

Speaking Justice to Power I

APLA / PoLAR Respond to the Trump Executive Order on Immigration



["Week 33 - Statue of Liberty" by Khürt Williams. CC BY-NC 2.0.](#)

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Editorial Introduction I

By Heath Cabot

February 6, 2017

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In response to the Trump administration's Executive Order 13769, barring U.S. entry to citizens of seven countries as well as legally recognized refugees, PoLAR and APLA commissioned a series of responses from scholars working on the politics and law of borders and migration. This installment features work by Heath Cabot, Nicole Constable, Anthony Good, Tobias Kelly, and John Torpey. In the next week, additional contributions will follow, including pieces by Susan Coutin, Sharika Thiranagama, Shahram Khosravi, and Sebastien Bachelet, among others. Visit our series page to access posts as they are published, and links to PoLAR content and scholarly articles by contributors.

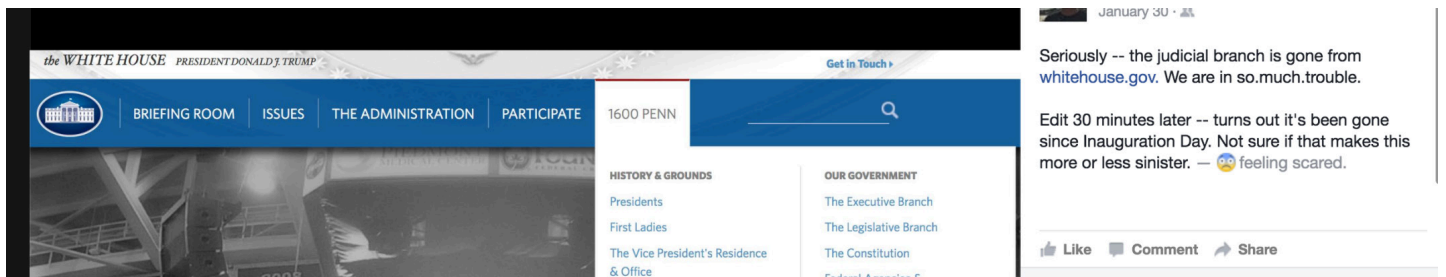


U.S. President Donald Trump signing Executive Order 13769, flanked by Vice President Mike Pence (left) and Secretary of Defense James Mattis (right). This image is a work of an employee of the Executive Office of the President of the United States, taken or made as part of that person's official duties. As a work of the U.S. federal government, the image is in the public domain.

Since Donald Trump's inauguration, this White House has presented the world with waves of chaotic and blustering forms of speech: factually false statements in press conferences; deliberate leaks; ubiquitous tweets. Often, this administration seems to have catapulted the US into the dystopian future, to a time and place in which the real – the knowledge that the senses convey – gives way to the surreal, as the new president tries to shape the world according to what he chooses to say. It is almost as if Trump might have taken a class in anthropology or social theory at some point,

and decided to test the limits of J.L. Austin's concept of performative speech (Austin 2001 [1962]): speak, and you shall create the world in the image of your words.

Many, of course, have instead been left speechless at the gap between the Trumpian fantasy of “alternative facts” and, well, facts. However, within his first week in office he issued twelve executive actions, apparently banking on the power of executive speech to define the rule of law. Specifically, the executive order issued on January 27, 2017 banning refugees for 120 days (Syrian refugees indefinitely), and persons from seven specific Muslim majority countries, brought home the shocking effectivity of Trump’s executive utterances. Can he really do this? I wondered. The enduring naïveté of my American self, steeped in long years of discourse on “checks and balances,” folded in on itself, exhausted and deflated. Because it seems that, to some degree, Yes, he can. Hitherto, have we we only avoided such exuberant demonstrations of executive power thanks to a tacit agreement by presidents not to overstep certain lines in the sand?



Screenshot from Facebook, by Heath Cabot.

Among the disorienting pieces of ephemera that now haunt my social media feed was a screenshot from a colleague showing that the “judicial branch” had disappeared from whitehouse.gov, even as Mrs. Karen Pence is up there under “the administration” like some new kind of royalty. Apparently, my colleague explained in his post, the judiciary had been gone since inauguration day. I have recently checked, and the disappeared “judicial branch” seems to have now returned to the whitehouse.gov homepage. Still, the disappearance of the judicial branch struck me as an allegory of the kind of wishful thinking and speaking through which Trump seeks to recreate the world: this would be a government without the famed slow-moving justice of the courts. There would be no justices to bring justice.

Significantly, though, this disappearance appeared on my Facebook feed just a day after a series of lawyers around the country filed suits against Trump’s executive order on behalf of clients stuck in limbo. And also significantly, judges had ruled in their favor with a remarkable swiftness, most notably with U.S. District Judge James Robart staying the entirety of the order on February 4th. I read about hundreds of lawyers volunteering at airports to help those who were stuck or detained. While lawyers (especially “cause lawyers” and those working in immigration) certainly bring their own brands of radicalism to social struggles, as a group lawyers are rarely seen to be poster children of opposition. And yet, with actions and motions that were rapid and decisive, the lawyers had taken up their place in the resistance, alongside the protesters. Moreover, some of the judges seemed to be following them.

When doing research in Greece with asylum advocates in the mid-2000s, I became well versed in the tactics of immigration and human rights lawyers who work always on the aberrant and uneven edges of the law. As Tobias Kelly's and Anthony Good's contributions here both emphasize, this executive order is shocking but not utterly exceptional, even if it may be unprecedented. The exclusion of non-citizens, and the ongoing contraction of spaces of refuge, have become guiding poles for immigration policy throughout the U.S., Europe, and Australia; even as Canada is often praised for its comparative openness, their immigration regime is about keeping people out and, very selectively, letting some in. Lawyers working in such fields are accustomed to the hard and often slow labor of cutting in around those edges: capitalizing on exceptions; making use of procedural errors; capitulating pragmatically to the status quo while slowly chipping away at it case by case. During my research on asylum, in a context that often seemed utterly overdetermined by flagrant forms of injustice, lawyers highlighted for me an important, if less spectacular, approach to the struggle for justice: grounded on hard work, pragmatism, calculated risk, and decisiveness when the moment demands it.



Asylum seekers waiting in line to speak with advocacy lawyers at an NGO in Athens, Greece, March 2008. Photo by Heath Cabot.

The lawyers—with their signature long hours, paperwork, and endurance—have countered the blustering, chaotic, and accelerated nature of Trump's executive speech. We do not know what will become of these cases, and how the rest of the justices will receive them. We also do not know what will happen to the relationship between law and its enforcement—and how these different regimes of law (executive and judicial) will interact. There likely will be confusion and chaos, leaving much to aspects of interpretation and the gray zones of the law. Even after a judge issued the first emergency stay for citizens from the affected countries who had already arrived or were in transit, border agents remained unclear as to what they should do, and largely adhered to the order.

Still, here at *PoLAR* and *APLA* we thought it high time that we bring the judiciary back, so to speak, and put questions of justice back at the center of the analysis. We have thus invited a diverse group of scholars engaged with the study of borders, broadly conceived, to comment on this order critically, or suggest ways forward with regard to advocacy. This first installment, with pieces by Nicole Constable, Anthony Good, Tobias Kelly, and John Torpey, reflects the various poles of outrage, dismay, and analytical vigor with which engaged scholars are seeking to make sense of this political moment. Critical scholarship in law and politics, such as that which we aim to publish in *Political and Legal Anthropology Review*, is at its core concerned with the analysis of (in)justice, and the role of law and politics in making the world a better place — or in turning it upside down.



Heath Cabot is Assistant Professor of Anthropology at the University of Pittsburgh. She is also co-editor-in-chief of PoLAR: Political and Legal Anthropology Review. She is a political and legal anthropologist whose research examines citizenship, ethics, and rights in Europe, with a focus on Greece. She is author of On the Doorstep of Europe: Asylum and Citizenship in Greece (Penn Press 2014).

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On Trump's Executive Order

By Nicole Constable

February 6, 2017

URL: <https://wp.me/p1SS1c-17d>



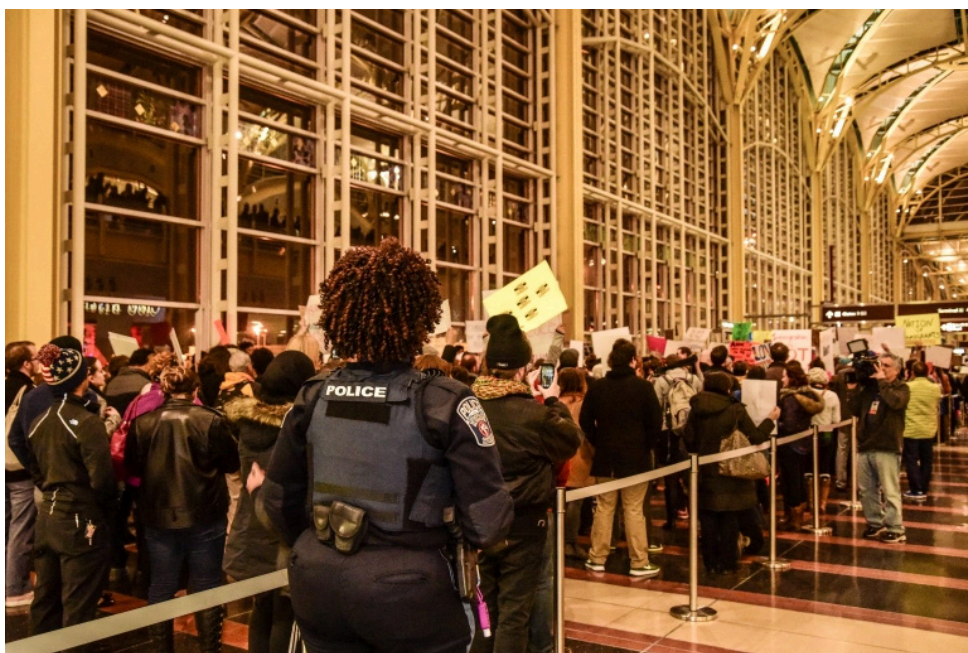
[Liqaa with her daughter Limar](#) born on August 3, 2013 Limar was born on 3 August the first child of Liqaa and Bassel who currently live in Zaatari camp. Photo by Pablo Tosco for [Oxfam International](#). [CC-BY-NC-ND 2.0](#).

As a naturalized U.S. citizen and as a scholar of migration, I consider Donald Trump's executive order that indefinitely bars Syrian refugees, suspends refugee admission for 120 days, restricts immigration from seven Muslim countries, and rescinds visas from over 60,000 people already in the U.S. discriminatory, xenophobic, counter-productive, heartless and destructive. The executive order was passed with no consideration given to the human side of things, to those whose lives are or will be deeply affected.

The chaotic way in which this order was carried out has created devastating problems for many individuals and their families. Last minute expulsions from flights, detentions in airports, cancelled visas, and heartbreaking separations are only part of it. Forcing refugees to return to a home they have fled and where their lives were threatened is dangerous and unconscionable. People's lives are being torn apart at a time when they are already wounded and suffering. Students, researchers, mothers, fathers, grandparents and children, people who had worked — or hoped to work and study — in the U.S. have been turned away, and countless others are no doubt rethinking their plans.

Donald Trump has enforced national borders according to his xenophobic and discriminatory vision of those who belong, defining Muslims as a homogenous “other” who constitute a threat, against an imagined notion of “Christian Americans.” As such, he has redefined citizenship and belonging to exclude those whose views differ from his own. He has rejected the very notion of the U.S. as a country of immigrants and its history of fighting for the belief that all people are created

equal. His executive order harkens back to older Orientalist and colonial beliefs of Occidental superiority that serve to justify domination and ethnocentrism. It denies core American values founded on the notion of welcoming immigrants. Like Brexit, it assumes that closed doors create strength, whereas the opposite is true.



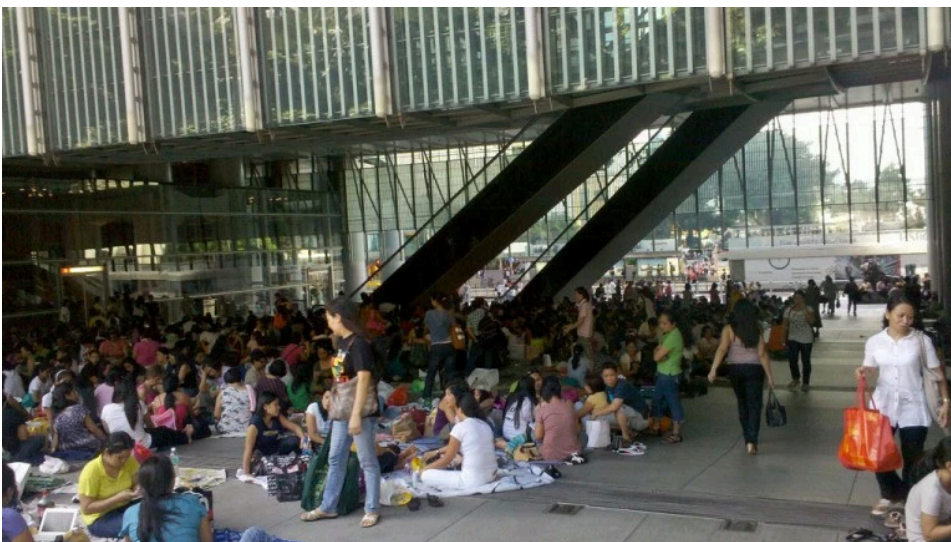
“This Is What a Peaceful Protest Looks Like” by Geoff Livingston. CC-BY-NC-ND 2.0.

The silver lining to this executive order is the overwhelming and passionate response in opposition to it both internally and externally. My migrant worker friends in Hong Kong – among whom I have conducted research for decades – have shared messages of support saying they “stand with me” and that I must “be strong.” They have organized protests against Donald Trump and his anti-Muslim, anti-immigrant, anti-refugee rhetoric in front of Hong Kong’s U.S. Consulate. These are precarious workers with precious little time off, but they are speaking truth to power. One poster I saw, with a photograph of Trump, reads “Make America Hate Again.”

Many of the migrant workers I know in Hong Kong are Indonesian Muslims. They have long fought against precarious conditions of migrant labor both locally and globally. They understand global capitalism and inequality, and they experience it as precarious, flexible, and disposable workers. They lack the benefits, protections, and the minimum wages of locals. They do

housework, child care, elderly care, and other reproductive labor for their employers, but have no opportunity to become permanent residents or citizens. Yet they understand the value of global alliances better than most.

Eni Lestari, who has worked for over 15 years as a domestic worker in Hong Kong, and who is the Chairperson of the International Migrants Alliance HK (IMA), addressed the UN Assembly at the Summit on Refugees and Migrants on Sept. 19, 2016. As she said, “It is high time for governments to act together to effectively address the problems migrants face foremost of which should be the economic and political condition that forcibly displaces people, uproots them from the family and community, and makes them vulnerable to abuses and exploitation.” Lestari has spoken out powerfully against Trump’s executive order and seems to understand better than our policy makers, the value and power of global alliances.



“Rest day for migrant workers in Hong Kong at HSBC Building Central” by Ka Keung Fung. CC-BY-SA 2.0.

While conducting research in Hong Kong, I also met African, Middle Eastern, South Asian, and Southeast Asian asylum seekers. Some were seeking better economic opportunities and some were fleeing torture and political violence. Some had seen family members killed and had fled because their lives were at risk. In Hong Kong, asylum seekers and refugees were not

permitted to work, so they were forced to depend entirely on charity or to risk working illegally. They dreamt of resettling in countries like the U.S. where they imagined they would be welcome and could live as free, productive, and self-sufficient members of society. Many had suffered emotionally and physically, losing hope and self-esteem while they spent many years in limbo, waiting endlessly in a bureaucratic, asylum-seeking purgatory, hoping for the opportunity for resettlement. Those whose cases were rejected faced the terror of repatriation.

The global community of migrant workers, refugees and asylum seekers, those of us who are naturalized U.S. citizens, and many others, oppose the redefinition of the U.S. as xenophobic, bigoted with religious intolerance, and devoid of generosity or kindness toward those who face violence and oppression in their homelands. Tolerance, freedom of expression, diversity and democracy are what my friends abroad once admired most about the U.S. Without those qualities, the U.S. risks losing its greatest strength and its global credibility. As my Hong Kong friends know, strength comes from opening doors and building alliances with others, not from excluding them. They also know how vitally important it is to stand up for equal rights, to struggle for social justice, to fight for labor rights, to value freedom, and to build global alliances.



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Doing Bad By Stealth?

By Anthony Good

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"He will not divide us" by [Alisdare Hickson](#). Thousands of protesters armed with placards filled most of Grosvenor Square outside the American Embassy in London. [CC-BY-SA 2.0](#).

While the Trump administration's arbitrary curbs on would-be refugees are provoking demonstrations worldwide, it is ironic to reflect that many of the demonstrators live in countries where the immigration rules are just as restrictive, though less overtly discriminatory regarding nationality and religion. Such is certainly the case in the United Kingdom, thanks to the actions of successive Labour and Tory régimes. Why have this week's demonstrators not directed similar protests against their own governments? In part, this reflects the different means whereby the restrictions were put in place. Whereas Trump's executive order was theatrically delivered, U.K. immigration restrictions were stealthily established through procedures that were largely invisible to broader British publics.

The U.K. only considers asylum claims from persons already within its borders, but there are many obstacles preventing potential asylum seekers from entering; for example, since 1987 ever stricter carrier liability rules have forced airlines and shipping companies to police the U.K.'s borders on the government's behalf. Would-be applicants therefore have no legal way of arriving in the U.K., yet the illegality of their arrival may then serve as a basis for rejecting their asylum claim – and even imprisoning them – under legislation in place, with virtually no popular opposition, since 2004.

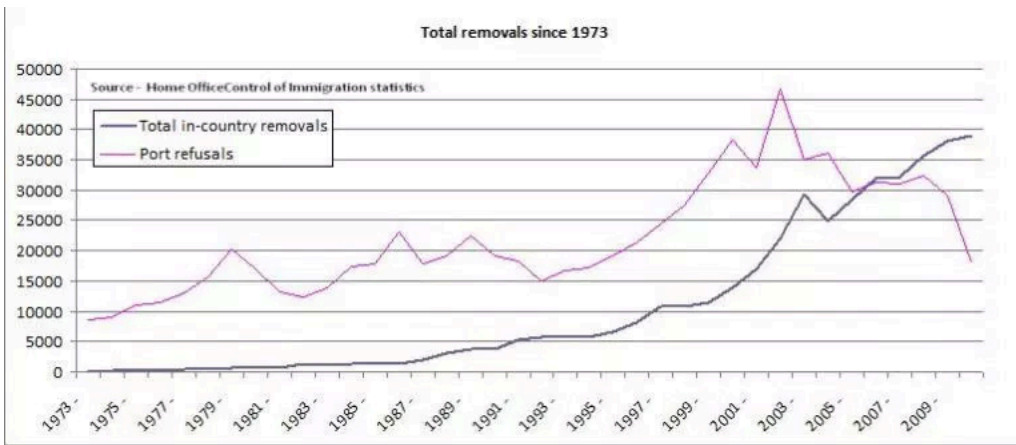
Most asylum applicants cannot provide supporting evidence that meets normal legal standards; all they have is their narrative of persecution. The United Nations High Commissioner for Refugees (UNHCR) Handbook (paragraph 204) therefore concludes that if that narrative appears credible – “coherent and plausible,” and consistent with “generally known facts” – they should receive the benefit of the doubt.



The “Calais Jungle,” an encampment that housed migrants and refugees who had attempted to enter the U.K. via the Port of Calais or Eurotunnel. In October 2016, the French government evacuated the encampment. Photo by [malachybrown](#). CC BY-SA 2.0.

United Kingdom Visas and Immigration (UKVI) decision-makers are also told to follow paragraph 339L of the Immigration Rules. This lists five preconditions for granting the benefit of the doubt, including that the applicant’s “general credibility... has been established.” However, their attention is also drawn to Section 8 of the 2004 Asylum and Immigration Act, which states that behavior such as not producing a passport or offering a false one, is “damaging” to a claimant’s general credibility.

It was argued that Section 8 violated the integrity of judicial decision-making, so in SM (Iran), the Asylum and Immigration Tribunal stressed that Section 8 did not have to be the starting point for credibility decisions. In JT (Cameroon) the Court of Appeal agreed; section 8 should be read as saying that those forms of behavior were ‘potentially damaging’ to credibility. While these interpretations of Section 8 ease the situation somewhat, the key problem with Section 8 remains the fact that it links credibility to actions completely unrelated to the substance of the asylum claim; actions, indeed, that only arise because of the U.K.’s own policies of restricting entry even for those whose asylum claims prove genuine.



Total U.K. enforced removals 1973-2010, Wikimedia Commons. CC BY-SA 3.0.

Moreover, whatever the nuances proposed by the courts, the implementation of Section 8 by UKVI is far more crude. The Reasons for Refusal Letters that unsuccessful applicants receive often begin by noting that they entered the U.K. on a false passport, and that under Section 8 their cred-

ibility has therefore been damaged. On that basis the letters go on to discredit the applicant's narrative. In a typical example where I acted as expert witness, the applicant's account was admitted to accord with "generally known facts" and was also, in my opinion, "coherent and plausible." Yet in order to justify rejecting each incident that the asylum-seeker described, the Refusal Letter constantly repeated the phrase, "In light of your credibility having been damaged." The only reason given for this "damaged" credibility concerned her means of entry into the U.K. On that sole basis her account of being raped and tortured was entirely rejected.

These are, of course, somewhat technical points requiring close attention to the minutiae of legislation and bureaucratic regulation, whose impact therefore remains virtually unnoticed by the general public. Nonetheless, it can be argued that aims similar to those that the Trump administration is seeking to achieve in bellicose and incompetent fashion, in the full glare of publicity, were long ago accomplished in the U.K. by stealth, thanks to Theresa May's predecessors as Home Secretary.



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Cruel, But Not Unusual

By Tobias Kelly

February 6, 2017

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Syrian and Iraqi refugees arrive from Turkey to Skala Sykamias, Lesvos island, Greece. By [Ggia](#) (Own work) [CC BY-SA 4.0](#), via Wikimedia

Seen from this side of the Atlantic, Trump's Executive Orders on immigration and refugees certainly seem cruel, but not that unusual. The center ground of European politics has long treated immigration as a problem to be solved, rather than an opportunity to embrace. Racist, arbitrary and restrictive migration regimes are the norm rather than the exception. Although the history of the U.S. is full of racialized border controls, one of the refreshing things about America for a European is that immigration was, in relative terms, not widely treated as a pathology.

In the European context, millions of people have already effectively been banned from entry on the grounds of race and religion. If immigration is marked by the unequal distribution of the right to move, those people affected by the Trump order, represent, until now, a relatively privileged group. They have been granted visas, green cards and refugee status. Most people have not been allowed to get that far. They have instead been forced onto unsafe boats, shanty towns and immigration detention. None of this is to minimize the bald discriminatory intent of the order, or the misery it has caused. But it does help us contextualize why it has happened, and how we can begin to struggle against it. Hopefully, the detention of middle-class academics, doctors and grandmothers makes the privations of the relatively less privileged more visible.

What is remarkable is how much these immigration controls are taken for granted in the U.K. Universities, for example, are supposed to monitor the location of their international staff and students, and report back to the Home Office whenever they are asked to do so. Protests are muted at best. If universities refused to comply with the Home Office they would have their right to sponsor the visa of international students taken away, and lose a major source of income. The idea that the senior leadership of a British University might declare themselves a place of sanctuary for immigrants is simply not imaginable.



[No Muslim Ban 2](#), Washington, DC USA, 2017.02.04. By [Ted Eytan](#). CC BY-SA 2.0.

And it is here that we might find a comparative glimmer of hope for the U.S. Whatever comes next, it is because the orders are so brazen, that they still seem so shocking, that they might be easier to mobilize around. They have not, yet, become normal.



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The Narcissist and the Nationalist

By John Torpey

February 6, 2017

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Scarcely one week into his presidency, Donald J. Trump issued an executive order barring from the United States all refugees for 120 days, all Syrian refugees until further notice, and all passport-holders from seven Muslim-majority countries (Iran, Iraq, Libya, Somalia, Sudan, Syria, and Yemen), none of which had been the country of origin of any terrorist killers in the United States since 9/11.^[1] The countries of origin of the 9/11 attackers, who came chiefly from Saudi Arabia, were not among them. The executive order barred green card holders, who by definition had been through extensive scrutiny in order to gain that coveted status; refugees, who would similarly have been through extensive vetting by the United Nations High Commissioner for Refugees and by the U.S. government, and whom the government has an obligation to take in as a signatory to the Refugee Convention; and some 200 million travelers from these countries, doing considerable potential economic damage to the United States.



"Week 33 - Statue of Liberty" by Khürt Williams. CC BY-NC 2.0.

All this was done in the name of protecting Americans from “radical Islamic terrorism,” just as Mr. Trump said he would do during the election campaign. Would the executive order really keep us safe from terrorists? A wide array of experts has insisted it would not, mainly on the grounds that it would convince the world’s 1.6 billion Muslims that the United States and/or “the West” really does hate them. In other words, it plays directly into the hands of ISIS, which immediately deployed the executive order for its own propaganda purposes. That may not matter to Stephen K. Bannon, the Svengali behind Mr. Trump, who seems to have been one of the principal forces behind the order. The purpose of the executive order thus seems to lie elsewhere; it was meant chiefly to persuade the Trump base that he was carrying out his campaign promises to tighten borders and make the United States safe from various kinds of supposedly malevolent intruders.



[Donald Trump Speaks With Vladimir Putin in the Oval Office](#). Right to left: General Matt Flynn (seated), Press Secretary Sean Spicer, Senior Advisor Steve Bannon, Vice President Mike Pence (seated), Chief of Staff Reince Priebus. By [Karl-Ludwig Poggemann](#). CC BY 2.0.

inexperienced Trump team is clueless or, more worrisomely, perfectly aware of what it is doing and aiming to achieve the stated objectives with no concern for the effects. It is the process whereby the executive order was formulated (or lack thereof) that should really concern us; a number of the principals, especially Secretary of Homeland Security General John Kelly, appear to have been fully informed about the order only as it was being signed. This move fits a disturbing pattern: “Mr. Trump’s reliance on a close circle of advisers to write and vet executive orders while keeping departments that must implement them largely in the dark is without precedent.” [2] In short, what is really at stake in this executive order is the future of democracy in America.

Insofar as there is a division of labor between them, it is tempting to see Trump as the source of the incompetence and Bannon as the source of the extremism. As has been widely noted, Mr. Trump is a self-regarding windbag who lacks both the patience and the reflectiveness to concern himself with

The order raises a number of broader questions about the new administration. Did the order include green card holders a) out of incompetence and an inability to distinguish among different categories of immigrants; b) in an effort to test the limits of their reach; or c) because they really thought that even green card holders – formally known as legal permanent residents — should actually be excluded? On this and other issues, it is difficult to sort out whether the highly

the details of policy. There is an emotional emptiness at his core that requires constant re-affirmation; hence he surrounds himself with beautiful women, loyalists, and his family in order to reassure himself of his importance, and he does not take criticism easily. (Just cue up those White House Correspondents' Association dinners and watch him sitting stone-faced as Seth Meyers and Barack Obama make fun of him; some think the 2011 dinner provoked a desire for revenge that led to his 2016 run.) Ignorant of so much, "incapable of expressing or recognizing subtlety or nuance, destitute of decency," as Philip Roth has put it[3], this may be because his father raised him to believe that the world is divided between "killers" and "losers" and then shipped him off to a discipline-rich military academy when he proved an unmanageable 12-year-old.[4] Against this background, Trump's main preoccupation is with attention and, ideally, adulation; he reportedly longs for the approbation of cultural elites but is forced to settle for the crowds of ordinary people who cheer his simplistic nostrums about how he "alone" can "make America great again."

Bannon, meanwhile, is an apocalyptic crusader who believes that we of the "Judeo-Christian West" are in the beginning stages of "a global war with Islamic fascism" and that we will at some point inevitably go to war with China. He sees the advance of secularism as having "sapped the strength" of the West to defend its ideals.[5] He has famously described himself as a "Leninist" who wants "to bring everything crashing down." [6] Bannon, too, appears to be driven by Oedipal issues: his disenchantment with American society boiled over when his father, a telephone line-man without a college degree, was hurt by the economic collapse of 2008.[7]

Under attack for coddling white supremacists as head of Breitbart News, he insisted that he was an "economic nationalist," not a white nationalist, noting that "the globalists gutted the American working class and created a middle class in Asia." [8] Good evidence points to that conclusion; [9] the question is whether that requires tearing down the United States' leadership role in the system of global economic and international affairs that has stabilized the world order since 1945. Trump and Bannon believe that it does, and it seems they will stop at nothing to make it happen.



["No Muslim Ban 2,"](#) Washington, DC USA, 2017.02.04. By [Ted Eytan](#). CC BY-SA 2.0.

To quote Philip Roth again, “What is most terrifying [about Trump] is that he makes any and everything possible, including, of course, the nuclear catastrophe.”^[10] The future of American democracy and, indeed, the future of the world may be at stake; the executive order banning millions of Muslims from the United States is just the beginning. Figure out what you care about and prepare to defend it; we are in for a very rough time as long as Trump is in office.



*John Torpey is Presidential Professor of Sociology and History and Director of the Ralph Bunche Institute for International Studies at Graduate Center, City University of New York. He is the author or editor of eight books, including: *The Invention of the Passport: Surveillance, Citizenship, and the State* (2000); *Politics and the Past: On Repairing Historical Injustices* (2004); and, with Christian Joppke, *Legal Integration of Islam: A Transatlantic Comparison* (2013). He is on the editorial board of *Theory and Society* and the *Journal of Human Rights*, and edits a series for Temple University Press titled “Politics, History, and Social Change.”*

NOTES

[1] Scott Shane, “Immigration Ban is Unlikely to Reduce Terrorist Threat, Experts Say,” *The New York Times*, January 28, 2016; <https://www.nytimes.com/2017/01/28/us/politics/a-sweeping-order-unlikely-to-reduce-terrorist-threat.html>.

[2] Gardiner Harris, “Approval, For the Most Part, for Tillerson,” *The New York Times*, February 2, 2017; https://www.nytimes.com/2017/02/01/us/politics/rex-tillerson-secretary-of-state-confirmed.html?_r=0.

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[4] Daniel Burke, “The Guilt Free Gospel of Donald Trump,” *cnn.com*, October 24, 2016; <http://www.cnn.com/2016/10/21/politics/trump-religion-gospel/>.

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[6] Ryan Lizza, “Steve Bannon Will Lead Trump’s White House,” *The New Yorker* November 14, 2016; <http://www.newyorker.com/news/news-desk/steve-bannon-will-lead-trumps-white-house>.

[7] Michael Barbaro and Michael M. Grynbaum, “Stephen Bannon, A Rookie Campaign Chief Who Loves the Fight,” *New York Times*, August 17, 2016; <https://www.nytimes.com/2016/08/18/us/politics/stephen-bannon.html>.

[8] Gabrielle Levy, “Steve Bannon: ‘I’m Not a White Nationalist... I’m an Economic Nationalist,’” *U.S. News and World Report* 18 November 2016; <http://www.usnews.com/news/politics/articles/2016-11-18/steve-bannon-im-not-a-white-nationalist-im-an-economic-nationalist>.

[9] See Branko Milanovic, *Global Inequality: A New Approach for the Age of Globalization* (Cambridge, MA: Harvard University Press, 2016).

[10] Judith Thurman, “Roth on Trump,” *The New Yorker*, January 30, 2017, p. 19.

Refuge, Recognition, and Resistance

APLA / PoLAR Respond to the Trump Executive Order on Immigration

Editorial Introduction 2

By Jennifer Curtis

February 14, 2017

URL: <https://wp.mel/p1SS1c-1bq>

In the past few weeks, my mother has taken to texting me on Fridays: “The time is now a quarter to Shabbat. Brace yourself.” Her semi-joking message references the “Shabbat theory” of the Trump administration, which holds that its most shocking actions, like Executive Order 13769, are unveiled when his daughter and son-in-law observe Shabbat and retreat from electronic devices. The theory implies that Trump’s family acts as an important check on the administration.

Whether or not Trump’s family wield real influence over administrative actions, my mother’s texts remind me of another important point: this administration has indeed brought some families and communities closer together... perhaps cowering in fear, but still, together.



[“No Ban, No Wall.”](#) Williamsport, Pennsylvania (January 29, 2017) – More than 100 people rallied outside of the Herman T. Schneebeli Federal Office Building to protest against Trump’s actions targeting immigrants and Muslims. By [Paul Weaver](#). CC BY-NC-SA 2.0.

I must admit it is nice to have a standing date to watch Samantha Bee’s weekly show with my mom. I like going to protest marches with my family. And this pulling together is happening on a much larger scale than individual families. In this web series, Heath Cabot and I asked scholars to respond to the order, and many colleagues readily volunteered. This is notable in and of itself, because for most academics, time is a precious resource, and writing for a website is an additional task, perhaps thankless, on top of considerable teaching, research, and administrative responsibilities.

As we worked on the series, we found ourselves thinking of and reaching out to people we know, and then thinking of and reaching to people we had never met. As Anthony Good notes, in the usually stealthy implementation of immigration policy, the public does not see immediate, wide-scale effects. Instead, we usually notice effects in isolated drips and drabs, as individuals we know are affected here and there. In ordinary circumstances, causality is obscured, effects are dispersed, and mass mobilization is elusive. As several authors point out in this series, many thousands more refugees remain invisible to us. Nevertheless, the executive order has set in motion processes of recognition and resistance that can move us from the mechanics of law and judicial institutions to the politics of empathy and mass mobilization. Just as Trump speaks at us to make the world he envisions, many of us are more consciously speaking with one another to change the world in which we live.



[Japanese American internees in mess hall line at Tanforan Assembly Center San Bruno, CA on April 29, 1942. By Dorothea Lange. U.S. Government Works.](#)

Many are hopeful that the judiciary will assert a check on executive power. On February 4th, Judge James L. Robart stayed many provisions of the order until courts can assess its legality, in response to complaints by the states of Washington and Minnesota. On February 9th, the 9th circuit court of appeals unanimously upheld that stay. However, to achieve its goals, the Trump administration need not request an en banc hearing of the 9th circuit or appeal the stay to the Supreme Court. They could just as easily

withdraw the order and rewrite it in a way that conforms more clearly with the law.

U.S. history provides many cautionary tales that the judiciary is not a savior. In 1944, in *Korematsu v. United States* (1944), the Supreme Court upheld the constitutionality of Japanese internment. In its 1896 judgment, *Plessy v. Ferguson* (1896), the Supreme Court ratified the doctrine of separate but equal, authorizing subsequent decades of state-mandated racial segregation. History shows us that injustice is not always combated in courtrooms, and reminds us that our own actions and orientations to one another are a significant part of these struggles.

When the executive order was implemented on January 28th, mass protests converged on airports across the U.S. Journalist Jamelle Bouie compared this response to the massive resistance many northerners mounted to the 1850 Fugitive Slave Act. Although the act was intended to strengthen

the legal compulsion for northerners to return escaped former slaves to the south, it became pivotal in creating a more radical and widespread abolitionist movement. In 1854, Anthony Burns escaped from enslavement by Charles Suttle of Alexandria, Virginia, and found sanctuary in Boston. Suttle travelled to Boston to reclaim his “property” with the Fugitive Slave Act on his side. Burns was arrested for robbery, and imprisoned in the federal courthouse. Black and white abolitionists met to decide how to help Burns, and ultimately stormed the courthouse. Although Bostonians had successfully liberated re-captured slaves in the past, this time they failed. Burns was convicted of being a fugitive slave, and reportedly 50,000 Bostonians watched as he was led, shackled, to a ship bound for the south. Less than a year later, a black church purchased Burns’ freedom and he returned to Boston.

Of course, after Burns was freed, millions of human beings remained enslaved. But the continuation of slavery does not negate the importance of those Bostonians’ witness and resistance. Bouie is correct that the Fugitive Slave Act galvanized an abolition movement that eventually prevailed, although the racist legacy of chattel slavery continues to profoundly shape the present. The unintended consequences



[“Fugitive Slaves Recaptured: 1850.”](#) This illustration was originally designed to portray the effects of the Fugitive Slave Act of 1850. Originally published by Hoff & Bloede, 1850. By [Washington Area Spark](#). [CC BY-NC 2.0](#).

of the Fugitive Slave Act are instructive today: in the current political moment, it reminds us that responses to these executive orders have the potential to galvanize new mass movements for justice, even as white nationalism resurges across Europe and North America—and millions of displaced people seek refuge around the world.

In this part of the series, the authors ask us to consider the people whose lives are at stake in immigration policy, and our relation to them. Susan Coutin and Sébastien Bachelet interrogate the figure of “illegal immigrant” promulgated in the executive orders and nationalist discourse. Nisrin Elamin and Shahram Khosravi ask us to reckon with the subjective experiences of travelers and refugees, people affected by these orders and by broader racialized regimes.

There are many varieties of political actions beyond courts, from mass protests to voting. We also have the capacity to reach out to others in even the most banal situations. For my part, the simple act of helping plan my son’s classroom holiday party became one of those small but meaningful gestures of solidarity in the aftermath of the presidential election. Rather than the usual “not-



[Diwali oil lamps](#) lit during the Diwali, festival of lights on Lakshmi Puja day in Darjeeling. By [Benoy](#). [CC BY-SA 3.0](#).

Christmas” party, one of the Muslim mothers and I organized an inclusive celebration of light/gift-giving holidays—Eid, Diwali, Christmas, Hanukkah, Kwanzaa, Chinese New Year and so on. Children of color constitute one-third of the class, and many were anxious after the election. It is certainly possible that a few of the parents who supported Trump were unimpressed by our efforts. Although the gesture seemed small and insignificant, the delight of my party planning partner and the joy of one child over a diya-shaped cookie were potent reminders that recognition and coalition are everyday commitments.

Recently, psychologist Paul Bloom (2016) has made a contrarian case against empathy, appealing to rationality as the basis for compassion. Although this argument has faced critique within his discipline, as anthropologists we can and should resist a distinction between thought and feeling (Rosaldo 1984). Indeed, the pieces in this series compel us to remember that although law is a tool in the struggle for justice, to move beyond defensive politics, we must come together with others. Bitter politics of migration began long before the current moment, and no single action will remedy them. But I hope that mass responses to these executive orders continue as movements to oppose discriminatory law and policy, and that when immigration policy returns to a stealthy status quo, the people we have finally recognized and tenuously reached toward remain visible in our hearts and our politics.



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Trumps, Pirates, Refugees and Terrorists

By Sébastien Bachelet

February 14, 2017

URL: <https://wp.me/p1SS1c-1as>



["Medina of Rabat," by İhsan Deniz Kılıçoğlu. CC BY-SA 3.0.](#)

A “Muslim-majority” country, Morocco – a place not (yet) on Trump’s travel ban, was allegedly the first country to recognize the United States of America in the late 1770s. Much has changed since George Washington wrote to Muhammed Ibn Abdullah in 1789 to thank the Sultan for his efforts in preventing pirates in the Mediterranean from attacking American vessels and to assure him that the young American nation, bereft of riches yet endowed with industrious people, would gradually become useful to its new friends. Today, citizens of those seven countries currently listed on Trump’s executive order are to be prevented from entering the U.S., even if they hold a valid visa, for fear they may be terrorists. The contemporary figure of terrorist, associated with bloodshed, violent spectacle, and pillage has replaced the pirate, albeit with none of the romanticism attached.

As it has now been widely reported in the press, [zero Americans have been killed by terrorists from this list of countries](#). The decision is not grounded on “a factual basis,” contrary to what Rudy Giuliani alleged on Fox News. Yet, this recent set of hostile measures targeting migrants and refugees – especially if they are Muslims – and conflating them with terrorists is not surprising. It was a campaign promise after all. The crude hysteria targeting Muslims and the demagogic understandings of terrorism being conveyed by Trump illustrate Kundnani’s (2014) remarks about how both popular and official “understandings of terrorism are more a matter of ideological projection and fantasy than of objective assessment” (17). This is relevant on both sides of the Atlantic.

Observing developments in America from Europe, while keeping in mind what is currently happening across the Mediterranean, is despairing. Trump has received fulsome praise for the ban from European politicians, notably from far-right leaders such as Nigel Farage, Matteo Salvini or Marine Le Pen. Hungary’s Prime Minister Viktor Orbán, who has repeatedly called migrants (especially Muslims) “poison,” praised Trump’s domestic and foreign policy and wished for Europe to follow suit and [“become great again.”](#)

The ban on refugees especially is part of a disturbing trend that has seen the criminalization of asylum-seekers and migrants in the west in general, but particularly in Europe in the light of the so-called migration/refugee crisis. As migration across the Mediterranean is increasingly interpreted as a security problem, “bogus asylum-seekers,” “benefit-scrourgers,” and “illegal migrants” have become interchangeable terms in [hostile media](#) – especially the tabloid press – as well as [scaremongering discourses by politicians](#).



[“A Cry for Those in Peril on the Sea.” UNHCR / A. Rodriguez / 24 October 2007. CC BY-NC 2.0.](#)

Smuggling and trafficking – two very different sets of activities – are systematically confused in the media and politicians’ discourses. Last year, a survey by [Pew Research Centre](#) claimed that the refugee crisis and the threat of terrorism were very much related to one another in the minds of many Europeans. This is not surprising given the moral panic surrounding the coverage of migrants and refugees in summer 2015 crossing into Greece and walking through the Balkans as fences were erected and border-controls reinstated. Media stories about terrorist attacks in Europe have often focused on real or alleged refugee claims made by the perpetrators. Trump has been quick to blame

Merkel's open door policy to refugees as a "catastrophic mistake." One such catastrophic mistake occurred when [a Pakistani asylum-seeker was wrongly accused of being responsible for the Christmas market attack in Berlin and had to flee for his life](#), even after the real suspect was found. The fearmongering about ISIS militants hiding among flows of asylum-seekers continue to fuel anti-immigrant sentiments.

As in America, a vast array of complex and entangled socio-economic and political issues in Europe are conveniently re-packaged as a "migration problem" which political correctness and lenient politicians have allegedly prevented being tackled with the required vigour. Faceless migrants and refugees are depicted as a polluting tidal wave that will not only flood welfare provisions, destroy jobs and corrupt common cultural values, but also threaten the physical safety of citizens. This violation of the integrity of borders must be stopped and, according to former UKIP leader Nigel Farage, "everyone thinks" there should be proper border controls and vetting.



["Border Spain-Morocco,"](#) by Melilla. CC BY-SA 4.0.

Although, thankfully, not everyone seems to agree with Trump and his European eulogists, opposition has been lukewarm at best in Europe. E.U. commissioner Federica Mogheri's assertion that "the EU does not believe in walls and bans" but prefers "cooperation and partnership" was very misleading – a sugar-coated example of how "alternative facts" proliferate in Europe, too. Mogheri was speaking ahead of the informal meeting hosted on 3rd February by Malta. European leaders agreed on a series of immediate measures to better manage, i.e., reduce, migration

from North Africa. Under the familiar but problematic humanitarian impetus to save lives, Libya was offered 200 million Euro to partake in Europe's fight against ["illegal flows."](#) After Turkey, it is now Libya, a failed state, is to become a close partner of Europe – another example of fruitful "cooperation and partnership." This is only the latest effort in a series spanning decades of hostile European migration politics across the Mediterranean where "cooperation" has also funded the building of razor-topped fences, such as the ones around the Spanish enclaves of Ceuta and Melilla, and failed to prevent the escalation of deaths at sea – [over 5000 for 2016 alone](#).

As explored in the works of anthropologists Ticktin (2005) and Fassin (2005), compassion and repression are intimately entangled in the politics of migration. The "management" of irregular migration to Europe oscillates between concerns with rescuing the suffering bare humanity

travelling on unseaworthy dinghies, and stamping out the illegals who have attempted to enter Europe by the back door instead of waiting in “safe countries” such as Turkey. In the dominant narratives of salvation and detention, there is no space to engage with how the Mediterranean, like the U.S.-Mexican border, “es una herida abierta (is an open wound) where the third world grates against the first and bleeds” (Anzaldúa 1987). The colonial history and the contemporary economic and political links between Europe (or the U.S.) and the places where refugees come from are erased. There is also no space to account for migrants’ own understandings of their journeys. My sub-Saharan informants trying to cross from Morocco into Spain talked about how they were on a dangerous quest to “look for their lives” as they fled a range of economic and political difficulties to find better opportunities. One Cameroonian man who mistook me for an E.U. official railed that the fence I had erected between Morocco and Spain would not stop them, that they would “eat it.” Bans and walls do not address refugees’ legitimate claims for a better life, nor do they address the equally legitimate concerns by American and European citizens who feel left out by globalization. They participate in the scapegoating of refugees and migrants and contribute to making journeys more dangerous for border crossers – who are blamed for Europe’s ills even before arriving – and more lucrative for those who benefit from this “illegality industry” (Andersson 2014).

Although opposition to Trump’s ban from European leaders has been tepid, civil society has quickly mobilised to denounce the racism and xenophobia of the executive order. On 4th February, a second march in London gathered over 30,000 people to show opposition and denounce rising anti-immigrant sentiment on both sides of the Atlantic. Regardless of the outcome of the legal challenges against Trump’s order, one hopes that such momentum can be sustained to confront rising xenophobia and islam



[Demonstration against racism](#), National Front party and Rassemblement Bleu Marine, further to elections to the 2014 European Parliament, 29th May 2014 in Beaumarchais boulevard, Paris. By [Jiel Beaumadier](#). CC BY-SA 4.0.

ophobia in Europe too. European leaders such as Theresa May must be held to account for not condemning such breaches of human rights, and the subsequent contempt against the judiciary displayed by the Trump administration. Importantly too, they must be held accountable for the equally worrying measures against migrants and asylum seekers routinely taken in Europe too.

This is an arduous task in the face of the many populist politicians hoping to repeat Trump's success in upcoming elections in Europe, making use of the same incendiary discourse about migration. The Dutch anti-Islam Geert Wilders, whose [party is predicted to gain the highest number of seats in recent polls on the upcoming election in March](#), has applauded the ban and tweeted that "[no more immigration from any Islamic country is exactly what we need. Also in the Netherlands.](#)" In France, advisors to Marine Le Pen, the leader of the far-right Front National party who is expected to make it to the second round of the presidential election, have already made clear they [could replicate Trump's ban if Le Pen was elected](#). Worrying anti-migration announcements do not come solely from candidates to upcoming elections in Europe. Hungarian government's chief spokesman Zoltán Kovács called for the [systematic detention of all asylum-seekers](#) while their claims are processed as he rejoiced over the "change of mood in Europe" following Trump's election. Yet, this change of mood cannot solely be attributed to developments in American politics. After the Brexit referendum in 2016, [a report by the European Commission Against Racism and Intolerance](#) condemned rising xenophobic, anti-Semitic and Islamophobic violence on British streets as well as rising hate speech by U.K. politicians and the media. The travel ban targeting migrants is part of an increasingly hostile context on both sides of the Atlantic, and requires a concerted effort among anthropologists as well as engagement beyond academia.



Sébastien Bachelet is a postdoctoral researcher at the University of Edinburgh, currently working on a project entitled "Arts for Advocacy: Creative Engagement with Forced Displacement in Morocco". This interdisciplinary project examines the links between artistic practice(s) and advocacy over migratory issues in Morocco. Sébastien completed his Social Anthropology PhD in 2016 at the University of Edinburgh. His doctoral thesis is entitled "Irregular Sub-Saharan migrants in Morocco: An Ethnography of (Im)Mobility, Illegality and 'Adventure' in a Marginal Neighbourhood of Rabat."

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A Distorted Image of Immigrants

By Susan Bibler Coutin

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The three immigration-related executive orders that the Trump administration issued during its first two weeks in office present a distorted image of immigrants as criminals, terrorists, and dangerous. While this is not surprising, given Donald Trump's statements as a candidate, it is worth interrogating this image to understand how the executive orders draw on but also seek to shape understandings of immigrants that circulate in the popular imagination. It is also worth considering how immigrants are impacted not only by the orders themselves—one of which has been placed under injunction—but also by the promulgation of this image.



["My Mommy Is an Immigrant"](#) by [Geoff Livingston](#). #nomuslimban protest in front of the Supreme Court. CC BY-NC-ND 2.0.

The first two orders were issued on January 25, 2017 with the titles, “Border Security and Immigration Enforcement Improvements” and “Enhancing Public Safety in the Interior of the United States.” The “Border Security” order authorizes construction of the wall that Trump promised his followers, as well as increases in the number and capacity of detention facilities, detention in more cases, returning people to their countries of origin pending hearings, hiring 5,000 more Border Patrol agents, reporting on federal aid sent to Mexico, and preventing abuse of the asylum system. The “Public Safety in the Interior” order establishes incredibly broad enforcement priorities, including apprehension and deportation of those convicted of or charged with a crime, who committed crimes whether or not they were convicted, who have an old deportation order, who committed fraud or abused a program, or who “in the judgment of an immigration officer, otherwise pose a risk to public safety or national security.” This order also beefs up U.S. Immigration and Customs Enforcement (ICE) by hiring 10,000 additional officers, reinstates federal-state law enforcement collaborations, defunds sanctuary cities and states, provides funding for victims of crimes committed by “criminal aliens,” and requires reporting on noncitizens who are incarcerated in the United States.

The third order “Protecting the Nation from Foreign Terrorist Entry into the United States,” was issued on January 27, 2017, and has garnered more public attention. This order bans entry of noncitizens from seven predominantly Muslim countries (since it was issued, lawful permanent residents were first allowed to apply for waivers, then were exempted from the policy see:



[Protesters are in June 2011 in support of the Tucson Unified School District's Mexican-American studies program.](#) Arizona state law HB 2281 effectively ended the program saying it was divisive. A case against the law, *González v. Douglas*, continues. By Arizona Community Press. [CC BY-SA 4.0.](#)

<https://www.cbp.gov/border-security/protecting-nation-foreign-terrorist-entry-united-states>), suspends the U.S. Refugee Admissions Program for 120 days, requires completion of a biometric entry-exit tracking system, suspends the Visa Interview program, and requires reporting on the number of noncitizens who commit acts of terrorism, are convicted on terrorist related charges, support terrorism, undergo radicalization, or engage in gender violence in the United States. This order resulted in widespread chaos at airports as individuals who had valid entry documents were detained or turned away, while protesters gathered, chanting, “No ban, no wall! Sanctuary for all!” and other slogans. The states of Washington and Minnesota challenged the constitutionality of this executive order, leading a federal court to stay many of its provisions on February 4, 2017, an action that was upheld by the 9th circuit court of appeals on February 9. Further litigation now seems headed for the U.S. Supreme Court.

These executive orders use a number of rhetorical devices to stigmatize noncitizens. Noncitizens are dehumanized through repeated use of the term “alien” throughout the documents. The rare exceptions to this practice include the few statements referring to the need for humanitarian considerations for “an individual” or “unaccompanied alien children” (<https://www.whitehouse.gov/the-press-office/2017/01/25/executive-order-border-security-and-immigration-enforcement-improvements>). Noncitizens are further denigrated by association with such terms as “illegal,” “terror,” “terrorists,” “criminal,” “danger,” “violation,” “unlawful,” “narcotics,” “contraband,” “threat,” “fraud,” and “misrepresentation.” The orders also exaggerate both through references to quantity (“tens of thousands of removable aliens”) (<https://www.whitehouse.gov/the-press-office/2017/01/25/presidential-executive-order-enhancing-public-safety-interior-united>) and quality (“illegal immigration presents a clear and present danger”) (<https://www.whitehouse.gov/the-press-office/2017/01/25/executive-order-border-security-and-immigration-enforcement-improvements>). The orders also make assertions without evidence regarding the dangers that not only undocumented immigrants but all noncitizens potentially pose, thus engaging in fear-mongering. This distorted image of noncitizens as dangerous criminals and terrorists contrasts sharply with the reality that millions of noncitizens work, live, and study in the United States, where they have become part of communities.

Even though Trump’s immigration-related executive orders have been challenged on many fronts, there is a risk that the stigmatized image that they promote will be repeated so often that it comes to be believed – something that seemingly has already happened among those fearful of what Leo Chavez refers to as the alleged “Latino Threat” posed by immigration to the United States. For example, the reporting requirements that are established through these orders will compile statistics shaped by the assumptions behind the orders themselves. There is no requirement, for example, to report on numbers of noncitizens who prevent crimes, save lives, thwart terrorist attacks, or promote gender equality. Likewise, there is no effort to gather data on the ways that communities with high numbers of foreign born individuals thrive.

Furthermore, this continual effort to judge immigrants’ worth leaves scars within immigrants themselves. Diana, a thirty-three year-old immigrant woman that UC Irvine doctoral student Gray Abarca and I interviewed, spoke of the stigmatization that she had experienced: “I always even felt proud of like being an immigrant. It is important and we are strong, I know how valuable we are and the contributions that we make. But once I started to talk to others, my situation was that I began to realize that I was ashamed... When I looked in the mirror, I was ashamed.”

Strikingly, her image of herself had become distorted. Distorted images promulgated by powerful officials therefore not only are poor bases for policy, in addition, they potentially manipulate public thinking, creating a moral panic and harming the individuals they target.



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The Dangers of Exceptionalism

By Nisrin Elamin

February 14, 2017

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Protest at John F. Kennedy International Airport (JFK), Terminal 4, in New York City, against Donald Trump's executive order signed in January 2017 banning citizens of seven countries from traveling to the United States (the executive order is also known as "Protecting the Nation from Foreign Terrorist Entry into the United States"). January 28, 2017. Photo by [Rhododendrites](#). CC BY-SA 4.0.

I was one of over 100 people detained at U.S. airports in late January, under President Trump's executive order barring citizens of Somalia, Sudan, Iran, Iraq, Syria, Yemen and Libya from entering the country. I was doing dissertation research in Sudan, when conversations about a leaked draft of the order prompted me to catch the next flight back to the U.S. There was barely enough time to say goodbye to my parents. After missing a connecting flight in London, I arrived at JFK airport around 20 minutes after immigration officials were notified about the order. In the midst of the chaos that ensued, I was detained along with other green card and visa holders from Iran and Iraq, handcuffed briefly, subjected to an uncomfortable body pat down and questioned extensively, before being released.

As a citizen of Sudan, what happened to me was not unfamiliar. I had never been handcuffed or body searched, but I had been held and questioned many times before when re-entering the U.S. on student and work visas. What made this particular incident exceptional is that I was traveling as a green-card holder with the right to enter the U.S. at anytime—or so I thought. In the end, I was let in. Some of the people who were detained with and after me, however—some also with green cards—were deported back to where they had started their journeys.

It saddens and perplexes me that my own story gained media attention, when thousands of people fleeing violence and political persecution, many of whom waited for 2 years to receive U.S. visas, were either deported or told they could not board their planes. In the days that followed, more stories of researchers, PhD students, and doctors who were detained or turned back at airports began to surface. In many cases, their accounts put a human face to the injustice and arbitrariness of this travel ban and helped galvanize



["The Future of Syria – Birth registration and statelessness."](#) A young mother crosses the border from Syria and becomes a refugee. She carries her one-month-old son, Hamid. "Since he was born there has been non-stop bombing every day." By [UNHCR](#) / S. Rich / April 2013. [CC BY-NC 2.0](#).

the academic community, in particular, to take a stand. Indeed, in their lawsuit against the travel ban, Washington State and Minnesota cited the detrimental effects on their universities, which the 9th circuit court of appeals repeated in their approval of the temporary restraining order against the ban.

However, we should reject the notion that these unlawful detentions and deportations are particularly unjust or exceptional because they also affect academics and medical doctors whose labor is somehow more valuable than that of, say, a construction or farm worker. Nor should our outrage be greater simply because this order affects those who hold legal documents to enter and stay in the U.S. Instead this particular moment in history demands that we think about who does and does not have the right to feel safe here in the United States. Do refugees and undocumented people, for instance, have the right to feel safe and welcome in the communities they help build and sustain? Are indigenous activists who are protecting their sacred lands entitled to feel safe and protected? Do people of color have the right to feel safe and shielded by the law in their interactions with law enforcement officers? Are the working poor in this country entitled to living wages and to that feeling of security that comes with being able to take care of loved ones? Can our country truly be safe if some people living within its borders do not feel, and perhaps have never felt, safe and secure?

Two days before the executive order I was detained under came into effect, the Secure Border Fence and Immigration Enforcement Improvement order was signed. The order authorizes, among other things, the construction of more detention facilities along the U.S. southern border and empowers state and local law enforcement personnel to perform the functions of immigration officers, thereby legalizing racial profiling in determining people's immigration status. In recent years, we have seen an escalation of deportations and immigrant detentions in this country. Over 2.5 million people were deported^[1] and tens of thousands of women, men and children detained, during the Obama administration alone.^[2]



This 2011 photo comes from the second national wave of Operation Cross Check, a deportation effort by ICE. By U.S. Immigration and Customs Enforcement (Department of Homeland Security). U.S. Government Works.

As it stands, this order will likely intensify the criminalization and incarceration of undocumented people. There are already multiple reports of Immigration and Customs Enforcement (ICE) raids in different cities around the country. Similarly, the travel ban signed on January 27th, although currently suspended, would legalize discrimination based on national origin and authorize immigration officials to bar nationals of seven Muslim-majority countries from entering the U.S., based on the

presumption that they pose a threat to national security. The ban effectively criminalizes citizens of African and Middle Eastern countries in which U.S. and European foreign policies and military interventions have contributed directly to instability and violence.

We cannot talk about these two orders in isolation because they are interlinked, both in the ways that they are shaping immigration policy and enforcement and in terms of the effects they will have on immigrant and refugee families and communities. Nor can we remove these orders from the broader historical context in which they emerged. This is a context in which black lives are criminalized and endangered, and in which refugees and migrants fleeing war, poverty and political persecution are being refused entry into the very countries that once colonized them.

As we grapple as academics as to how to respond to these inhumane executive orders, we must draw such connections and contextualize our analysis of them within the broader histories of xenophobia and white supremacy in the U.S., as well as in Europe.

It is encouraging to see universities take a stand against these orders and commit to becoming sanctuary campuses for their students and workers. As we move forward, universities have an opportunity to engage with local communities as well, where people have been organizing for immigrant rights and racial justice for decades. As academics we must ask how we can support and learn from the work that they are already doing to create safer, more just communities where all of us all may live and thrive.



Nisrin Elamin is a PhD candidate in Anthropology at Stanford University. Her research focuses on foreign land acquisitions and on community resistance to land dispossessions in central Sudan. She is a Sudanese citizen and a permanent resident of the United States.

NOTES

[1] Denvir, Daniel. ["Obama Created a Deportation Machine. Soon It Will Be Trump's,"](#) *The Guardian*, November, 21 2016. Last accessed February 11, 2017.

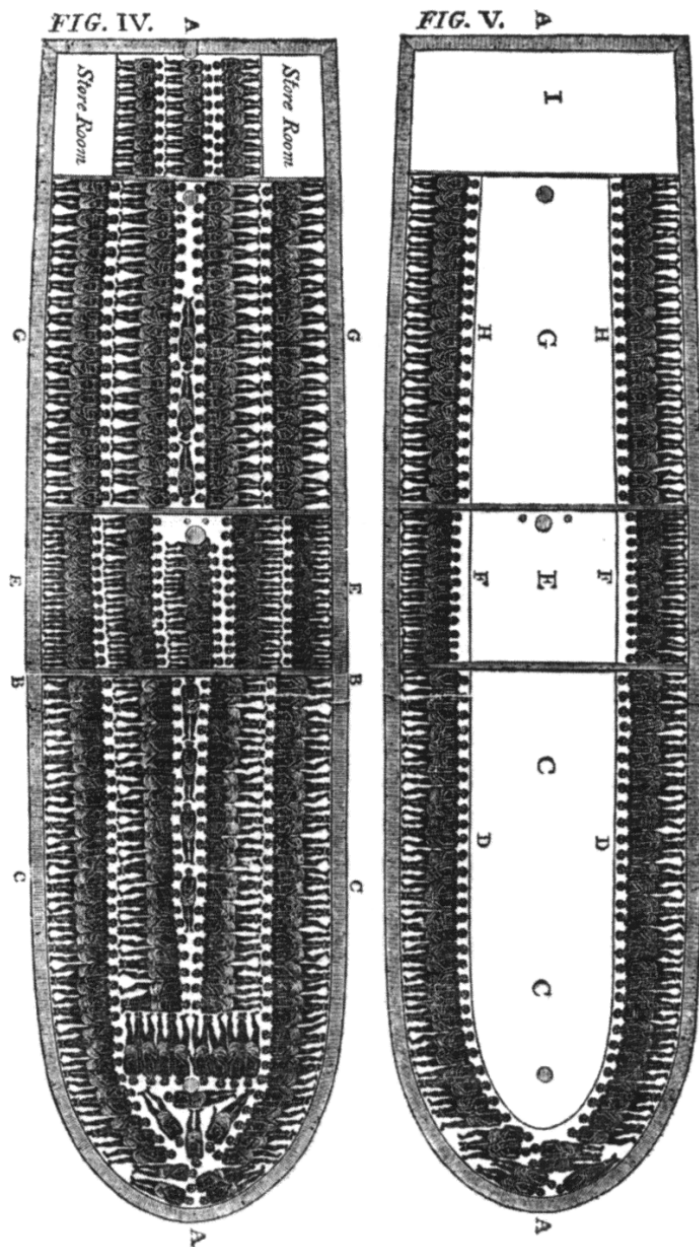
[2] National Immigrant Justice Center.

A Few Snapshots of The U.S. Borders

By Shahram Khosravi

February 14, 2017

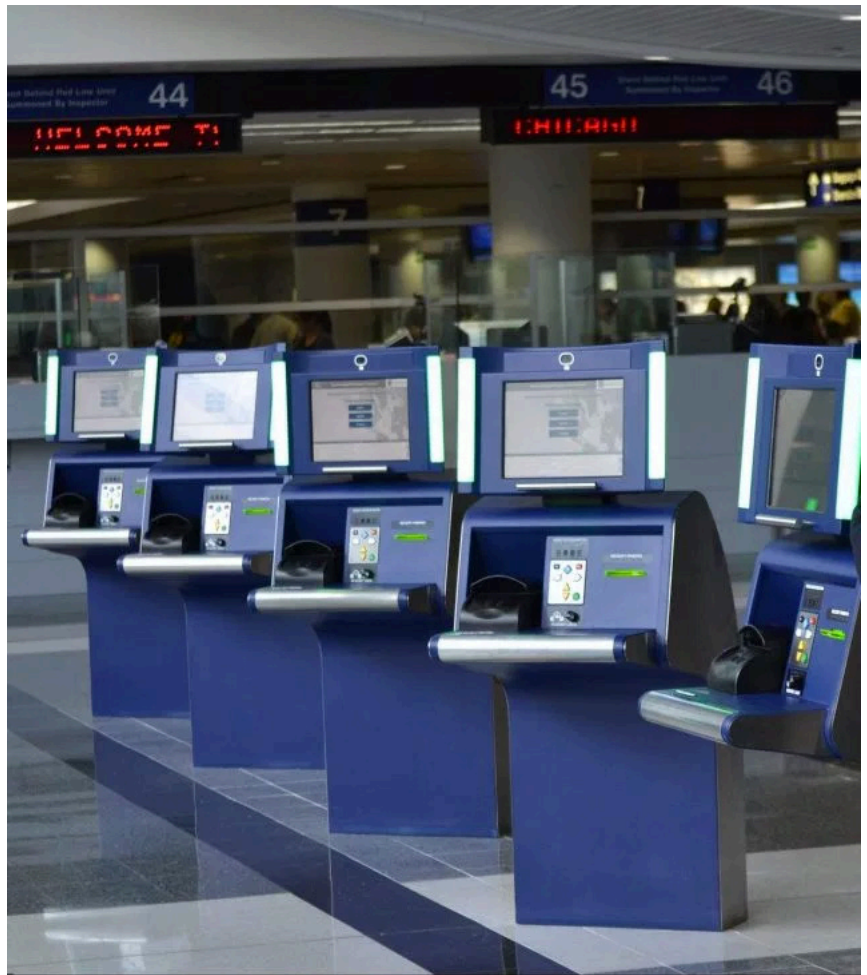
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In May 2013, I arrived at Chicago O'Hare Airport, on my way to a workshop in Irvine. It was early, around 4 am. The border control officer was weary but not too sleepy to let me pass through just like others, many of them Swedish passport holders just like me. I had something extra, though—my Iranian background, marked both on my passport and my body. He gave me a form to fill out. No pen at his kiosk, so he went to find one. After a while, he came back and handed me a pen, which stopped working when I had barely written my first name on the form. I asked the officer for another pen. Without looking at me he said, "You don't need to fill out the form. No one would read the forms anyway".

[Diagram of a slave ship from the Atlantic slave trade, 1790/1791](#). Abstract of Evidence delivered before a select committee of the House of Commons in 1790 and 1791. Photo courtesy of the Lilly Library of Rare Books and Manuscripts, Indiana University. Public domain.

In mid-November, 2016, I landed in New York to catch my flight to Minneapolis in order to attend the American Anthropological Association conference. Earlier that year (exactly one year before Trump's Executive Order) the Obama administration had removed the visa waiver privilege from dual nationals who were citizens of 38 named countries, including Iran. I had spent time and money to obtain a visa valid for ten years. While the border control officer was looking at my visa on a passport that has no visa requirement to enter the U.S., I told him that I had a visa because I was Iranian. The young officer gently said "No, not because you are Iranian but because you have been to Iran recently."



Customs and Border Protection self-serve kiosks in Chicago's O'Hare Airport. Photo by Kristoffer Grogan. [United States Government Works.](#)

Less than a couple of months later, Trump's travel ban confirmed I was right. All is about race. He told me to follow another officer to a room, packed with non-white bodies waiting to be interviewed. After 45 minutes waiting I could go without being asked any questions. I almost missed my connecting flight. The border delayed me, made me different from others who were not different until then. My passport was marked with a sign, a visa, not required for others with the same passport, rendering me visible. Easily distinguishable, observable, traceable. The word visa comes from Latin word *videre* that means "to see." A racialized body has to be seeable. In *Dark Matters: On the Surveillance of Blackness*, Simone Browne (2015) writes about the Lantern Law from 1713, when the Common Council of the City of New York approved "A Law for Regulating Negro and Indian Slaves in the Night Time."

It required any slave older than 14 to carry "A lantern and a lighted candle in it." The racialized body had to carry a light that made her or him seeable, easily identifiable. Today the visa on my passport that requires no visa, like the lantern in hands of black people three centuries ago, to paraphrase Browne, is only for illuminating otherness. Just as the Lantern Law was launched to protect white New Yorkers against violence and the threat of black bodies, Trump's Executive Order aims to "Enhance Public Safety" by keeping out Iranians, Iraqis, Syrians, Yemenis, Somalis, Sudanese, and Libyans.



[“Mexico / US Pacific Ocean Border Fence,” Imperial Beach, San Diego, California. By Tony Webster. CC BY 2.0.](#)

III

Part of Trump’s border policy to make America [sic; he means, of course, the U.S.A.] great again is to build in his words an “impenetrable, physical, tall, powerful, beautiful” wall on the border with Mexico. His racism against Mexicans, palpable in his choice of adjectives and words when talking about the southern neighbors, is deeply rooted in the history of the U.S.-Mexican relationship. We live in a time of wall fetishism. Never as today have human beings been so obsessed with building walls. In the end of the 1980s at the fall of the Berlin Wall, there were border walls between 16 countries. Today the number is four times more; almost 70 countries have built or are building walls around their territories. Walls are old. Empires built walls, from the Great Wall of China, to Hadrian’s Wall in Northern England and the Limes Tripolitanus of the Roman Empire in North Africa. If we look closer we can see that there are still traces of the old imperial visions in the modern border walls. The American political scientist Victoria Hattam (2016) has observed that a large part of the U.S.-Mexico border wall was built with portable helicopter landing mats, originally designed and constructed for use in the Vietnam war. The materiality of the wall displays the connections of wars and walls; walls and empires. The same material used to subjugate the people of Vietnam is used today in the aggression against Mexicans to further the U.S. imperial vision. To paraphrase Wendy Brown (2010), Trump’s Executive Order and “beautiful wall” are icons of the erosion of the Empire, rather than the expression of its greatness.

Shahram Khosravi is Associate Professor of Social Anthropology at Stockholm University and the author of: Young and Defiant in Tehran, University of Pennsylvania Press (2008); The Illegal Traveler: An Auto-Ethnography of Borders, Palgrave (2010); and Precarious Lives: Waiting and Hope in Iran, University of Pennsylvania Press (2017). He has been active writer in the Swedish press and also written fiction.



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Versions of Humanity Introduction to Part 3

APLA / PoLAR Respond to the Trump Executive Order on Immigration

Editorial Introduction 3

By Catherine Besteman,

February 22, 2017

URL: <https://wp.me/p1SS1c-1cc>

Last Thursday I experienced first hand the U.S.'s vast ideological divide. In the afternoon, I gave an author talk to a book club based at a local university who had read my book about Somali refugees in Maine. In the evening I attended a talk at the same university by a conservative Maine State Representative titled "Alien Invasion." The two events captured the stark discord in the U.S. about immigration and left me breathless with the extent to which we are truly polarized as a nation.

My book, [Making Refuge: Somali Bantu Refugees and Lewiston, Maine](#), is about the journey taken by Somali refugees from southern Somalia to the vast refugee camps in Kenya, through the resettlement programs that spread them throughout the U.S., to their ultimate destination in Lewiston, Maine. The book club members – mostly older, retired, white – wanted to talk about ways in which they could support new immigrants like those portrayed in the book, as Maine continues to welcome immigrants from Syria, Iraq, Congo, Burundi, and elsewhere. Audience members shared their efforts to date: volunteering at local non-profits that run story-telling or art projects with immigrant youth, helping at a food pantry in an immigrant neighborhood, coordinating furniture collections and donations to new immigrants, trying to help immigrants locate employment, inviting new immigrant families to dinner.



Iman Osman as a teenager in Lewiston, Maine, 2008. Photograph by Elizabeth Milliken.

They were an earnest audience, dedicated to the concept of offering refuge and welcoming the stranger, committed to an understanding of the U.S. as a place of protection and opportunity for immigrants. Questions ranged from how to avoid white liberal ‘do-gooder’ interventions that disempower immigrants to actions that faith communities might undertake to support newcomers. One woman volunteered that members of her church congregation were learning French to support newly arrived congregants from the Congo with limited English proficiency. The room hummed with disapproval of President Trump’s Executive Orders banning immigrants from seven Muslim majority countries and all refugees, as well as worry for those caught in conflict zones who would be barred by a reinstated refugee ban.

The evening event, in contrast, featured a speech by Maine State Representative Larry Lockman, known for a history of sexist and homophobic proclamations. With this speech he was asserting himself as a leading anti-immigrant voice in Maine, seeking support for his proposed new legislation to require cities in Maine to comply with Trump’s reinstated [‘Secure Communities’ Executive Order](#) or lose all federal and state funding, and to hold local refugee resettlement agencies accountable for any criminal actions by those to whom they had offered assistance.

To convince his audience of the dangers posed by immigration, Lockman listed acts by immigrants that harmed or might have harmed Americans: the two Iraqi men in Bowling Green, Kentucky, found guilty of attempting to provide weapons to Al-Qaeda in Iraq; two immigrant men who passed through Maine before leaving the country to join ISIS; a brutal murder of a man in Portland by three men who may have been immigrants; and, of course, 9/11. The convoluted logic stringing these tragic events together seemed to be that the U.S. should bar immigrants because some might become radicalized or commit crimes after immigrating.

In addition to immigrant criminality, Lockman also insisted that immigrants benefit from public assistance to which they should not be entitled, stating (with no evidence) that Maine’s estimated 5,000 illegal aliens use \$41 million in public funds each year. The supposedly illicit use of taxpayer dollars is a resounding trope in Maine, trotted out by the conservative Governor in efforts to defund everything from food stamps to Medicaid to public education. Maine’s poverty rate, and the economic devastation left by the state’s abandonment by manufacturing, ensures that feelings about entitlements run high.

To my ears, the speech was an exercise in fear-mongering and misinformation. His supporters in the audience loved it.



"Confrontation" by Anna Levinzon. Abortion is another area of intense U.S. polarization. CC-BY 2.0.

After people lined up at the microphones to pose questions, the room exploded as audience members with opposing views jeered and yelled at those with whom they disagreed to "Shut up and sit down!" A young man who said he lost his father in the World Trade Center attacks of 9/11 protested Lockman's use of the tragedy to foment hate. When he shared that his response to the attacks was compassion rather than retribution, agitated audience members loudly

booed. When another woman invited Lockman to dialogue with her community of immigrants and asked him to talk about white fragility, he angrily responded, "Next question!" As the hollering escalated into unruliness, the event organizer finally turned off the mics and broke up the gathering. The audience members filed out of the room still divided between those supportive of and appalled by Lockman's agenda – nothing approaching consensus or mutual understanding had emerged.

I left the meeting thinking about the role of anthropology in the midst of such deep disagreement.

These two versions of the nation – the one as a refuge for immigrants, the other as a fortress against immigrants – draw inspiration from two different understandings of humanity. Are humans compassionate or judgmental? Are humans welcoming or self-protective? Is sharing a virtue or a weakness? Are humans self-protectively insular or inclined to sociality? Have humans historically offered care to needy strangers or pushed them away?

The power of anthropology, it seems to me, is to offer a vision of humanity that gives people purchase: a mirror in which they can recognize themselves and their motives, confront their fears, confirm their longings. People living in a world ravaged by neoliberal economics and ideology – the hollowing out of communal life, the disinvestment in public goods and services, the turn toward punitive forms of justice, the abandonment of the non-profitable, the drive toward economic quantification, the forging of identity through consumption, the valorization of financial winners and the sacrifice of financial losers – have saturated into a single version of humanity that promotes radical self interest, exclusivity, hoarding, resentment, and mistrust. This is the version of humanity that nurtures xenophobic nationalism, border walls, and the condemnation of compassion. This is the Trump version.

But anthropologists have very different stories to tell about human care, mutuality, solidarity, altruism, commitments to the common good, resilience, and resistance. These are the stories we need to be telling now, with the loudest megaphones we can find.



Catherine Besteman teaches anthropology at Colby College. Her research focuses on immigration/mobility, militarism, sovereignty/citizenship, and racism, topics she has studied in South Africa, Somalia, and the US. Her books include Making Refuge: Somali Bantu Refugees and Lewiston, Maine (2016), Transforming Cape Town (2008), Unraveling Somalia (1999), and the edited volumes The Insecure American (2009), Why America's Top Pundits are Wrong (2005), and Violence: A Reader (2002). A 2012 Guggenheim Fellow, her work has also been supported by the Rockefeller Foundation, the American Council of Learned Societies, the Wenner Gren Foundation, the American Philosophical Society, Sigma Xi, the School of Advanced Research, and the Tinker Foundation.

Chaos and Fear in the Wake of Trump's Executive Orders

By Anne Knight

February 22, 2017

URL: <https://wp.me/p1SS1c-1ce>

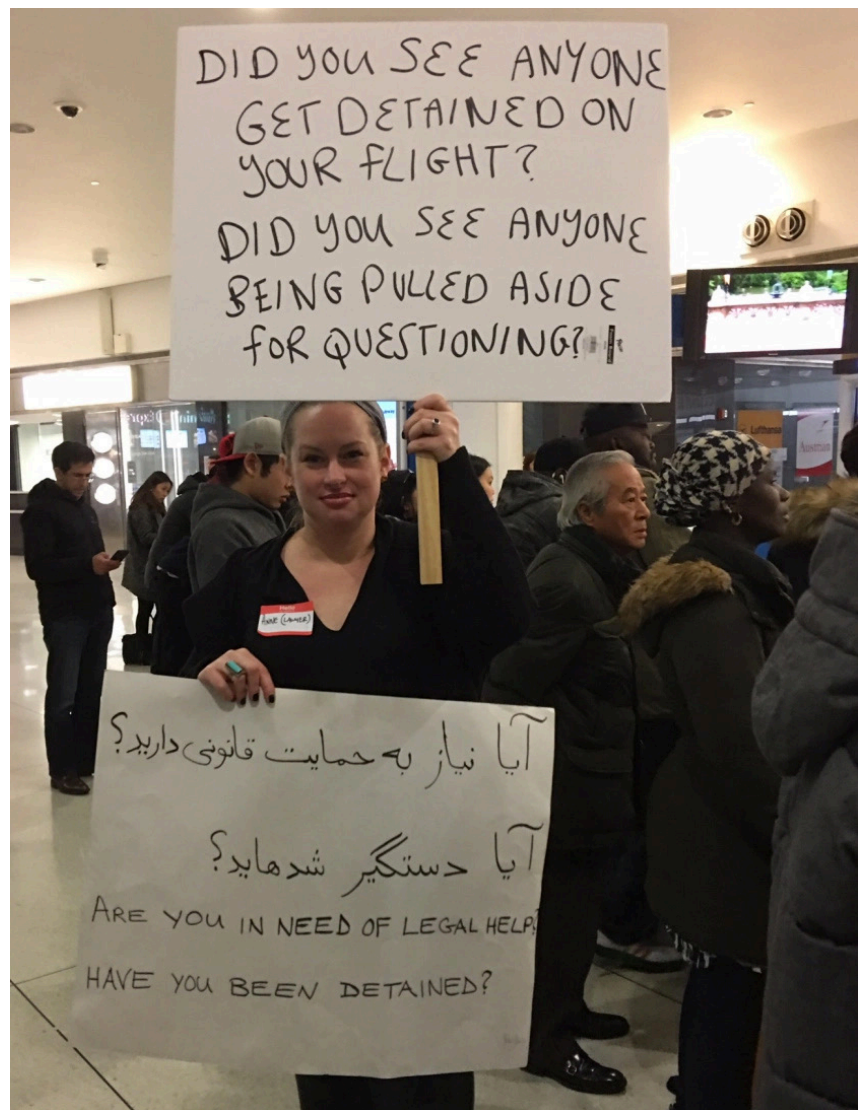


Lawyers staff a free legal clinic at JFK during the chaotic implementation of Executive Order 13769. Photo by Anne Knight.

I am a corporate lawyer in New York with experience working pro bono on asylum cases and refugee issues. When the Executive Order restricting immigration from seven Muslim-majority countries and temporarily suspending admission of all refugees went into effect, I joined a group of lawyers and other volunteers at JFK Airport in New York. We ran a round-the-clock free legal clinic in JFK's main terminal for 10 days, which is now being managed offsite. The clinic started organically in the first 24 hours after the Executive Order was signed, as immigration and other

lawyers, representatives from immigration nonprofits and other volunteers began to gather at JFK to help affected travelers. Some volunteers heard that lawyers and translators were needed through word of mouth, social media or news reports, but others decided to go to the airport unsure who else was there to help, but knowing that being on the ground was the best way to coordinate efforts and make contact with families waiting for their loved ones. I first headed to JFK the day after the Executive Order was signed because I happened to see a news report about lawyers who had camped out in the arrivals area of the main terminal with signs offering free legal help. By the time I arrived at the airport that day, the protest outside was so large that the police had closed public access to the terminal, so I joined the protestors outside. I returned the following day. By then, the group had set up an online volunteer sign up system, hotlines and a website, formed a steering committee, decided on a name (“No Ban JFK”) and convinced the Port Authority to let them work indefinitely in a cordoned-off area.

Our work at JFK has been varied. Many lawyers and translators were (and still are) posted at each international terminal with signs in English, Arabic, Farsi and Urdu asking travelers if they or a relative had been detained or had seen anyone else detained. Other lawyers fielded our phone and email hotlines, advising people outside the United States concerned about being allowed to return, people inside the U.S. concerned about future travel, and others trying to understand how the Executive Order affected them. We also had a legal team drafting habeas corpus petitions, which they filed after a traveler was held by Customs and Border Patrol (CBP) for more than six hours. Another team monitored flights and flight arrival times, so we could prioritize flights likely to be carrying affected travelers and keep track of how long travelers were being detained. Our social media team promoted our efforts so affected travelers and their families would know we were available to assist. Once the complete stay of the ban went into effect on February 3rd, we launched social media campaigns directed at airlines that were violating the stay by not permitting travelers to board planes to the U.S. Our tech team created online intake forms and spreadsheets and central-



Anne Knight holds signs announcing the legal clinic to arriving passengers at JFK.

ized the hundreds of pages of legal documents and manuals with advice for travelers that volunteer lawyers had drafted. All of these efforts relied on real time reports we received from hundreds of travelers, travelers' family members and friends, and others around the world through our hotlines, social media, and in-person contacts. All of our work was coordinated out of a tiny corner of a JFK arrivals area, on scores of laptops and smart phones, using borrowed or donated printers, scanners and server space, and powered by an intricate maze of power strips, gallons of coffee and hundreds of pounds of donated food.

We assisted numerous travelers from the seven banned countries (for the most part, green card and visa holders traveling under passports from the seven countries, but also U.S. citizens born in the seven countries or traveling from the seven countries) who were held by CBP for hours and questioned about their background, travel, and religious and political beliefs before being released. In several of these cases, CBP demanded to examine content on travelers' phones and laptops. While travelers were questioned by CBP, much of our information came from concerned relatives and friends waiting in the airport, because we were not permitted in the restricted area where CBP detains and questions travelers.

It has been well documented that the rollout of the Executive Order caused chaos at airports around the world, as federal employees and airlines struggled to interpret and implement its vague provisions. It has also been well documented that the rollout resulted in uneven application of the Executive Order's provisions to travelers and in travelers being treated inhumanely while in detention. We faced all of these issues at JFK, especially during the first few days, but what we saw more of—even 10 days in—was the fear experi-

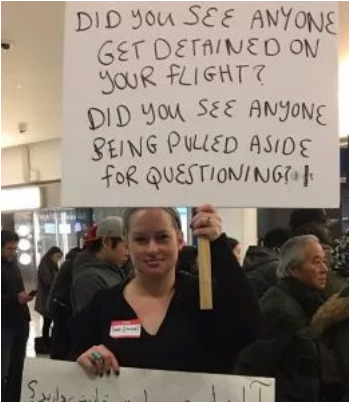


["Chicago O'Hare, 1/28/17" by Amy Guth. CC BY 2.0.](#)

enced by everyone who sought our help: those whose immigration status and travel were affected by the Executive Order; as well as others whose immigration status and travel (at least in theory) were not affected, but who, nevertheless, were held for questioning for hours. There were also those who were afraid to travel to or from the U.S. because of their connections to or ethnic roots in the seven banned countries or other Muslim-majority countries.

I don't think that with the passage of time, a revised Executive Order, or a final federal court decision on the merits of the order will do much to alleviate this well-founded fear of the impact of the President's immigration policies. Refugees and immigrants will continue to suffer as the

administration further rolls out and refines these policies, which means that “first responder” lawyers, like myself and my co-volunteers at JFK, must stay involved. The good news is that the airport clinics that popped up within hours at every major international airport in the U.S. have now trained and coordinated hundreds of first responders and provided them with the tools and support to rapidly, efficiently, and effectively respond to future emergencies. I have worked pro bono on immigration issues for many years, and I have never seen so many volunteers—both newcomers and veterans—this eager and truly prepared to help. That gives me a lot of hope.



Anne Knight is a corporate lawyer in New York City who also focuses on pro bono asylum and refugee work. She is a volunteer with “No Ban JFK,” which is part of the national “No Ban USA” movement, a volunteer group of lawyers, translators and other passionate individuals working at international airports across the United States to efficiently coordinate efforts to help those affected by the ban on immigrants from Muslim-majority countries. Information about “No Ban JFK” and “No Ban USA” can be found at <https://nobanusa.com>.

"Home" Does Not Equal "Citizenship"

Belonging in the Age of the Travel Ban

*By Sara Shneiderman**

February 22, 2017

URL: <https://wp.me/p1SS1c-1ci>

Where is home? For any of us?
What does it mean to belong?

Since the executive order on immigration was signed, I've been haunted by a photograph taken by my great uncle David Seymour "Chim" in a Warsaw orphanage in 1948. In it, Tereszka, a displaced child, draws a picture of "home." Tereszka's eyes have been with me since I can remember, a reminder of the lucky circumstances of history that enabled my grandparents to build a new home in the US after arriving as Jewish refugees from Poland via France in 1940. Today her eyes bear a new incredulity.

Conversations with diverse friends and students since the executive order on immigration was signed have revealed that our collective sense of home is shaken. Our individ-



"POLAND. 1948. [Tereszka](#), a child in a residence for disturbed children. She drew a picture of 'home' on the blackboard." © [David Seymour/Magnum Photos](#). Published with permission. Original caption.

ual reckoning with this unsettling historical moment may differ depending upon our personal constellation of citizenship and residence documentation (or lack thereof), religious affiliation, physical appearance and geo-social location. But Tereszka's photo should remind us all how quickly lives may be unraveled through violence, war, displacement, and policies such as the travel ban.

In theory, the logic of the executive order is predicated on the fiction that people feel at home within the boundaries of the nation-state in which they hold the documentary trappings of citizenship, and therefore have the option to simply stay or return there. In practice, despite its temporary judicial suspension, the order's implementation at various border points clarifies in real, human terms that whether by blood or descent, our ties to the nation-state that issues our citizenship documents (or refuses to do so) do not necessarily determine where we feel most at home. This disjuncture between what we might call the documentary and affective dimensions of citizenship is a focus of my anthropological research in [South Asia](#), and the [Himalayas](#), as well as part of my family history and life trajectory. As a second-generation Jewish American, I am now resident in Canada on the unceded territories of the [Musqueam](#) people. The home that I make for my children here is premised on the colonial usurpation of others' traditional territories and homes, violence not unlike the historical and contemporary aggressions elsewhere that have compelled so many to seek refuge in the US.



"AUSTRIA. Vienna. 1948. A little boy with a homemade toy, a Red Indian village of wigwams and stockade constructed from wood and cardboard. Behind him are the ruins of a much-bombed and damaged Vienna." © [David Seymour/Magnum Photos](#). Published with permission. Original caption.

The travel ban prevents people fleeing such oppression from finding new homes, as well as those who have made their home for years in the US from returning to it. For me, the executive order feels like a betrayal of "home", the place where my forbears found refuge. I say this from a position of privilege as a white permanent resident of Canada, but the emotional loss of the country that my grandparents and parents believed in is real.

The executive order was signed on Holocaust Remembrance Day. The president's statement on that occasion excluded Jews, and was hailed by white supremacist leaders as a necessary "[de-judaification](#)" of history. The objective seems evident: to erase the history of past forms of exclusion and violence in order to facilitate new ones, as Holocaust historian [Timothy Snyder](#) explained in a recent interview. By the end of January 2017, [48 Jewish centers in the US had received bomb threats](#). These threats are not only a "Jewish issue", just as the travel ban is not only a "Muslim issue". While recognizing the specific pain of those directly affected in each case, we need to address these issues systemically, as part of a whole.

Those once oppressed may also become oppressors, victims can become perpetrators. Recognizing this is another way of countering attempts to reduce all members of any group to a singular stereotype or ideological position. This means challenging Israel's politics of occupation, settlement and wall-building at the same time that we work to remember the Holocaust. The US administration has directly cited the Israeli experience as evidence that "the wall works", and is reportedly seeking [Israeli advice on building the US/Mexico wall](#). These confluences indicate the need for careful attention to situated histories and the granular questions of how specific exclusions are produced—who the agents are and what motivates them—to complement large-scale political resistance. Connecting the dots between micro and macro, across space and time, is one of the roles for anthropology and other critical social sciences in this moment. There is a pressing need to recognize oppression and exclusion in both particular and universal forms. We must share stories beyond our own communities, but in ways that can be grasped by others who know little of our own pasts.

The travel ban strips us all of the agency to build our own senses of home. Instead, it over-identifies all citizens with their putative state, rather than recognizing that many people are at odds with the states in which they were born or hold citizenship. Many of those seeking entry to the US now do so on humanitarian grounds, just like those of earlier generations. My grandparents could no more remain in Poland than Syrian refugees today have the option to stay at home. Documentary citizenship from the nation-state which claims the territory in which they were born offers no relief.

In other cases, such as for the over [4 million stateless people in Nepal](#), the problem of being citizenshipless is not a product of displacement, but rather of birth within the territorial boundaries of a state that will not acknowledge entire categories of people as its legitimate citizens due to their ethnic identity or family history. And yet there is no other place to which they belong. The larger problem, then, is the Westphalian nation-state system and its presumption of a direct correlation between territorial location and a singular citizenship for each of us. By the same token, as Audra Simpson powerfully explains in [Mohawk Interruptus](#), American citizenship—like that of many contemporary nation-states—is premised upon the disavowal of indigenous sovereignties, and is therefore a site of refusal for many. For such reasons, the historical accident of my own US citizenship feels both fortunate and perpetually fraught.



"For decades some 4 million people in the Terai region of southern Nepal could not acquire citizenship certificates, as the Nepali government claimed they were from India, not Nepal. While citizenship was extended to millions of people in 2007, it is estimated that several hundred thousand in the region are still excluded from citizenship, primarily those from lower castes, specifically the Dalit, or untouchables. Walking several hours from their remote village, three Dalit carry bundles of firewood to sell in the markets of Lahan." © [Greg Constantine](#). Published with permission.

It is ironic that corporations (including universities) idealize the so-called “global citizen” when s/he begins as a citizen of a handful of states in the Global North and travels elsewhere to proselytize the virtues of capitalism, democracy or “development.” Yet these organizations reject this concept when the direction of movement is reversed. Many universities have released strong statements condemning the travel ban; we should also urge them to rethink the notion of “global citizenship” that undergirds many of their initiatives. We are not all immigrants, we are not all global citizens, but we are all human. We all deserve to make our homes in peace, while never forgetting the specific historical circumstances that have delivered us here, often destroying other homes along the way.

We must ask ourselves: What historical circumstances have enabled each of us to make our home, wherever we are? How do we make it a just and inclusive home now? How can we help others find home in difficult times? Tereszka’s eyes demand nothing less.

*This essay is based on my short talk at [“Ban the Ban,”](#) an event held at University of British Columbia on February 3, 2017. I am grateful to the organizers and participants of that event.



Sara Shneiderman is Assistant Professor in Anthropology and the Institute of Asian Research at the University of British Columbia. She is the author of [Rituals of Ethnicity: Thangmi Identities Between Nepal and India](#) (University of Pennsylvania Press, 2015), along with several articles on the themes of Nepal’s Maoist and indigenous movements; ethnic classification, affirmative action, and the politics of recognition in South Asia; and borders and citizenship in the Himalaya. Her current research explores the politics of reconstruction in Nepal’s post-conflict, post-disaster transformation, focusing on dynamics of citizenship, territory and religiosity.

Make America Israel Again: Targeting Empathy at the Border

By Nikolas Kosmatopoulos

February 22, 2017

URL: <https://wp.me/p1SS1c-1cg>



UN controlled border crossing point between Syria and Israel at the Golan Heights by Escla. CC BY-SA 3.0.

*Let me find time to prophesy
the coming of the flood*

—Nizar Qabbani

I found refuge—and resistance—in the feminist and subversive poetry of Qabbani while being “screened” by Border Police and Homeland Security agents at Newark Airport only a few hours after my arrival from Beirut via Paris, only a few days after the implementation of the so-called “Muslim Ban” by the new United States government.

The female officer with a Hispanic name, visibly disappointed by my “lack of cooperation,” (I wouldn’t give my social media accounts) suggested for the third time that I should “wait outside.” Arab, African and Latino men, migrant women with their children, entire families from the Global South waited there alongside young, blonde and white men and women, rather of the activist type. The reason for my “screening”? Too many Middle Eastern stamps on my passport, I guessed.

I had already exhausted my argumentative skills with the officer—I kept refusing to answer questions about my personal data (other than those required for the ESTA application) and whether my American University of Beirut students are sympathetic to anti-American ideas. Instead, I opened my bag, took out Qabbani’s “On Entering the Sea” (Jayushi and Elmusa 1996) and began reading. Instantly, my eyes clapped on the verse above. Was this ordeal yet one more sign of the *coming of the flood*?



[A CBP Officer processes an incoming passenger at the Newark International Airport.](#) Photo by James Tourtellotte / [U.S. Customs and Border Protection](#). [U.S. Government Work](#).

While in transit through Paris, I saw the arbitrary banality of singling out “random” people for full-body-and-bags-search, while the randomness miraculously coincided with the fact that we were all flying – flooding? – from Beirut: a Syrian mother visiting her daughter in Philadelphia, a Connecticut-born and Beirut-based female basketball player, and me.

In Newark, in a small, suffocating office of “second screening,” faced with three officers, one talking, two eavesdropping, I experienced

shocking confluences of Middle Eastern geography (the officer asked me about a recent terrorist attack in Beirut, but it turned out she meant ...Kabul), all-too-prophetic time-machine travels back to ...1984 (the date of the most “recent” attack on staff in the American University of Beirut, as I informed the uninformed officer), and futile efforts on my side to educate the officers that ISIS kills mostly Muslims and that, as an AUB professor, I am more likely a target than a suspect.

Finally, when the questions turned into investigations of personal opinions, and “security concerns” culminating in a “request” for my social media accounts and my phone number in Lebanon, I saw in their eyes the state’s insatiable thirst for citizens’ data—big data, any data—which, as Hannah Arendt famously said, freeze free thinking and substitute following ideas with following orders.

Carefully orchestrated yet arbitrary-looking generalized suspicion of the Other; criminal conflations of geography, history and rationality by emboldened and tragically ignorant state agents; and an insatiable, perverted desire for intimate information about everything and everyone, reminded me all too well of my border encounters with the State of Israel.



Once as a traveller through Ben Gurion Airport with too many passports stamps from Lebanon and Syria, detained and interrogated for 7 hours, and later as an embedded ethnographer in the Gaza Freedom Flotilla (Kosmatopoulos 2010), I had grown accustomed to encounters with aggressive intrusions of state security into citizen intimacy articulated through the liberal framework of threat. Indeed, the *déjà vu* moments at Newark were so many and so replicable that I almost asked the officers whether they had been trained by Israeli security agencies.

[The towns of Nogales, Arizona, left, and Nogales, Mexico, stand separated by a high concrete and steel fence. By Sgt. 1st Class Gordon Hyde. U.S. Government Work.](#)

Don't get me wrong. I am far from suggesting that state obsession with borders as the primary sites of sovereign dehumanization is unique to these two countries. After all, contemporary Europe has perfectly demonstrated how to translate human tragedy into security threat and the Arab Gulf states have been mastering the art of hyper-selective immigration better even than Switzerland.

But what is alarmingly common between these detention experiences is the state-driven obsession with "purity and danger" (Douglas 2003). The designation of a potential threat is based not only on ethnicity, race or religion, but also on the transcendence of these entities through physical travel, cultural contact, intellectual encounters or just making a living "there"—now all considered suspicious transgressions. In other words, these forms of social and cultural capital (knowledge of history, language, culture of the Other), otherwise considered privileged paths for cultural understanding and human co-existence, are now targeted as suspect activities. Now, as before under Obama, not only the Other (Muslim, Mexican, refugee), but also the *empathetic contact with the Other* is considered a threat to the state.



[Ben Gurion Airport, Tel Aviv](#) by [Claus Wolf](#). CC BY-SA-NC 2.0.

Obsessions with state-sanctioned purity and danger make the contemporary US look more and more like Israel — after all, both are settler colonial states with similar existential outlooks in history (“make the desert bloom”) and the contemporary world (“beacons of civilization amidst barbarism”). However, the explicit and visible focus of the new US administration on travel bans, border walls, and bona fide Islamophobia makes Israel an even more privileged interlocutor, especially since Israel maintains a refugee ban since 1948, a separation wall

since 2000, and a dominant Islamophobic narrative that justifies state-building through house demolitions, citizen deportations, police brutality, and, outright military bullying.

I left the screening room with a sense of victory. The officer had to call her supervisor about my “non-cooperation” and he had to apologize for the inconvenience (“... but we have to secure our borders”). Neither my mobile phone nor my social media were searched (although academia.edu notified me about a Google search from Washington DC during that time). At the arrival area, a group of devoted ACLU lawyers waited to document my case. Friends and colleagues in Berkeley and Rutgers notified them, after a phone call by the officer during my detention. The call was my victory in the negotiation. Indeed, the same forms of cultural and social capital that deemed me suspect were also instrumental in empowering my resistance; in the suffocating room, my passport, my profession, but mostly my previous border experiences were my own “weapons of the weak” (Scott 2008) in the no-law-land of second screening.

At the border, the state seeks to purify the state’s own definition of dangerous entities, while targeting empathy – in terms of intellectual understanding or mere curiosity about the Other. But as anthropology has shown, such efforts are doomed, despite the tragedies that they inflict upon humanity in the meantime. The border is the place where the state begins, but also where it ultimately fails.

Later in the evening, I opened the book once again and searched for the verse that kept me going throughout the ordeal. Alas, dear Nizar, there is hardly any time to “prophesy the coming of the flood;” there is only time to flood the border open.



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When There Is No Solid Ground

By Sharika Thiranagama

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Displaced people queue for water in an IDP camp in Vavuniya, Sri Lanka. DFID (U.K. Department for International Development). CC BY 2.0.

On a Saturday evening at San Francisco airport, I was chanting with others gathered there “Let Them Out” and “Let the Lawyers In,” a demand for those detained under President Trump’s Executive Order at the Customs and Border Protection to be released and given access to lawyers. As I stood there in this airport and this political moment, I recalled being a seventeen year old detained with my father at Frankfurt Airport in Germany. My father and I did not have British passports; we had small blue books, Travel Documents inscribed with the UN Refugee Convention and our photographs. The first time we dared to leave Britain on an airplane, seven years after arriving in the United Kingdom, the Frankfurt Border Police detained us for hours, addressing us with their guns placed on the counter between us, and eventually deporting us back to Britain. We never left the airport. I do not write this in order to appropriate the experiences that others, especially Muslim communities, face at the moment, but to allude to a set of displacements and precarities that the experiences of moving as refugees or migrants, “semi-legal” or “illegal,” bring—and which never ever leave one, even if, as in my case, years later you have become upwardly mobile and moved into an affluent professional class.

My sister, my father, and I left Sri Lanka when I was nine, nearly ten, after my mother, a human rights activist, was assassinated outside our house. When we arrived in Britain, we claimed asylum and joined thousands in labyrinthine, deeply iniquitous, puzzling, and humiliating administrative processes to be recognized as refugees and be granted permission to stay. At first refused, our case was reconsidered, and we then began years and years of naturalization. We were lucky on many fronts. As I grew up and came to work within the refugee legal services in Britain, I encountered all the people who had not boarded a plane and arrived in their country of asylum. Instead, most of those I met, some of whom I ended up interviewing for my eventual doctoral research, had spent years in transit, internally displaced, and then in a series of refugee camps or semi-legal and illegal transit points. They had taken years to make the journey towards being refugees. While people waited for their cases to be considered, they were not allowed to work, and many asylum seekers were driven into the underground economy. My father, because he was lucky to have education and speak English, was able to go back to school to be retrained after nearly a year of working in gas stations.

By the time I was in my twenties, even more restrictions on asylum seekers and new policies of dispersing families across Britain, meant that families lived in isolated places far from any of their contacts, far from the administrative services they needed, and often far from even the courts they needed to attend for their legal cases. They were rendered unable to even work to support themselves. Homelessness was an ever-increasing problem.

Community organizers at the Tamil Community Center in London Community working with Sri Lankan Tamil asylum seekers talked of increasing homelessness and addiction particularly among young Tamils who had come as unaccompanied minors in the last decade, especially those who were also LGBTQ and thus not accepted or helped within the community at large. Immigration fears and insecurities kept women who experienced severe domestic abuse within abusive relationships, as they were afraid of police and authorities.



[Tamil sit-down protest in Whitehall in May 2009 by Southbanksteve. CC BY-SA 2.0.](#)

Most of the time, especially as I spent time within refugee communities and the legal organizations that worked with them, I felt more in common with other young asylum seekers than I did with almost any other group with whom I could identify. We all lived in similar sorts of settings. We

never imagined that our parent's jobs said anything about them as individuals, as most of our parents worked within low-skilled, insecure, and shift-based work. Our houses were arbitrarily assembled, our stories fragmented. It is a fellowship I feel to this day.

When I volunteered at Harmondsworth detention center in London visiting inmates regularly, it was to visit men incarcerated by private security companies, waiting to be deported, sometimes for years, as the receiving country had not acknowledged them. Other detention centers also incarcerate women and children. I am ashamed to admit I only made it through two months of visits to Harmondsworth; many of the other volunteers, however, had been visiting for years. Inmates were offered minimal psychiatric care even though many had had deeply traumatic experiences, and severely ill inmates had been placed in general cells that they shared with others. Inmates were also continually administered a series of sedative, "downers," if any showed signs of being troublemakers – leading to deep depression and frequent suicide attempts in the facility. The young man from Sierra Leone I visited attempted to commit suicide the first week of my visits and was stripped and placed naked in solitary confinement for hours.

When I began to conduct doctoral research with Sri Lankan Tamils and Muslims both internally displaced in Sri Lanka and in Canada and the UK, I tried to understand displacement not only in terms of its numbers but as an experiential way of being in the world.

Numbers are useful; numbers are what help us understand the structural inequalities that those displaced face. Numbers help us understand that refugee and displacement crises are happening not just in Europe and US (despite representations as such) but primarily in countries in the global south. Numbers force new understandings.



As an anthropologist, however, I could and did try to show the differences between those displaced in refugee camps and those within cities, those internally displaced and those externally displaced. The Sri Lankan Muslim refugees I worked with had been collectively ethnically cleansed from their homes in Northern

[Asylum seekers protesting at the Villawood detention center in Sydney, Australia.](#) By [Adam J.W.C.](#) CC BY-SA 2.5.

Sri Lanka by the Tamil Tigers. They lived in camps just on the other side of the border from their former homes, in landscapes that resembled those which they had left. Their former homes were constantly within their visual and experiential realities. Proximate displacement over years and years within the country of your origin means that you and your former homes are changing together, noted, lamented, reflected upon and constantly imagined within the camps. Tamils externally displaced in Canada and the UK, felt themselves change, but their homes, far away, seemed to stay the same. These differences seeped into how memories were transmitted, families orientated, and journeys made.

Being an asylum seeker, being a refugee, being a migrant worker, being a visa over-stayer from a poor country, is neither a moment of departure, nor a moment of arrival alone. It is a life-long set of struggles, emotional, physical, economic—a lasting legacy. I write this because I want to draw attention not only to the current moment and Trump's executive order, but to highlight that current restrictions occur within a longer backdrop of severe and destructive experiences by which people can become refugees, a series of humiliations that can continue long after being admitted to a country.

We as anthropologists have paid attention to migration, refugees, asylum, and law. Perhaps instead of treating this Executive Order in its exceptionality, we can make sure to expand this event into a moment when an outraged public can understand something about the longer modalities and processes that govern lives produced through perpetual insecurity and precariousness.



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