

Introduction

‘I left [my country of origin] with much energy. I needed to find a life on my own. ... I wanted to live, to do many things. I wanted to have my work. I wanted everything. I wanted to go wherever I wanted to, visit many things. ... I don’t know – the time I have spent here in Europe ... I have not found what I have wanted to. I have not yet arrived at the point where I wanted to be. I know that I could be ok and that I could give more than I do at the moment. Because sometimes I feel a bit frozen in my situation. ... For instance, I don’t want to always talk about document issues. I want to talk about other things. I want to be happy, to make fun, you see. But the situation leaves you like this. It leaves you blocked in a point from where you want to move on. ... [I would want to] “explode” feelings and be normal. For example, I would like to scream right now but I don’t have documents, which is why I cannot do this at the moment because there is a police guy next to us.’ (Interview with Eymen in Switzerland 2015)

One sunny afternoon in a city park in Switzerland I sat down with Eymen, a man in his early thirties and originally from a North African country, and listened to the account he gave of his time in Europe,¹ where he had spent almost nine years trying to legalise his presence. After his arrival in Europe in 2008, he worked illegally in Italy for two years under exploitative conditions. Later, when he was unemployed because one of his temporary jobs had ended, he moved to Switzerland to lodge an asylum application, which was rejected, as were subsequent appeals. At the time of the conversation quoted above, Eymen was living in a male-only shelter for rejected asylum seekers in Switzerland. These shelters are known for their poor conditions aimed at compelling inhabitants to leave the country when Switzerland fails to deport them.

Like in many of our encounters, Eymen was able to find the right words to describe the insecure and often unbearable conditions he and many other people with a precarious legal status find themselves in. It is a condition characterised by great uncertainty and insecurity and strongly shaped by migration control attempts and a politicised discourse where Eymen and others are portrayed as ‘economic refugees’ and ‘intruders’ undeserving of legal inclusion and protection. Yet, despite increasingly sophisticated border controls and public pressure for ever more effective migration controls, migrants continue to arrive, defying European states’ attempts to keep them out. This book is an ethnography of an often-demonised group of male migrants who have entered Europe unauthorised and who have unsuccessfully applied for asylum. The underlying research project has followed individuals across space and time, using a combination of methods that allows for capturing both moments when individuals exhibit increased mobility (such as when they need to go into hiding to avoid law enforcement measures) and periods when they are immobile (such as when they are stuck in legal procedures or detained). Building on a year and a half of ethnographic fieldwork in camps for (rejected) asylum seekers, narrative interviews with men holding a precarious legal status and follow-up interviews with key interlocutors in different European countries, *Navigating the European Migration Regime* traces the interrupted journeys of some of those many migrants who are classified as ‘unwanted’ and denied legal residence, but who nevertheless stay and endure the harsh living conditions and hostile political rhetoric to which they are subjected.

The situation Eymen describes is shaped by people’s hopes and aspirations, by their incredible endurance in the face of violent environments and by their everyday resistance against restrictive and oppressive laws which exist to safeguard the European territory for those whose presence is deemed desirable, legitimate and profitable. While Eymen pointed out how he internalised the state of ‘illegality’, which prevented him from realising his full potential, he always also emphasised the strong determination of people in a similar situation in their pursuit of personal aspirations in Europe. He recounted stories of people who had made their way through several European countries and who had found loopholes in the law. Some of them were on the move for years, covering long distances and crossing several European borders in their attempt to achieve their goal, for instance finding a safe place to live and stable working conditions. This hope of fulfilling one’s ambitions is often what makes people cope with all the uncertainties and hardships. People do not give up hope mainly because occasionally they learn of the success stories from people in similar situations who obtain residence papers through a favourable asylum decision, marrying a European citizen or being economically successful in the informal labour market. Yet, many of them also get trapped in a situation where they feel unable to

move forwards or backwards – just as Eymen felt during our conversation. Despite these feelings of being stuck, Eymen hardly ever considered returning to his country as an acceptable alternative.

The harmful conditions and policies migrants encounter in Europe reflect and reproduce racialised ‘human hierarchies’ (Mayblin et al, 2020) that normalise and legitimise exploitation, precarity and overall unequal opportunities. We are currently witnessing increasing militarisation at the borders of the EU, a constant refinement of border technologies, including surveillance and biometric databases, and political calls for ever more restrictive migration laws. Given these ‘hostile environments’ (Canning, 2017), created by states in order to deter those deemed unwanted, I am often astounded at – and impressed by – the number of people who successfully cross borders, circumvent legal constraints and find new legal loopholes to avoid states’ migration control attempts.

When I was at university, I worked part-time as a night watch in a Swiss asylum centre where I spent a great deal of time – particularly during weekends – chatting with residents and listening to their experiences and struggles in Switzerland and in other European countries. Many had been en route for years, being labelled as ‘Dublin cases’ and subjected to various intra-European deportations (Chapter 2). I remember one young man who had been deported from Switzerland to Italy but had made it back to Switzerland before the authorities had even deregistered him from the asylum centre, which is why he was sent from the Swiss-Italian border to the address from where he had been deported, rendering his deportation completely absurd. Hence, I observed not only rigid migration control practices (which in my position as a member of staff of an asylum centre I was unquestionably part of), but also everyday practices of resistance by migrants with a highly precarious legal status.

It is essential to acknowledge migrants’ enduring resistance towards states’ attempts to exclude them from European territory or to keep them in a highly vulnerable and exploitable state – while also acknowledging the harsh consequences of the contemporary European migration regime for individual migrants. In the public and political debate, we often hear about new strategies that promise to ‘manage’ migrant ‘flows’. A ‘new pact on migration and asylum’ is being concluded, promising an efficient management system (European Commission, 2020a) – after old ones have failed. Indeed, when studying migration law enforcement, it is important to note that the implementation of these new strategies often fails to correspond to their promises. People from all over the world continue to arrive in Europe looking for new ways to improve and save their lives.

By ‘following’ some key interlocutors on their journeys throughout Europe, I show in this book how individual migrants disrupt the smooth implementation of migration law and how, at the same time, their hopes and

plans are constantly interrupted by attempts of migration control that inflict severe suffering in terms of mental well-being on them. I am interested in the ways in which migrants with a precarious legal status influence the formation of the European migration regime. They creatively adapt their tactics to new policies, restrictions and migration control measures, while state authorities react to migrants' subversive tactics by readjusting their own strategies and making people's journeys ever more precarious and dangerous. This book therefore acknowledges the interdependencies between state control mechanisms and migrants' tactics of manoeuvring restrictive policies, border control and precarious conditions. However, it does not ignore the fact that these negotiations take place between actors in highly unequal power relations. The narratives of people with a tenuous residence status testify how migration governance makes people endure insecurity and unpredictability when they become trapped in lengthy bureaucratic procedures, in one of the many European asylum or detention camps, in precarious working conditions or in cycles of state-enforced mobility. Yet, these stories also evidence how non-citizens appropriate and react to attempts of control in their everyday navigation of the European migration regime. By focusing on mobile people's everyday practices and complex trajectories, the book conceptualises the role of migrants in the constitution and contestation of the migration regime.

The interview with Eymen quoted at the beginning of the chapter took place one and a half years before he was deported to his country of origin. Since then, we have kept in touch, and our conversations often revolved around how he could make his way back to Europe. Living with his parents again, he was spatially immobilised, but his aspirations were shaped by the hope of being able to move again. The years Eymen had spent in Europe – navigating borders, legal precarity, stigmatising discourses and the opacity of laws – bear testimony to the endurance of migrants with a precarious legal status given the severe restrictions European states apply in their attempts to 'manage' migration.

Interrupted journeys within Europe: what this book is (not) about

Navigating the European Migration Regime engages with one of the most publicly stigmatised and politicised groups of people in recent years: unwanted single male migrants, who are represented and socially constructed as the 'undeserving other' in media discourse and who are unlikely to be granted permanent residence status in Europe. Such public images effectively divert attention away from the harmful conditions created by current policies aimed at deterring people seeking protection and a better livelihood. This public discourse normalises, legitimises and conceals state violence that takes place

not only at Europe's external borders, in deportation camps and centres, but also in the precarious everyday lives of people who have no right to remain. It is urgent to provide nuanced and sensitive accounts of the experiences, practices and tactics of those whose lives are pushed to live in precarity without either victimising or demonising them but instead paying due attention to the underpinnings and implications of how their lives are governed, racialised and marginalised.

The multi-sited ethnography 'follows' the journeys of people who continuously strive to find new ways to legalise their status, who are repeatedly detained or deported within and beyond Europe and who nevertheless do not give up on their migration projects. The protagonists of this book highlight a complex migration pattern which is characterised by permanent 'transit' across Europe, which is in effect a multi-linear movement shaped by the opportunities and obstacles that arise during the course of their trajectories. My interlocutors' journeys are discussed against the background of a heterogeneous Europe that largely contributes to producing these seemingly erratic journeys. Migrants with a precarious legal status are forced to respond with flexibility and spontaneity to suddenly changing conditions, such as work opportunities, rejection of asylum claims, detention or deportation. Their experiences reflect a deep ambivalence between a sense of autonomy, on the one hand, and of profound hope- and powerlessness, on the other.

The course of these interrupted journeys varies, including pathways into and out of illegality, as well as into and out of the asylum system. Some people apply for asylum in a European country, yet their applications are – often repeatedly – rejected. They might move on to another state and enter the asylum system anew – often only to learn that their application will not even be processed, due to the Dublin Regulation that allocates one European country to each asylum seeker (see [Chapter 2](#)). In the case of such so-called 'secondary movements' people seeking protection can be sent back to the country responsible for their case, adding yet another layer of (enforced) mobility.

Other people find work in the informal labour market for short or long periods of time. In the case of job loss or because of precarious and exploitative working conditions, they might consider moving to another country in the hope of improving their living conditions. Some apply for asylum as they do not have social networks that could offer support or access to informal employment. Others manage to obtain legal status in a European country, yet they still experience precarity because of the temporary nature of their permit or because they cannot access the labour market and social allowances. As a consequence, they might decide to move to a country that promises better economic conditions and work opportunities, but end up once again in a state of uncertainty, because despite holding valid residence

papers in a Schengen state, which protects them from deportation to their country of origin, they are often still not allowed to work.

These examples demonstrate how so-called irregular migration can overlap with the asylum regime, as people are pushed into illegality due to the negative outcome of an asylum application and because illegalised people (re-)enter the asylum system as they try to find a solution to secure their stay in Europe. It is undoubtedly impossible to draw a coherent picture of these overly complex, diverse and fragmented journeys. They differ in their overall length, in the length of time spent in one place, and also in their geographical scope and the legal status held by the individuals. What connects the journeys of this book's protagonists, however, is their multi-linear movement based on opportunities that arise along the way, on the one hand, and law enforcement, on the other. The result is an often spontaneous and short-term way of movement and a high degree of instability regarding many aspects of migrants' lives – a condition defined by permanent transience.

Navigating the European Migration Regime seeks to understand the consequences and implications of migrants' everyday resistance, both for themselves and for migration governance. Focusing on migrants' continuing journeys, I ask how – and at what cost – people with a precarious legal status navigate the migration regime on their interrupted journeys throughout Europe. I am thus interested in individuals' tactics of bypassing the constraints of a migration regime that seeks to gain control over their movement into and within the Schengen area. Beyond that, I explore how and based on what legal, discursive and political rationales or categorisations the European migration regime produces precarity, vulnerabilities and specific migration patterns.

My interlocutors' intricate trajectories defy simple conceptualisations of migration movement with clear starting and end points and challenge conventional approaches to and categorisations of migration. Much migration research focuses on either the causes or the consequences of individuals' migration process (BenEzer and Zetter, 2015) and fails to pay enough attention not only to the periods between departure and arrival but also to 'pre-migration mobility and post-migration mobility' (Schapendonk et al, 2021: 3245). This becomes even more pertinent when people are continuously en route for extended periods of time.

The analytical power of focusing on mobile people's journeys has been acknowledged by a number of migration scholars in recent years (Schapendonk and Steel, 2014; BenEzer and Zetter, 2015; Brigden and Mainwaring, 2016). Ethnographic research on trajectories of people seeking protection throughout and beyond Europe has shed light on how migrants navigate external and internal European borders and an intricate bureaucratic maze (see, for instance, Collyer, 2010; Belloni, 2019; Fontanari, 2019; Schapendonk, 2020). Taking individuals' complex journeys as a starting point

helps to overcome certain epistemological and methodological challenges that migration studies have been confronted with.

First, focusing on journeys allows for the denaturalisation of state-induced categorisations (Wimmer and Glick Schiller, 2002; Dahinden, 2016) as it pushes researchers to recognise that individuals occupy – or are categorised into – diverging ‘mobility categories’, such as ‘asylum seeker’, ‘irregular migrant’ or ‘refugee’ throughout their lives. At the same time, it is crucial to pay attention to the different kinds of ‘regimes of mobility’ (Glick Schiller and Salazar, 2013) that produce these categories, and thus render visible ‘the making of migration’ (Scheel and Tazzioli, 2022).

Second, taking journeys as a starting point of a migration regime analysis points to the ineptitude of limiting research to a single nation state. This became evident during the many hours I spent listening to people’s narratives about their mobile biographies, their tactical engagements with policies and state control, their social networks, their imagined futures, and the effects of contemporary migration policies on their lives. Policy-making and migration research still rely largely on national evaluations of, for example, ‘reception conditions’ or migrants’ ‘integration efforts’ and therefore fail to take into account the transnational dimension of migrants’ experiences and practices (Glick Schiller et al, 1992). Besides, migration governance itself increasingly takes place across borders as well (Collyer and King, 2015). The various sites of migration control, such as asylum and reception centres, migration authorities, police stations, are always embedded in an international migration regime that is divided into national and subnational entities that complement, contradict or contest each other. Only by adopting a transnational perspective (Dahinden, 2017) can we understand that many protection seekers often live for lengthy periods in places with extremely limited room for manoeuvre, where they experience a lack of privacy and where they are forced to endure a legal limbo. Such a perspective is central to render visible that people’s journeys often end up in veritable odysseys when they move – or are pushed – from camp to camp or from one abusive employment to another.

Third, and related to the previous point, concentrating on journeys highlights the temporalities of being on the move. In policy making and research, the fact that many people are on the move for a long period of time and are repeatedly uprooted from different contexts is often overlooked. As a result, the consequences of such long-term instability are neglected. Given the durable nature of ongoing – but repeatedly interrupted – mobility and the lack of a clear direction, I focus on people’s mobility as a particular mode of existence, which may or may not result in permanent settlement (Moret, 2018).

While concentrating on people’s movements may run the risk of overemphasising periods of actual physical mobility and thus neglecting

phases of being stuck in one place, I decided to discuss ‘interrupted journeys’ (Wyss, 2019) to pay due attention to the various structural barriers and disruptions encountered by migrants and to the fact that both mobility and immobility play a constitutive role in people’s trajectories (Schapendonk et al, 2021). On their journeys, mobile people can find themselves – for short or long periods – held in a detention centre (Bosworth, 2014; Amit and Lindberg, 2020), trapped in asylum camps (Campesi, 2015), or the fulfilment of their migrant project is on hold as they are caught up in lengthy legal procedures (Tuckett, 2018). Taking ‘interrupted journeys’ as a starting point helps to render visible the interaction between migrants’ subversive mobility and states’ suppressive control of people’s movements.

Rather than limiting my research to one nationality, ethnicity or state category, I look at how contemporary migration discourse and politics create a group of migrants by ascribing them ‘undeservingness’ through processes of othering. This – medially and politically constructed but highly heterogeneous – group especially concerns male (often Muslim) migrants of low social class. I take this problematic politicisation as a starting point to analyse current border control effects on individual practices, experiences and forms of exclusion. The book thus focuses on those least attributed with deservingness and by extension people who lack public sympathy due to the negative image assigned to them. Importantly, it acknowledges the gendered and racialised dimensions of these public representations. Applying an intersectional perspective, this book demonstrates how the negative representation of certain groups of (Muslim) male migrants (mostly from North and West African countries) fuels the call for repressive policy making and impacts the way law is implemented. Overall, the objective is to create alternative narratives of those who are so often depicted as fraudulent ‘tricksters’ and dangerous, undeserving others.

With a focus on migrants’ journeys within Europe, I run the risk of portraying my interlocutors’ experiences as being limited to Europe. Despite the well-known fact that 86 per cent of refugees currently live in so-called developing countries (UNHCR, 2021), contemporary public discourse in Europe often gives the impression that Europe shoulders the main ‘burden’ and that precarious migration only happens in the direction of Western countries. It is key to keep in mind that the journeys of many of my interlocutors went beyond Europe (see also Collyer, 2010; Schapendonk, 2010; Crawley et al, 2016). Many of them have already been en route across numerous non-European countries for months or years before their arrival on European soil. Migrants’ journeys might also continue beyond Europe after they first arrive in a European country. For instance, five of my 23 key interlocutors were deported to their countries of origin. Three of them later returned to Europe. Moreover, four other people spent some time in

their country of origin after having received temporary permits in Europe, which enabled them to legally move back and forth between their country of citizenship and their current country of residence. Finally, one person returned to his country of origin on his own.

Despite these – at times long – stretches of migrants’ journeys outside of Europe, the focus of this book is on migrants’ mobility *within* Europe to demonstrate that their movements do not stop upon arrival on European territory. While the EU and its bilateral partner countries open the internal borders in the Schengen area to their own citizens (and acknowledged third-country residents), they close them to ‘unwanted’ migrants by applying the Dublin Regulation, making the navigation of this space more hazardous for people who lack the right documents. I show that the European migration regime, in fact, ensures the prolongation of migrants’ journeys, which migrants experience as highly exhausting. This also challenges the common representation of Europe as a safe haven and as the upholder of human rights (De Genova, 2017b) and sheds light on the fact that journeys not only *to* Europe but also *within* Europe can be dangerous.

Navigating the European migration regime

The following chapters in the book build on a migration regime perspective that goes beyond a state-centric approach and presents migrants, state actors, non-state actors (such as civil society, non-governmental organisations and private companies) as mutually entwined forces and as co-constitutive for migration governance – however, endowed with highly unequal stakes (see for instance Eule et al, 2018, 2019; Pott et al, 2018). Accordingly, the focus here is on a praxeological and relational understanding of the migration regime, which is interested in everyday practices, concrete relations and interactions between different actors as well as in the multi-layered nature of its formation. Such an approach captures the emergence of a migration regime that is defined by complexities and contradictions, strongly impacted by contemporary discourse and politics, and that produces unintended consequences (Horvath et al, 2017) – and is thus inherently ‘messy’ (Eule et al, 2019). In this understanding, a migration regime is ‘usually not the outcome of consistent planning’ but of ‘waves of “quick fix” to emergencies’ and thus the ‘result of continuous repair work through practices’ (Sciortino, 2004: 32f). It is in constant flux and evolves from continuing negotiations and struggles between conflicting actors, institutions and discourses (Hess et al, 2018).

Such an understanding inevitably diverges from seeing Europe as an impermeable fortress (Tsianos and Karakayali, 2010) and underlines the always provisional character of migration law and control practices, which react to new migratory movements and practices as well as to changing political trends.

This was one of the driving factors which led migration scholars to build on the regime concept as it encourages the consideration of migrants' agency as a co-constitutive and disruptive aspect. State power to control, filter and deter politically unwanted migratory movement is always incomplete for different reasons: law implementation fails to accomplish its policy goals (Hollifield, 1986); states' sovereign power to halt 'unwanted migration' is limited by their own legal frameworks (Joppke, 1998); a prospering 'illegality industry' has its economic profits (Andersson, 2016); and there are autonomous aspects of migration (Tsianos and Karakayali, 2010; De Genova, 2017b).

A migration regime approach benefits also from insights from anthropological literature on the micropolitics of the state, which explores how the state functions in everyday life and is experienced and shaped by different actors (Sharma and Gupta, 2007; Fassin et al, 2015). This strand of literature can be translated to the migration regime approach to throw light on how the latter materialises in banal everyday practices and interactions with authorities and institutions, such as in the context of refugee camps, during consultations with lawyers or migrant support networks, but also in paperwork, in the categorisations of people according to their residence permits or during police checks. What is of interest, therefore, is how the migration regime operates in practice and thus in the concrete everyday actions of and encounters between the various actors.

Notably, a migration regime approach allows for the acknowledgement of the highly unequal bets at stake but at the same time takes seriously the disruptive effect of migrants' practices for migration control attempts. While foregrounding the experiences and tactics of individual migrants who challenge and co-shape the formation of the migration regime, I interpret their encounters and negotiations with other actors without assuming a simple 'state versus migrants' dichotomy (Kalir and Wissink, 2016). My approach to the migration regime is rooted in the conviction that on-the-ground practices by a multitude of actors – be it street-level bureaucrats, non-governmental organisations, or migrants – are important for the ways migration governance takes shape. The following chapters oscillate between descriptions of how migration control is enacted and how migrants react to these exclusionary state practices, on the one hand, and on the other, how migrants appropriate illicit mobility (Scheel, 2019) and how states respond to migrants' subversive practices. Thus, the chapters of this book explore both the way in which migrants are subjected to the effects of the migration regime and the way in which they navigate and contest the migration regime.

Focusing on the *navigation* of individual border-crossers is helpful for such an actor- and practice-based approach as it drives us to disentangle different – both structural and individual – dimensions that contribute to the shaping of migrants' subjectivities, their (im)mobility, their struggles

and their social, legal or economic inclusion. Vigh (2009: 420) defines ‘navigation’ as ‘a special form of movement: that is, the way we move in a moving environment’. As I will demonstrate, the legal and political migration landscape is constantly changing (Chapter 2). Hence, what my interlocutors encounter is indeed a ‘moving environment’, which they somehow have to manoeuvre. Importantly, Vigh conceptualises navigation as an active engagement with shaky grounds fraught with uncertainties and unpredictability. Navigating ‘is directed both towards making one’s way through immediate difficulties as well as directing one’s life positively into the future’ (2009: 424). People’s movements thus follow a – however vague – direction that promises to lead to a desired future. Navigating thus captures both the violent conditions and simultaneously considers migrants’ active engagement, negotiations and struggles with these conditions (see also Schapendonk, 2018, 2020).

I find it important to examine different levels on which such navigation within the migration regime takes place. First, my interlocutors are confronted with a public and political discourse, which they have to deal with (Chapter 3). They are ‘othered’ and constructed as undeserving and are thus forced to counter such negative stereotypes. They confront stigmatising, racist and de-vulnerabilising representations that affect their lives and which they are forced to act upon. Such a *navigation of discourses* thus includes processes of distancing, contestations and ‘de-criminalisation’ when it comes to creating new self-representations. Second, migrants constantly have to *navigate migration control* on their way to and through Europe. In Chapter 4, I argue that they can escape certain control practices by remaining mobile, while at the same time there is an increasing attempt on the part of states to regulate migrants’ unruly mobility through enforcing mobility, as in the case of deportations. Third, migrants need to find ways to *navigate the uncertainty* they experience (Chapter 5). The European migration regime remains highly inscrutable, and it is difficult for individuals to anticipate the implementation of laws, which is why migrants often have to rely on informal and unreliable channels of knowledge transfer. Finally, the stories of my interlocutors reveal how they are forced to manoeuvre laws and regulations on various political (supranational, national and subnational) levels defining different aspects of their lives. *Navigating the law* (Chapter 6; see also Chapter 2) consists of finding a way through bureaucratic mazes, learning about loopholes in the law and acquiring knowledge about local policies. The common factor in all of these – overlapping – dimensions of navigation is that they are highly ambiguous and unpredictable, which requires people to constantly weigh up the risks and opportunities in situations where it is difficult to anticipate the outcome. The following empirical chapters shed light on each of these various dimensions.

Migrants' tactics within spaces of asymmetrical negotiation

Media and politicians frequently cast the protagonists of this book as 'economic refugees' or discuss them within the context of 'asylum abuse', implying that they do not deserve international protection. Furthermore, their image in the public eye as 'bogus' refugees, 'illegals', villains or potential terrorists grants them – one might say – too much agency (Bhatia, 2015). Simultaneously, and somewhat paradoxically, the depiction of refugees and asylum seekers is often based on a passive, dependent and apolitical image (Chapter 3; see also Agustin, 2003). Thus, the public and political discourse attributes either an absence or an abundance of agency to those who hold a precarious residence status (Mainwaring, 2016).

Ignoring migrant agency, as Mainwaring (2016: 291) argues, 'reifies the power of the state to "secure" borders and control migration, and conceals the contested politics of mobility and security evident in negotiations between migrants, border guards, smugglers, fishermen, and other actors'. Envisaging my interlocutors as actors who find ways to navigate insecure, unstable and quickly changing circumstances requires regarding them as 'strategic actors' (Collyer, 2012) – something that is rarely done in policy making where rhetoric on the 'management' of migration dominates. Despite their room for manoeuvre being severely limited, people with insecure residence status still manage to find loopholes and continuously challenge and contest the migration regime. Increasingly elaborate border control has failed to thoroughly 'manage' migration, but these state attempts to control nevertheless heavily restrict individuals' practices, for instance by forcing border-crossers to take longer and more dangerous journeys (Collyer, 2007; Andersson, 2016).

In this book, I foreground individuals' tactics as a disruptive element to the smooth functioning of migration control practices. Combining a migration regime approach with literature on ordinary people's everyday resistance allows us to zoom in on the interdependencies of migrants' tactics and states' control practices without neglecting individuals' agency nor denying the violent effects of states' control practices. State authorities and migrants 'engage in a reciprocal cycle of discipline and resistance, of law enforcement and avoidance' (Eule et al, 2018: 2717). These negotiations between different actors within the migration regime are constantly evolving within 'spaces of asymmetrical negotiations' (Eule et al, 2018).

The narratives I listened to during my research were almost devoid of political organisation or collective struggles. Only a few of the research participants came into contact with or were part of political organisations such as No Borders activist groups (cf Sigona, 2012). Their high degree of mobility

renders inclusion in local networks difficult and thus also challenges participation in collective political action. However, my interlocutors' accounts were full of stories regarding everyday negotiations with border guards, acts of avoiding law implementation, secretive border crossings and forging documents. In order to theorise such everyday resistance of marginalised migrants within the migration regime, I find it helpful to draw on anthropological and sociological approaches.

De Certeau's (2002) distinction between *strategies* and *tactics* differentiates between the calculated practices of actors endowed with power, on the one hand, and actors who lack power, on the other. Whereas strategies are within the realm of those in power, tactics are understood to be the 'art of the weak':

The space of a tactic is the space of the other. Thus it must play on and with a terrain imposed on it and organized by the law of a foreign power. ... It operates in isolated actions, blow by blow. It takes advantage of 'opportunities' and depends on them. ... What it wins it cannot keep. This nowhere gives a tactic mobility, to be sure, but a mobility that must accept the chance offerings of the moment. ... It must vigilantly make use of the cracks that particular conjunctions open in the surveillance of the proprietary powers. ... It creates surprises in them. It can be where it is least expected. (2002: 36f)

This quote can be aptly applied to describe migrants' 'tactical' navigation of the European migration regime. Migrants 'make use of the cracks' in the legal framework, they need to apply flexibility to take advantage of the 'chance offerings of the moment' and 'the advantage of opportunities' and they repeatedly leave and enter spaces of legality – and thus win what they 'cannot keep' (see also Collyer, 2012).

Similar to de Certeau's tactics, Scott coined the term 'everyday resistance' in his book (1985) on peasants' struggles during the Green Revolution in Malaysia. Everyday forms of resistance may not overthrow the system, but nevertheless disrupt it. These 'weapons of the weak' 'are unlikely to do more than marginally affect the various forms of exploitation' (2002: 29f). Yet, it would be a mistake to view such modes of resistance as trivial, for they in fact limit the state's power to control its population. The conceptualisation of everyday forms of resistance is applicable to the notion of the migration regime, which is understood to be constituted through everyday practices and encounters or struggles between a variety of actors within asymmetrical power relations. Whereas migrants engage in different forms of everyday resistance, states respond in different ways by recasting policies, 'encouraging voluntary compliance' (Scott, 1985: 36) or employing more coercion. I will identify different forms of such everyday resistance or, in de Certeau's

terminology tactics, aimed at enabling migrants to prolong and eventually secure their presence in Europe.

Critical border and migration scholars have subsumed the creative force and transformative power of migration as ‘autonomy of migration’, presuming that the movement of people always *precedes* the movement of capital and state control (Bojadžijev and Karakayali, 2007; Moulier Boutang, 2007: 169f; Papadopoulos et al, 2008; Mezzadra, 2011; De Genova, 2017b). Papadopoulos and Tsianos (2013: 184), for instance, write that ‘migration is autonomous, meaning that it has the capacity to develop its own logics, its own motivation, its own trajectories that control comes later to respond to, not the other way round’. Migration is thus conceived as a social and political movement and an autonomous force, which transgresses borders and challenges nation states (Benz and Schwenken, 2005; Papadopoulos and Tsianos, 2013).

While I agree with many aspects of this perspective, I am hesitant to speak of a primacy of migration over state control because human mobility can also occur as a response to state control, for instance as a reaction to state persecution or when migrants engage in onward mobility as a result of hostile conditions they encounter in European countries (see Chapter 4). Moreover, the autonomy of migration approach tends to conceive of migrants and states as permanently opposed actors whose strategies and tactics inevitably contradict each other. Of course, the fact that migrants are illegalised and deemed unwanted implicates such an understanding. However, when we examine in more detail on-the-ground practices, we find a more complex picture than the simple opposition of migrants and the state (Hasselberg, 2016; Kalir and Wissink, 2016). As I will show in the following chapters, migrants also comply with laws and appropriate them, which is why we cannot merely perceive migrants’ tactics as always being ‘against the state’ (Chapter 6).

Furthermore, the autonomy of migration approach risks romanticising migrants’ movements and failing to take seriously the restrictive effects of border control (see, for instance, criticism from activist networks: Omwenyeke, 2004), and tends not to take into account the very different conditions under which people migrate (Benz and Schwenken, 2005). Despite the emphasis by proponents of the autonomy of migration approach that ‘there is no space for romanticisation of nomadism and migration in the autonomy of migration approach’ (Papadopoulos and Tsianos, 2013: 184), the notion still suggests celebrating migration (see also Chapter 7).

Yet, there are several aspects of the autonomy of migration approach that I consider useful and that have informed this research. First, it enables an understanding of migration that normalises the process of migrating and consequently refrains from a need to react to migration either through humanitarianism (Fassin, 2012) or securitisation (Huysmans, 2000). Second,

the approach pushes migrants' practices and struggles to the forefront of the discussion instead of taking the nation state as a starting point, and third, it allows for the perception of migrants as tactical actors with a strong will to pursue their aspirations rather than as a manageable flow of people invading the 'fortress Europe'.

Naming and categorising people on the move

The journeys my interlocutors undertake thwart clear-cut categorisation of mobile people and emphasise the importance of going beyond the dominant and simplistic discourses about migration which frequently dehumanise migrants. Categorising a group of people as 'migrants' already reinforces 'the naturalization of the borders' (De Genova, 2017a: 6). Similarly, the very act of identifying human mobility as 'migration' implies that a person's 'mobility appears as a problem, that is as something to be governed and controlled' (Tazzioli, 2020: 6; see also Anderson, 2019). Following Schapendonk and colleagues (2021: 2), I do not 'see "migrancy" as a pre-given marker of difference, but as a normative artefact of mobility regimes'. Thus, the objective is not to normalise migration-related differences (Dahinden, 2016) but instead to render visible how 'regimes of mobility' (Glick Schiller and Salazar, 2013) and concomitant state categorisation produce particular social realities – and indeed also 'migrants' themselves. Borrowing from Scheel and Tazzioli (2022: 2), a migrant is 'a person who, in order to move to or stay in a desired place, has to struggle against bordering practices and processes of boundary-making that are implicated by the national order of things'.

Migration governance hinges upon the allocation of clear administrative categories – such as 'asylum seeker' versus 'political refugee' – to individuals (Feldman, 2012). These categories do not define distinct groups of people but rather produce legally constructed phases, between which people frequently shift. Yet, migration studies tend to limit research to one of these categories and thus reinforce nation states' categorisation (Wimmer and Glick Schiller, 2002). Hence, they often fail to consider the fluctuation between different legal statuses. A focus on mobile biographies thus seeks to 'disrupt such categorizations through its knowledge of interconnection, transnationalism, complexity and hybridity' (Mayblin and Turner, 2021: 38) and simultaneously pays due attention to how the very categories severely circumscribe individuals' room for manoeuvre and stem from states' attempts to limit and channel people's movements.

Both activists and scholars have pointed out the power of labelling and the problematic effects of simplistic and often dichotomous categorisations of migrants (Zetter, 1991; Dahinden, 2016; Crawley and Skleparis, 2018; Sigona, 2018). In practice, distinctions between ‘voluntary’ (mostly individuals moving for economic reasons) and ‘forced’ migration (referring to ‘genuine’ refugees) are far from being dichotomous, but rather evolve on a continuum (Yarris and Castañeda, 2015; Crawley and Skleparis, 2018). The use of other categories – like ‘il-/legal’, ‘ir-/regular’ or ‘un-/documented’ migrants – has been rightly deemed problematic due to their normative connotation (see for instance Andersson, 2014; Menjívar and Kanstroom, 2014).

An essential characteristic of migrants’ interrupted journeys throughout Europe is the frequent changes of labels and statuses assigned to them, which makes it challenging to find a suitable terminology. People move in and out of legality and thus show what Schuster (2005) has termed ‘status mobility’. Their legal status is mostly ‘liminal’ (Abrego and Lakhani, 2015) because of its temporary nature or because of the restrictions associated with it (for instance, the prohibition to work during asylum procedures).

A major theme that runs through this book is the connection between asylum and illegalised migration. Claiming asylum is often the only way for many non-European citizens to obtain a residence permit. All my interlocutors have applied at least once for protection status in Europe – none of them, however, was granted refugee status. All research participants thus had in common that – for different reasons – they were unlikely to obtain legal residence permits in their country of choice and that they were exposed to restrictive migration control attempts. While they switched between different legal statuses, these were all marked by uncertainty, unpredictability and instability, which is why I use the term ‘migrants with a precarious legal status’ (cf Goldring and Landolt, 2013). This notion includes people who are illegalised – either because they have never been registered and live in a ‘space of nonexistence’ (Coutin, 2003) or because their asylum application has been rejected. It also includes people who remain in an asylum or other legal procedure as they await a decision regarding the right to reside; or others who have been granted a residence status in one country but have travelled to another, only to once again find themselves in an irregular situation. Finally, some of my interlocutors have previously held a legal status but have lost it again due to its temporariness.

Stressing the precarity of my interlocutors’ legal statuses also acknowledges that states tacitly tolerate allegedly ‘unwanted’ migrants whose presence is defined by a state of ‘deportability’ (De Genova, 2002) as ‘they offer a cheap and readily disposable supply of labour’ without burdening states with social and welfare costs (Bloch et al, 2011: 1288; see also Wyss and Fischer, 2022). The illegalisation and precarisation of migrants hence serve certain economic interests and thus render them also *wanted* to some extent.

On mobile and not so mobile research methods

There is an abundance of studies – both academic or commissioned by policy makers – that attempt to anticipate or measure ‘migration risks’, ‘migration flows’ or degrees of ‘integration’. The governance of migration depends upon the counting of people, who are rendered visible as numbers to state authorities (Scott, 1999). This book is about a group of people that move in and out of sight of the state and that are thus by definition difficult to count – despite the increasing number of data banks storing fingerprints and other information on migration. In such numeric accounts, complexities and contradictions mostly vanish as individual nuances and differences within single social entities are easily overlooked. Individual aspects of experiencing migration, people’s multi-layered struggles and their perspectives on migration control are barely taken into account; nor are their gendered and racialised experiences in Europe and their everyday negotiations with different actors. To capture all these aspects, this study is embedded in the anthropological tradition of actor- and practice-centred research. Its aim is to chart migrants’ narratives and mobile life stories in order to theorise migration and its governance through the asymmetrical interplay of different regulations and actors constitutive of the European migration regime.

This book builds on two techniques suggested by Marcus (1995) to capture the transnational dimensions of social realities. Taking individual migrants’ journeys as a starting point, on the one hand, I ‘followed’ people’s narrated biographies, and on the other, I ‘followed’ people themselves (1995: 106ff). Such an approach allows for the understanding not only of the inherently transnational character of migrants’ practices, aspirations and social networks, but also of migration control attempts. Similar to what Schapendonk (2012b; see also Schapendonk and Steel, 2014) calls ‘trajectory ethnography’, I revisited some key interlocutors after they had (or were) moved to other countries or places and stayed in touch with them over an extended period of time through phone calls or Internet communication. The combination of narrative interviews and the ongoing contact enabled me to focus on the *past* and *present* of my interlocutors’ journeys, and to a certain extent their *future* prospects. Such a long-term perspective renders visible the changing nature of living conditions that affect migrants’ everyday lives, as well as individuals’ transnational tactics to take advantage of opportunities and deal with obstacles they encounter along the way. It also allowed for the consideration of alternating moments of resistance and powerlessness as well as the understanding of how struggles, hopes and conditions change over time.

However, there are limitations to a multi-sited research design and the focus on journeys. By concentrating on individuals’ journeys, the importance

of – however short-term – embeddedness in a local setting might be neglected. Yet locality matters: it is the local context where legal regulations are put in practice, where migrants are fingerprinted, cared for, or detained, and in which people go about their daily lives. For these reasons, participant observation played an essential role during my research. Over the course of a year, I spent many hours in an asylum facility in Switzerland to gain a deeper understanding of the variety of interrelating institutions and actors that play an important part in shaping my interlocutors' everyday lives. Participant observation unveiled crucial aspects that were absent from oral accounts. During interviews, interlocutors often emphasised significant disruptions to their journeys or incisive experiences, such as successful border crossings, losing a job or memorable encounters with people. Instances that enforced, enabled, or limited onward migration were particularly dominant. Yet, the emptiness and idleness of everyday life during lengthy periods of waiting for a border to open, for a legal procedure to end or for a new opportunity to arise are also fundamental aspects of migrants' journeys which remained less articulated and would have been difficult to capture through interviews only.

I conducted a large part of my research in a federal facility for asylum seekers in Switzerland,² led by the Swiss State Secretariate for Migration, where I spent several days a week from August 2014 until August 2015. In Switzerland, asylum seekers are first sheltered in federal asylum facilities before they are allocated and transferred to the cantonal level. At the time of my research, those with a good chance of being admitted to the national asylum procedure usually spent only a few days or weeks in a federal asylum facility before being transferred to a cantonal shelter.³ This was different for many people with 'likely unfounded applications' (Poertner, 2017) who were accommodated in these large securitised federal asylum camps for longer periods of time (up to 90 days) while authorities reviewed their cases. The isolated location and securitisation in these camps facilitate control over their residents and help prevent their 'integration' into the local community, which could help them remain in the country clandestinely after their applications are rejected – a risk that authorities seek to avoid.

The asylum camp where I conducted my research was a charmless complex located on a military compound. Housing up to approximately 150 asylum seekers, the camp was surrounded by walls and fences and only accessible through a gate, with tight security measures in place. Residents were only allowed to go off site during the day and over the weekend. Sleeping arrangements were large dormitories equipped with bunk beds for 20 people, and the common area comprised a TV and table football.

During hundreds of informal conversations, I heard many accounts of arduous journeys throughout and beyond Europe. People told me about their travels through the desert and across the sea, about their concerns for their families and about how much they suffered from long-term insecurity

and experiences of continuous social, legal and economic exclusion. They talked about their desires and aspirations to finally arrive at a destination and find a job. Others showed a thirst for adventure and proudly told me how many borders they had crossed illegally and how they managed to outsmart migration controls. These conversations informed large parts of my study and contextualised the narrative interviews I conducted with key interlocutors. Besides fieldwork in the asylum camp in Switzerland, I conducted participant observation in different locations. This included accompanying people to legal counselling or to meetings with their lawyers and visiting them after they were transferred to other shelters or deportation centres or after they had absconded to circumvent deportation.

Since individuals' lived experiences are at the heart of this study, narrative interviews with 23 individuals holding a precarious legal status formed a central part of the collected data (Rosenthal, 2011).⁴ As Eastmond (2007: 254) points out, narratives allow for a nuanced representation of people and thus counter 'over-generalised and de-individualizing images promoted in a receiving society or a camp situation'. This is particularly important as individual variations often cease to exist in the bureaucratic handling of clients and in the formalised language of policies where standardised categories are predominant (2007: 254). Personal stories explain how individuals make sense of the bureaucratic maze in which they find themselves, or how they keep their hopes and aspirations alive.

Within the asylum context, narratives occupy a special position as narrated life stories form a cornerstone of every asylum procedure (Good, 2007). Accounts of past suffering profoundly impact the chances of being granted protection. Importantly, migration authorities do not only scrutinise the *content* of these stories but also the *way they are told* because asylum decisions are to a large extent based on the assessment of 'credibility' due to a frequent lack of 'hard proof' (Bohmer and Shuman, 2018; Affolter, 2021). Thus, asylum applicants are required to possess 'narrative capital' (Beneduce, 2015): They need to convincingly tell their life stories and to present themselves according to 'criteria that define an "ideal" victim' (2015: 554).

Accordingly, the oral narration of personal biographies was an essential experience for all my interlocutors. This fact made the interview situation challenging, and subjected interviewees to a similar experience to that of their asylum hearings. In order to distance myself and the interview situation from legal proceedings, I tried to avoid questions that too closely resembled those likely to feature in asylum procedures and focused instead on issues such as experiences of illegalisation and criminalisation or people's personal hopes and aspirations (Black, 2003). For instance, I did not ask direct questions about people's reasons for leaving their countries of origin. In addition, I shared my own critical assessment of current migration governance in

Europe and informed my interlocutors about my involvement with an activist and anti-racist NGO which provides legal support for migrants.

My interlocutors had very slim chances of obtaining international protection or any other form of residence permit. This is due to a combination of characteristics such as their socio-economic background or situation in their country of nationality.⁵ Ten interlocutors originated from a North African country, seven from a West African country, two from an East African country, two from the Middle East, one from a South Asian country and one from a Balkan country. Their ages ranged from early twenties to late forties. In most cases, I got in touch with interviewees during my fieldwork in the asylum facility or (in a few cases) through snowball sampling. Additionally, I interviewed three people who I met through other personal contacts. I conducted interviews in a café or a public place, with the exception of a few interviews that I carried out within the asylum camp due to reasons of practicality (for instance, time constraints because residents had to return to camp in the early evening).

A significant part of data collection for this research project centred around 'following' journeys of a few key research participants. On the one hand, I kept in touch via the Internet or telephone with 19 of the key research participants over a prolonged period. This way, I could (virtually) follow their journey, even if it went beyond the borders of Europe as in the case of research participants who were deported to their country of citizenship. On the other hand, approximately a year after our first encounter, I conducted a follow-up interview with nine people after they had left or been transferred to other places (two within Switzerland, one in Italy, three in Germany and three in Austria) where I re-visited them. These second interviews were slightly more structured and centred around my interlocutors' current living conditions and the time between our different encounters. I spent two months in Italy where I visited two former residents of the Swiss asylum facility (one of whom I had already interviewed in Switzerland). Both had been deported to Italy according to the Dublin Regulation. I met them on several occasions during my stay in Italy, was introduced to some of their friends and visited places where they spent their time.

Importantly, I was taking part in the lives of research participants to quite different degrees. I have kept in touch with some participants for several years. I have met them not only for interviews but accompanied them to appointments, visited them in their temporary accommodation and discussed for many hours the (limited) options for improving their situation. If possible, I supported them with more minor things such as writing a statement for their legal proceedings, trying to act as an intermediary between legal counsellors and themselves as clients or by just being a friend in a difficult moment. With other research participants I conducted only one interview and with still others I had only informal conversations. The quality and

depth of data thus varied considerably from interlocutor to interlocutor. This heterogeneity of data is reflected in the way I used the collected information in the analysis. Information from more sporadic conversations or observations has been given less priority and was considered only if identified as being part of a repetitive pattern. In contrast, reconstructions of the live stories of my key research participants constitute a central part of the empirical chapters (Chapters 2 to 6) in the form of lengthy descriptions, which are visibly set apart from the rest of the text. It was important to me not just to weave individual interview fragments into the chapters, but to let these life stories stand on their own, as I believe they already reveal much of the complexity, experienced insecurity and the perseverance of migrants that this book is about.

Additionally, semi-structured interviews with 17 people employed in the field of asylum and migration served to complement the picture.⁶ Also, I had numerous informal conversations with members of staff of the asylum facility where I conducted a large part of my research, with state officials, legal experts, and also with activists and volunteers, as well as fellow researchers. These interviews and conversations not only offered a better understanding of the ‘many hands’ involved in the formation of the migration regime (see [Chapter 5](#); and also [Eule et al, 2019](#)), but also provided more information on legal regulations, institutional settings as well as the issues of asylum and so-called irregular migration in general.

Data collected from marginalised, criminalised and illegalised people is particularly sensitive because of the risk of disclosing information about individuals who actually rely on remaining invisible, which in turn could make them more vulnerable to law enforcement ([Düvell et al, 2008](#)). My frequent exchanges with colleagues who conducted ethnographic research with border police officials and in migration agencies enabled me to make sure that my texts do not contain such information which could potentially harm my interlocutors (see also [Düvell et al, 2008: 8](#)). To ensure that my interlocutors cannot be identified, I have anonymised all names and omitted the nationality of key research participants (instead I refer to the broader geographical region), their exact age, the locations where I conducted research and certain dates (for instance of asylum applications or deportations).

How borders permeate research relationships and knowledge production

The years I spent conducting research on this topic were accompanied by a certain unease in participating in discourses where we talk *about*, instead of *with*, people categorised as migrants. I think such unease is inevitable when research concerns people who are exposed to precarious and violent conditions. Given the persistence of global – racialised, gendered and classed – inequalities, which manifest themselves not least in research

relations, we cannot and should not simply overcome these feelings of unease but instead seek to learn from them and mobilise them by reflecting and problematising these inequalities in public in our role as scholars.

Reflecting on research relations not only enables the fulfilment of an essential anthropological task, but it also has an epistemological value of its own, as it helps to analyse the multi-layered power dynamics at play not only between the individual researcher and the research participants, but also within a broader social field. As the researcher herself is her primary research tool (Gill and MacLean, 2010), reflections on her racialised, classed and gendered positions are not only important as they contextualise the research and the results, but also because they are a tool to understand certain things and not others (see also Lumsden, 2009). Part of this has been the constant reflection on how borders permeate research relationships, which I want to exemplify with the following examples about migrants' perception of my position during research:

'I think [it] is because you joke and talk with people so freely that [they] think you want to get info from people or that you work with the police.' (Internet communication with Daniel in 2015)

On the way out of the camp, Malek approached me and asked me if I knew that some people were claiming that I was from the police or the migration office. I affirmed that I had heard of similar rumours. Habteab sat down next to him and said that people are used to not trusting anyone. (Field notes, 2014)

These two examples describe the ubiquity of a 'culture of suspicion' (Bohmer and Shuman, 2018; Borrelli et al, 2021a) which permeates the migration regime, both on the part of the host community that 'others' those who are not seen to belong and on the part of individuals in a precarious legal situation who must constantly weigh up whom they can trust (see also Chapters 3 and 5). The suspicion towards me within asylum structures highlight the pervasive effect that the state and borders have on interpersonal relationships. Thus, during my research, I also encountered mistrust myself when people raised concerns about my position and my independence from the migration control apparatus. Many of them probably wondered what I was doing sitting with mostly young and male camp residents, showing an interest in their hardships and tactics to cope with them. This was the sort of curiosity they usually experienced in encounters with state authorities.

Because of this prevailing culture of suspicion, it was essential to first gain my interlocutors' trust in order not to reinforce their feeling of powerlessness (Bilger and Van Liempt, 2009). This included taking the time to inform them about the aims and conditions (such as voluntariness) of participating in the research project. I particularly emphasised the fact

that my research project had nothing to do with migration authorities and that all personal information would be treated as strictly confidential. Also, I found it important to share personal information about myself and my political positioning in an open and candid manner to make at least myself a bit more transparent. The fact that several people informed me about the aforementioned rumours demonstrates that over time it was indeed possible to develop relationships based on trust.

I had met most of the research participants on several occasions prior to the interview. By accompanying my main interlocutors over a longer period of time, they had the chance to express and discuss criticism and concerns, and the chosen research approach allowed me to adopt a listening, learning and respectful position during interviews. This meant, for instance, taking seriously stories of people feeling criminalised or racialised by authorities (Chapter 3), this perhaps not being the case if analysed from a legalist perspective; or listening carefully when people claimed that law implementation happens on an arbitrary basis (Chapter 5).

During my research, certain expectations towards me as a woman were sometimes expressed. This reveals not only the gendered tensions between a female researcher and a male interlocutor, but also the impact of illegalisation and the ways migrants act upon their exclusion. As in every long-term ethnographic involvement in a social field, I became part of my interlocutors' social network. This included the role of a potential wife, which could enable illegalised migrants to obtain a residence status. During my research, this was a recurrent topic – at times addressed in a roundabout way and at others directly (Chapter 6). I mention this not only to describe certain challenges and vulnerabilities that I, as a female scholar conducting research with a group of male marginalised people, faced, but also to depict the intersectionality of power relations. Vulnerabilities as a woman are here interwoven with my position as a non-marginalised, White woman with a Swiss passport. Thus the trust gained from my research participants might sometimes also have been guided by the prevailing hope of obtaining information, relevant networks, rights or eventually even a residence permit. These asymmetries thus demonstrate how socio-political and gendered boundaries shape the relationship between the researcher and her interlocutors and consequently also the collected data and the interpretations that are drawn from them. Such observations teach us how border regimes are deeply entangled in gender regimes and how they both permeate and affect everyday life (see also Chapters 3 and 6).

While I cannot deny that the knowledge acquired during my research was produced within unequal conditions, I hope that on the basis of this listening stance and in solidarity with migrant struggles, I can nevertheless contribute to a discourse that normalises migrant aspirations and practices while it denaturalises migration politics and renders its violent consequences more

visible. For this reason, it is crucial to take seriously the historical construction of ‘illegality’ to shed light on the way the law produces subjectivities via legal classification, instead of studying illegality as in ‘showing it just to show it’ (De Genova, 2002: 422). Indeed, it was a challenge throughout the research process to find a way to carry out research and write about a group of people who are publicly denounced as ‘bogus refugees’ or undeserving abusers of the ‘system’ without falling into the trap of either victimising them or nurturing their negative public image. I found the migration regime perspective helpful to confront this challenge, as it considers both the overwhelming power of state migration control practices as well as the disruptive and creative tactics of migrants in their everyday navigation and avoidance of migration law implementation.

Outline of the book

The book is organised into seven chapters that alternate between descriptions of migrants’ life stories, ethnographic accounts and interview fragments. After this introduction, [Chapter 2](#) centres around the story of Walid, one of my principal interlocutors, as he navigates Europe’s legal maze and is repeatedly deported from different European countries to Switzerland, the country responsible for processing his asylum application according to the Dublin Regulation. Readers are introduced to migrants’ cyclic experiences of legal procedures and the exhaustion the latter generates for individuals on the margins of the state. The chapter introduces relevant information on migration policies and the context in which contestations and encounters among migrants, state and non-state actors take place. It demonstrates the relevance of supranational laws (such as the Dublin Regulation or the Geneva Refugee Convention) as well as national and regional law implementation. Along their trajectories, individuals move in and out of the visibility of the state as they enter legal procedures, such as asylum or regularisation procedures, or as they go into hiding to avoid detention or deportation. The chapter illustrates how migrants both seek the support of the state and keep it at arm’s length. Thus, it provides a first account of the dialectic of migrant agency and the migration regime, which this book is all about.

In the media, male migrants with a precarious legal status are often represented as potentially dangerous. [Chapter 3](#) explores how they are constructed as the ‘undeserving other’ and demonstrates how the media and political discourse on unwanted migration is highly gendered and racialised. The chapter thus contributes to an intersectional analysis of migration processes with a focus on men. Often, migrant men are represented as strong and enduring while vulnerability is mostly reserved for women and children. This frequent denial of men’s vulnerability can lead to male-specific

vulnerabilities as this chapter highlights. My interlocutors have to navigate such stereotypes – often characterised by anti-Muslim sentiments and colonial underpinnings – using different tactics, which will be introduced in this chapter.

Many migrants with a precarious legal status are highly mobile within Europe and beyond. [Chapter 4](#) underlines the ambiguous nature of mobility as both a resource for migrants to bypass migration control and an obstacle to the pursuit of their personal interests. On the one hand, migrants navigate and subvert migration and border control through exhibiting a high degree of mobility. On the other hand, they are pressurised into forced mobility as a result of migration governance. At the same time, migration control is enacted both through state strategies of enforced mobility (as in the case of deportations) and strategies of immobilisation (as when asylum seekers are prevented from moving on to other European countries). As a result, policies such as the Dublin Regulation contribute to both impeding and enforcing migrants' mobility. The protagonists of this study are basically deprived of the ability to lead a sedentary lifestyle and can become 'stuck in mobility'. Applying a mobilities perspective, this chapter makes an argument for the need to theorise the downsides of mobility that has so far been rather neglected in literature.

[Chapter 5](#) shows that migrants experience law implementation as highly unpredictable, arbitrary and as a matter of 'luck'. The chapter draws on [Veena Das' \(2004\)](#) concept of 'illegibility' to explain that the power the state holds partially lies in the difficulty for people to anticipate when and how state authorities strike. Such unpredictability is a result of the complex entanglement of actors and the always provisional and messy nature of migration law implementation which has a highly disempowering effect on migrants. The chapter argues that the unpredictability of law implementation forces migrants to rely on rumoured information, which influences their decision-making and plays a significant role in migrants' navigation of the uncertainties they encounter. Rumours transmit relevant information about law implementation or opportunities and influence the course of migrants' journeys. They also hold a subversive force as they generate new hopes and opportunities that help people overcome the challenges resulting from their social and legal marginalisation.

[Chapter 6](#) disentangles migrants' ambivalent relationship with the law from a socio-legal perspective on the migration regime. Rather than simply standing 'before' the law ([Ewick and Silbey, 1998](#)) – and thus outside of it – migrants with a precarious legal status frequently seek to act 'with the law' ([Ewick and Silbey, 1998](#)) in order to use it to their advantage. However, they often get caught up and lost within legal procedures when trying to legalise their presence, simultaneously feeling trapped by the law. The chapter conceptualises migrants' tactics as they navigate migration laws and

policies. These tactics can both involve practices of avoiding the law (such as eluding states' law enforcement) or practices of appropriating the law (such as engaging in legal proceedings in the hope of regularisation). Finally, this chapter discusses the issue of marriage, which is one of the last resorts to legalise a migration project. The chapter focuses on migrants' relationship to, and navigation of, the law and further discusses marginalised migrants' agency.

Given the mutual interrelatedness of migrants' journeys and state control practices, the concluding chapter returns to the question of how we can theorise migrants' agency in the face of an increasingly repressive migration regime. It asks what conclusions we can draw from the incompleteness of migration control for its effects on individual migrants. I argue that a long-term perspective on border struggles, on the one hand, reveals how migrants' endurance indeed poses a challenge to the smooth implementation of laws. On the other hand, I contend that states react to this endurance by putting in place new measures which attempt to turn migrants' endurance into exhaustion. Instead of celebrating migrants' resistance and capacity to navigate their way through a repressive migration regime, the chapter concludes that a long-term perspective on migrants' interrupted journeys exposes the hidden and silent forms of violence unfolding from such a vicious circle of mutual contestations.