. The latter politicizes territory and constructs a relationship between territory and population” (117).¹⁰ In this racial geopolitical project, the ‘refugee’ is a subject of power.

⁸ As Agamben (1998) has argued: “*it can even be said that the production of the biopolitical body is the original activity of sovereign power*” (6). For Foucault specifically, “the principle underlying the tactics of battle – that one has to be capable of killing in order to on killing – has become the principle that defines the strategy of states. But the existence in question is no longer the juridical existence of sovereignty: at stake is the biological existence of a population. If genocide is indeed the dream of modern powers, this is not because of recent return of the ancient right to kill: it is because power is situated and exercised at the level of life, the species, the race, and the large-scale phenomenon of population” (Foucault 1990: 137).

⁹ Sovereignty, of course, can have no essence, or status as a sort of ontological entity. For Nyers (1999), it “...is not so much a thing, a static principle to be invoked, as an effect of various practices (statism)” (10). And for Lippert (1999), “in the governmentality literature, the state is seen less as an actor and more as a historical effect, resultant, or residue of certain governmental practices” (295). The main aim of sovereignty, in this sense, “is the positioning of its own power” as “authoritative” and “effective” (Butler 2004: 93).

¹⁰ “In fact, there is no geopolitics that does not imply a correlate biopolitics, and no biopolitics without its corresponding geopolitics” (Dillon 2004: 81).

*Governing the State like A Home: 'Domopolitics'*¹¹

The stated objective of the Canadian government's Border Services Agency (CBSA) is to "ensure the twin goals of public safety and economic security" (in Harris 2004). William Walters (2004) has called this new rationality of government "domo-politics," in order to highlight the extent to which the government of the state, and other political spaces, are governed like a *home*. "Our place," of the homeland, is juxtaposed against a dangerous world filled with risks and threats, undesired subjectivities, traffickers, and 'bogus' refugee claimants. While *domus* represents the desire for 'homeland' and domestic order, *oikos* denotes a "desire for economy and utility: the need for an efficient migration system which can identify and harness the 'human skills and ambitions' or migrants to promote the economic security of the state" (248). The objective becomes not so much one of building walls, as key concepts such as 'Fortress North America' might suggest, but rather, to "tame," "subdue," or domesticate mobility over the border (241). Because 'our' homes are at risk, the task of security becomes one of tapping the energies of economic flows through various "routes" and "channels," while taming and suppressing undesirable mobility and flow characteristic of mass population displacement. In the determination process, *Citizenship and Immigration Canada's* (CIC) criteria for selecting immigrants must take note that, "women claimants may be hampered by their responsibilities as primary caregivers, poor ability in either official language, lack of education or poor job skills, or a combination of these factors" (in Lowry 2002: 32). As such, the concept of the 'Dangerous Individual,' is "interarticulated" with other discourses related to identity, political economy, and norms of civility (see Dillon 2004: 86). The 'good' refugee, by contrast, must be economically active and resourceful, in order to avoid becoming an inconvenient 'burden' to the state.

In the internal security state, the concepts of 'inside' and 'outside' no longer encapsulate clear meanings, especially as border controls shift to the interior. Moves to securitize international airports, and intra-state information exchange, testify to the gradual expansion of internal border controls away from rigid and bounded conceptions of state territoriality. Borders, under domo-politics, are conceived as "membranes" or "tissues," that work to filter unwanted movement. A more pertinent

¹¹ From Walters (2004).

metaphor, perhaps, can be found in the notion of computer ‘anti-virus’ software. In a proliferating space of ‘risks,’ the antivirus protects and blocks the home from malicious, incoming traffic (255). Although such software must be continually updated with ever newer downloads, they are designed in such a way that ‘trust’ is to be placed in them. As a dynamic process, technologies of security, it is argued, must be constantly updated and innovated, resulting in the proliferation of methods of detecting and deterring, notably, internal controls on the population, identity checks, scanners, and other bio-metric technologies.

In bio-political terms, the state, or ‘body politic’ is framed as an endangered body, threatened by something foreign into its space, such as migrants (Bigo 2002). As a “politics of the body,” the Foucauldian bio-political analytic is useful for highlighting how shifting conceptions of the ‘body’ help, in turn, to articulate the ‘body politic,’ or political-body. The idea that illness originates outside of the body, for example, corresponds neatly to the logics of East-West confrontation during the Cold War, where dangers were perceived as external enemies (Lemke 1999: 68). With the rise of “immunological discourse,” political order is imagined as “disorder in process,” taking on a character that is “unstable, permanently in motion, and never in a state of rest” (67). The (body) politic is imagined as an immune system, equipped with ‘antibodies’ internal to the organism. The body, or state, must have the ability to constantly learn, to engage in prevention before cure, and to be dynamic, innovative, and ‘active’ towards risk (64-65).¹² Put succinctly, “border control is like antivirus software, not just because it aspires to filter and secure its interior, but also because its fate is to toil in the shadow of the restless hacker” (Walters 2006a: 220).

A ‘Racism Without Racists’?

National security, it is argued, must attract foreign mobile capital in the pursuit of persistent growth to insure economic security, while ‘antibodies’ (state agencies, police, border control) presumably, seek out and target ‘alien bodies’ and dangerous mobilities both internal and external to the state. Racism, in this sense, is

¹² Gilles Deleuze (1995) contrasts ‘disciplinary’ with *active*, ‘risk,’ or ‘control’ societies in the following: “in disciplinary societies you were always starting over again (as you went from school to barracks from barracks to factory), while in control societies you never finish anything – business, training, and military service being coexisting metastable states of a single modulation, a sort of universal transmutation” (179). This observation is largely compatible with Walters’ (2006b) thesis of ‘rebordering.’ With the ‘delocalization’ of borders, the idea of control is one of “open, fluid, decentred power relations” (193).

not so much grounded in biological terms *vis a vis* the superiority of specific nations or races. For this reason, Etienne Balibar has labeled the new, “differentialist” or “immunological racism” as a form of “racism without racists,” insofar as it is articulated in terms of the irreducibility of cultural differences and the “harmfulness of blurring boundaries” (Balibar in Lemke 1999: 69). Balibar and Wallerstein characterize the “new racism” as:

A racism whose dominant theme is not biological hereditary, but the insurmountability of cultural differences, a racism which, at first sight, does not postulate the superiority of certain groups or peoples in relation to others, but ‘only’ the harmfulness of abolishing frontiers, the incompatibility of life-styles and traditions (Balibar and Wallerstein in Dillon 2004: 82).

Although nonetheless discriminatory, biopower, as the governing of species life, is no longer explicitly racist in the sense of the doctrines that helped inform European imperialism in the nineteenth century. However, in the context of the US-led ‘war on terror,’ discourses of hyper-security, war, and danger, continue to inform the governance of population and territory, centred on the norm of the nation.

An examination of this shifting terrain of refugee politics must come prior to investigations into struggles that advocate rights and political voice for refugees (Muller 2004). Given the intensifying ‘biopoliticization’ of refugee/migrant identities, how then, “can we think, imagine, and make authoritative claims about contemporary refugee politics?” (49). To answer this question, it is important to consider the extent to which the securitization of migrants derives from a particular discursive language, that facilitates or hinders the different capacities of actors to engage in “speech acts” (see Bigo 2002: 64). There is a certain power in naming or classifying the migrant. If actors in civil society construe the refugee as an agentless victim, how does this hinder the ability of non-citizens to pursue ‘speech acts’ as moments of political action? What are the consequences of our activism, when assuming the ‘norm’ of citizenship and the nation-state? Why do we neglect to consider the role of ‘bio-political’ racism in exclusionary acts of state-sovereignty? The following section will consider some political strategies utilized by ‘No Border’ and ‘No One Is Illegal’ movements in Canada.

Sanctuary

According to the recent research of Randy Lippert (2005), there have been 36 incidents of sanctuary in Canada, from the period of 1983-2003, involving hundreds of individuals and their families. Since the first widely publicized incident in 1983, which involved a Guatemalan migrant in Montreal, churches and communities across Canada - including religious dominations such as United, Roman Catholic, Anglican, Unitarian, Baptist, and Pentecostal - have offered protection, shelter, and material goods to refugees seeking status by resisting deportation. Following a Vancouver-based sanctuary incident in 1992, the 34th General Council of the United Church of Canada advocated “the moral right and responsibility of congregations to provide sanctuary to legitimate refugee claimants who have been denied refugee status” (in United Church of Canada 2004: 2). Around the same time, in 1993, the *Southern Ontario Sanctuary Coalition (SOSC)*¹³ was formed by Toronto-based Anglicans in order to give a regional voice to the movement.

In the Canadian context, almost 100% of sanctuary events end in some sort of resolution, at the bare minimum, the effective and temporary delay of deportation, while around 70% of these result in the granting of legal status to the migrant in question (2005: 394).¹⁴ While this suggests that inter-faith coalitions have largely been successful in attaining this immediate “last resort” goal (see United Church of Canada 2004: 5), as the number of incidents rose to 7 in 2003, it is clear that sanctuary movements are growing in prevalence (Lippert 2005: 388). One of the most recent acts of church sanctuary comes from Ottawa, Ontario, where the First Unitarian Church is providing sanctuary to a refugee who faces – because of his democratic activism - imminent death or torture if deported back to Nepal. The church was previously successful in helping a Bangladeshi migrant stay in Canada in 2004, after a stay of more than a year.¹⁵ This is a profound act of “taking space” (Nyers 2003).

Despite the widespread use of sanctuary among communities and churches across Canada, the strategy – although an urgent necessity – does face some

¹³ The coalition released a declaration on October 7 2002, entitled “A Declaration: A Civil Initiative to Protect Refugees” (see Lippert 2004: 552).

¹⁴ There are, however, two exceptions. In 1998, for instance, Montreal police entered a church deemed illegitimate (because it lacked a city permit), and arrested several Chilean refugees. Also, in tandem with the Safe Third Country agreement, Mohamed Cherfi was handed over to US immigration officials, where he remains detained in upstate New York (see Harris 2004).

¹⁵ See <http://www.cbc.ca/canada/ottawa/story/2007/03/22/nepal-refugee.html>.

limitations. Specifically, sanctuary can act as a sort of sovereign power ‘from below,’ insofar as it entails a rationalized attempt to “claim of monopoly to make the exception in a circumscribed territory in opposition to the neo-liberal (nation-) state” (2004: 547). Under the threat of deportation, the production of the sovereign ‘spectacle,’ is meant to expose the Department of Immigration’s and the Immigration and Refugee Board’s treatment of refugees, and bring to the public eye the violence of forced transfer back to repressive countries. In a manner that is quite the opposite of symbolic punishment, violence, and coercion typically associated with the powers of the sovereign, the state is given the very power to grant the exception: “the exception can entail coercion and exclusion, but also sudden suspension and inclusion, in this context, through the granting of sanctuary or the issuance of a minister’s permit or reprieve to the migrant(s) facing deportation and possible death” (Lippert 2004: 545). The decision whether or not to grant asylum to individuals in need of protection is an important political issue, most notably because “the capacity to decide upon matters of inclusion and exclusion is a key element of sovereign power.” The decision itself, is a particular moment when “the sovereign state (re)founds its claim to monopolise the political” (Nyers 1999: 1071). In the name of the sovereign, this is a non-democratic *re-taking* of power. State officials are granted the privilege to decide *who* can stay, and *who* must be expelled.

Face-to-Face Encounters

Members of the Action Committee for Non-Status Algerians (Montreal), have frequently expressed their frustration with the prevailing attitude of presumed ‘speechlessness.’ For Jaggi Singh of ‘No One Is Illegal’ (Montreal), “the fact is that we’ve made a fetish out of speaking soft and not screaming. And we need to scream. We need to speak loudly.” As a ‘lived reality,’ the refugee experience involves “profound acts of self-determination (Lowry and Nyers 2003b: 68). Members of CASS, for their part, have mobilized on various levels, raising public awareness, weekly pickets in front of Immigration Canada, flyers, conferences, university appearances, and media work (69). The CASS, organized by its Women’s Committee, personalized their experiences to the public through tactics such as delegation visits and office occupations (70). The effectiveness of this political taking-agency is elegantly expressed by Stefanie Gude from the Ontario Coalition Against Poverty (OCAP), allied with the non-status Algerians:

We have a long-standing reputation for filling the offices, the back rooms, getting the security doors of offices open so that the office can no longer function. Bureaucracy relies on the fact that things will always go a particular way. If you fill a room with 150 angry people, including the back offices, business as usual is no longer possible. Bureaucrats that sit with those files that have ID numbers only know people as an ID number, not as human beings. We operate on the principle that people meet face to face. If for example, an Immigration Officer has to explain to a mother of five facing deportation to Somalia where her two eldest children are going to have to undergo genital mutilation why the deportation is happening – it does in some instances get results (70).

The Ontario Coalition Against Poverty, further, has done important case-action work to help expose the deportation industry, specifically Air Canada, which makes money through deportations. As a form of ‘image polluting,’ this tactic is also used by European anti-racist groups such as *Kein Mensch Ist Illegal*. The ‘Deportation Class’ project, for instance, targets Lufthansa, a national airline company that regular transports deportees (Walters 2002).¹⁶ As ‘speech acts,’ the “audacity of such tactics threatens to subvert the entire framework of ‘authoritative citizen’ versus ‘passive refugee’ ...” (Nyers 2003: 1085). Not only is this an important means of taking *space*, it is also a profound moment of “taking *speech*” and asserting political voice. Most importantly, it interrupts the administrative *normality* and *routine-ness* of the deportation process as it is carried out in Immigrant offices across Canada.

Conclusion: The Need for Solidarity

Political actors, as Sharma (2003) points out, should work in solidarity with migrant and refugee movements, in order to invoke a politics that “actually listens to and privileges the standpoint of undocumented migrants” (4). Unfortunately, however, for all their efforts, anti-poverty allies are often construed as too ‘radical’ in their political activities and protests. For example, traditional support for OCAP from a large Canadian union¹⁷ has been withdrawn, due to perceived “militant tactics” by the coalition. In defense of a broad-based campaign, Gude notes, “that’s not real ally

¹⁶ See <http://www.deportation-class.com/index.html>. Walters (2002) points out the meaning of the project in the following: “just as clean clothes campaigns have engaged in ‘image polluting’ campaigns against high-profile brands like Nike and The Gap, these groups and networks subvert the typical images, colours, logos and themes of airlines and holiday imagery, revealing their connection to deportation” (265-266).

¹⁷ The Canadian Autoworkers Union (CAW). For more details, see Zwarenstein (2001).

work ... if this is going to be a successful mass movement, then the allies that are inside have to be genuinely inside” (in Lowry and Nyers 2003b: 72). What is needed is an increased internal solidarity and alliance-building with other Canadian movements including labour, anti-racist, aboriginal groups, immigrant rights advocates, anti-globalization, and anti-war (Wright 2003: 6). Further, it is imperative to build alliances with global/transnational movements like the *sans-papiers*, and through North American coalitions with other refugee activist movements in the United States such as the National Network for Immigrant and Refugee Rights (NNIRR). We must, in short, work in solidarity with a ‘No-Border’/’No One Is Illegal’ politics. Humanitarianism, with all its state-centric assumptions, is simply not enough.

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