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(Re)producing Boundaries While Enforcing Borders in Immigration Detention

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Abstract

Immigration detention centres can be conceptualised as sites of bordering that separate the wanted from the unwanted and reify the boundary between citizens and non-citizens. Using boundary making as an analytical lens that allows getting insights into the work of borders, this paper addresses the relationship between staff and detainees in these ambiguous sites, asking how staff members engage in boundary work to distance themselves from the pains of detainees and to legitimise their work in an institution of exclusion. It considers boundary making based on three kinds of categories – race, ethnicity and culture; (il)legality and (un)deservingness; and unknownness and criminality – that are morally charged. Through the construction of detainees as culturally and morally different, illegal and undeserving, as well as potentially dangerous, prison staff contribute to the reinforcement of borders, legitimating their exclusionary dimension.

Keywords: Immigrant detention; exclusion; borders; boundaries; deservingness.

Introduction

Since the 1990s, immigration detention has become a normalised instrument of states’ “arsenals of [migration] control” (Bloch & Schuster, 2005: 508). Switzerland is no exception, and every year approximately 3,000-5,000 migrants² are confined – most of the time in ordinary prisons – with the aim of facilitating their deportation³. Immigration detention⁴ – the holding of foreign nationals for purposes related to immigration enforcement – can be conceptualised as a practice of bordering (Mountz et al., 2013), separating the wanted from the unwanted (van Houtum, 2010) and reifying the boundary between citizens and non-citizens (Griffiths, 2013). In this article, I use boundary making (Wimmer, 2013) as an analytical lens that allows insights into the work of borders, showing how categories of inclusion and exclusion are (re)produced – while also contested – at the border. Indeed, as closed spaces in which different actors of the border regime come into contact, detention facilities happen to be privileged sites for understanding the mutual relationship that exists between processes of bordering and boundary making (Fassin, 2011).

Detention centres produce high levels of suffering for detainees, whose experiences are characterised by detriment (Moran et al., 2018), uncertainty (Bosworth, 2014; Griffiths, 2013; Turnbull, 2016), and overwhelming feelings of injustice (Bosworth, 2013; Campesi, 2015; Lietaert

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² According to the State Secretariat for Migration, 5,732 detention orders were issued in 2016 (year of my research). Since then, there has been a decrease in numbers of detention orders: 3,724 in 2017; 3,284 in 2018; and 2,921 in 2019 (SEM, 2018; 2020). Between 2011 and 2017, 92% of detained migrants were men, and two thirds were (mainly rejected) asylum seekers (Achermann et al., 2019).

³ Immigration detention can be ordered by Swiss cantons against non-citizens with the aim of identification and/or ensuring the enforcement of their removal from national territory, and can last up to 18 months (Foreign Nationals and Integration Act, Art. 73 to 82).

⁴ In the following pages, when not specified, “detention” refers to “immigration detention”.



et al., 2014). With their high emotional charge, institutions of confinement are also difficult working places. According to Bosworth (2013), they display a legitimacy deficit which causes confusion and uncertainty for staff members, who do not dispose of the same sources of legitimacy as prison officers. In this context, staff members engage in legitimation work, using narrative techniques that “construct their activities as justified, rational, and legitimate” (Ugelvik, 2016: 216).

To avoid being overwhelmed with suffering, detention staff develop psychological techniques of estrangement and detachment as a form of self-care (Gill, 2016). The concept of moral distance, as developed by Gill (2016: 4), is particularly useful to understand these processes. It refers to the “the human tendency to care more for people close to us than to those far away”, where distance is not only geographical: indifference does not always derive from remoteness and unfamiliarity, but can also emerge in situations of sustained contact and overfamiliarity, such as in detention centres.

In this article, I look precisely into *how* staff members distance themselves from detainees through the construction and reproduction of boundaries, a process that is also fostered by institutional features. Using boundary work as an analytical lens to study the perspective of staff members allows me to show how they cope with and make sense of their work in immigration detention through the production and maintenance of moral boundaries. This boundary making, I argue, serves two purposes: distancing themselves from the pains of detainees, and legitimising their own work in an institution of exclusion. Through the construction of detainees as culturally and morally different, illegal and undeserving, as well as potentially dangerous, prison staff contribute to the reinforcement of borders, legitimating their exclusionary dimension.

In order to make this point, I start by introducing the concept of boundaries and their relation to morality in the next section. After a short description of my fieldwork, I describe the context of interactions between staff and detainees and the institutional aspects that impact on them. I then go through three different kinds of boundary making based on categories of: 1) race, ethnicity and culture; 2) (il)legality and (un)deservingness; and 3) unknownness and criminality, to show how these are morally charged and ultimately serve to legitimise immigration detention.

Boundaries and their moral dimension

In the light of Barth’s (1969) work on ethnicity, academics have focused on how boundaries work to construct and maintain social difference. Some have focused on immigration societies, showing that *boundary making* involves actors from the majority *and* the minority, “creating both immigrant minorities and national majorities in the process” (Wimmer, 2009: 245). Boundaries are intimately related to power and inequality, which is at best captured by the distinction introduced by Lamont and Molnár (2002: 168) between symbolic boundaries as categorisations made by social actors and social boundaries as “objectified forms of social differences manifested in unequal access to and unequal distribution of resources (...) and social opportunities”. Social actors thus engage in struggles over which boundaries should be considered relevant (Wimmer, 2013).

Moral categories and values are central to boundary making (Barth, 1969; Pachucki et al., 2007), particularly when it comes to defining and legitimising the boundaries of citizenship and belonging through notions of deservingness (Chauvin and Garcés-Masareñas, 2012). Distinct from the discourse of rights, which presumes universality and equality before the law, deservingness is articulated in a moral register based on a specific circumstance (Willen, 2012: 813-814). It has been argued, however, that access to rights has been re-moralised in the context of the ‘war on terror’, becoming connected to the perceived moral value of a person (Eckert, 2008). Through a process of



othering, societies construct the enemy as external while reproducing the dichotomy of ‘us’ and ‘them’ that underlies what Eckert calls a ‘dual law’ system.

In the context of migration politics, Chauvin and Garcés-Mascareñas (2012: 247) use the concept of the “moral economy of illegality”⁵ to refer to “the discourse–policy nexus regulating the construction of irregular migrants as more or less illegal” on moral grounds. Focusing on the tension between framings of unauthorised migrants as civic culprits to be punished and civic minors who deserve membership, the authors show how such boundaries between the *good* and *bad* ‘illegal’ allow states to exert disciplinary power over undocumented migrants. In this paper, I look into how moral categories construct detainees as more or less estimable and deserving. I use the term ‘moral categories’ to refer to those categorisations based on perceptions and ideas of ‘good’ and ‘bad’, ‘right’ and ‘wrong’, and thus operating through a judgement of value.

About this research

This article is based on ethnographic data collected for my doctoral thesis⁶ between 2015 and 2017 in two Swiss prisons confining migrants awaiting deportation along with (although separated from) remand and/or convicted criminals. This is a normalised practice in Switzerland, where most facilities used for immigration detention are ordinary prisons⁷. The two facilities are located in the German-speaking part of Switzerland, each providing for approximately 70 to 150 detention places. One is a male prison that hires exclusively male officers, while the other comprises a small female section⁸ and employs approximately one-third female staff. In this latter facility – not intended for long detention periods – at the time of my fieldwork male detainees were locked up between 19 and 23 hours per day depending on the cell they were assigned to; they had one hour walk daily but no work or leisure activities; and they could receive only three hours visit per week. In the male-only facility, conditions were slightly more lenient, with the opportunity to work a few hours a day, to access the courtyard three hours a day, and to receive visits up to 12 hours a week.

In both prisons, I conducted participant observation, shadowing the staff in their daily work, and in the male-only facility, I also joined detainees’ daily walks during several months. Despite my interviewees comprising detainees and others attending the prison space, this article is mostly based on 21 interviews conducted with staff members of the two prisons and informal conversations held during participant observation. Staff members had been informed of my visits through the circulation of information sheets describing the research aims and methods⁹. Interviews took place during working hours and on a voluntary basis: staff members could sign up for an interview, although I directly proposed interviews to some with whom I had good personal contact.

⁵ The authors draw on Fassin’s (2009) concept of “moral economy” intended as the production, circulation and use of moral sentiments, emotions, values and norms in the social space.

⁶ The doctoral research was carried out within the framework of a larger project entitled “Restricting Immigration: Practices, Experiences and Resistance”, directed by Prof. Christin Achermann at the University of Neuchâtel, and part of the National Centre of Competence in Research nccr – on the move, financed by the Swiss National Science Foundation.

⁷ The infrastructure of immigration detention in Switzerland is heterogeneous, with more than 30 facilities scattered across the national territory providing for approximately 500 detainees. Of these, only five are used exclusively for immigration detention, while the others operate several detention regimes at a time. This occurs despite the law stating that detention shall take place in dedicated facilities and separately from persons in pre-trial detention or who are serving a criminal sentence (FNIA, Art. 81).

⁸ As the female section was empty during my fieldwork, I could not conduct participant observation there or interview any female detainees.

⁹ For detainees, information sheets in several languages were hung in the detention area in the prison where I conducted most participant observation. In the other facility, I provided forms to sign up for interviews (including information on the research) that were circulated a couple of times among detainees.

Physical and institutional boundaries in detention centres

In order to discuss boundary work in detention facilities, it is important to situate interactions and characterise the relations between staff and detainees. Those are significantly shaped by the material and institutional context of the prison, which works to avoid meaningful encounters – intended as “morally obligating interactions” – and create distance between the two groups (Gill, 2016: 80). Here, I will address three main institutional features that shape this relation and the construction of boundaries: architecture, organisational concerns and the roles assigned to staff and detainees by the institution.

First, the architectural and spatial configuration of the prison contributes to shaping the relationships and distinctions between staff and detainees (Kynsilehto & Puumala, 2017: 209), while spatial arrangements influence interactions (see Enjolras, 2010). A tangible example was found in one of the two prisons observed, where most interactions occurred through a porthole in the door, hiding the body of the interlocutors from integral view, thus hindering effective communication and fostering processes of dehumanisation (see Bhui, 2013).

Along with such physical barriers, organisational measures contribute to creating distance between staff and detainees. For example, the rotation of staff around the prison obstructs the establishment of personal relationships with detainees, given their relatively high turnover, and acts as a powerful mechanism facilitating the detachment of staff from individual pains of detainees (see Gill, 2016), a function that is valued by prison management. The need to complete a form to make requests is another example of such measures that, despite being motivated by efficiency, mediates communication while establishing a distance between staff and detainees.

Third, interpersonal relationships in detention facilities are clearly influenced by the roles attributed to detainees and staff by the prison. For Goffman (1961: 111), “staging a difference between two constructed categories of persons – a difference in social quality and moral character, a difference in perceptions of self and other” is one of the main accomplishments of ‘total institutions’ such as the prison. For example, the uniform worn by officers symbolises their controlling role, differentiating them from detainees. This asymmetry in appearance mirrors the asymmetry in power: detainees are dependent on staff for movement, food, medical care, etc. while prison staff have the power to lock doors and, under certain circumstances, sanction detainees. Prison officers are supposed both to control and assist detainees while following strict rules and maintaining a ‘professional’ relationship. This requires avoiding any personal involvement in individual cases, a task that is facilitated by the fragmentation of the deportation system. Indeed, the prison has no other role than to hold detainees and keep them at the disposal of migration authorities, which means that prison officers know very little about the individual situations of detainees, while decision-makers are kept distant from detainees (see also Bosworth, 2014; Gill, 2016).

Boundary making based on race, ethnicity and culture

In the context just described, I argue that staff members make sense of their role through the drawing and maintenance of different kinds of boundaries. A first type is based on categories of race, ethnicity, religion and culture, which represent a tempting explanation for the different behaviours observed among detainees (see Bosworth & Slade, 2014). Staff members often base their discourses and ways of handling detainees on stereotypes or previous experience with inmates of the same geographic origin. It is quite common to hear stereotyped, and sometimes racist



statements like “North Africans are aggressive and arrogant” or “Black Africans are easy, you give them food, and they are happy” (fieldnotes), particularly during informal conversations. These ethnicised and racialised representations of detainees sometimes have a moral dimension, as in this quotation implying that people from North Africa would have a cultural inclination for crime:

“(…) basically, the law doesn’t interest them [detainees from North African countries] at all. (...) There are many who (...) have stolen something, whether it’s a mobile phone, or a laptop (...). They take everything, right? And if you talk to them and ask them why they stole, [they answer] ‘that’s how it works at our place [in our country]’” (Dario, prison officer)¹⁰.

Similarly, gender equality is also mobilised in some discourses as ‘cultural stuff’ to construct detainees as different and morally dubious (Duemmler et al., 2010), inferring that they – particularly ‘Arabs’, a general term used for citizens of the Maghreb and other countries with Arab and/or Muslim majority – are disrespectful towards female officers and women in general, while gender equality is presented as a value and an achievement of Swiss, or Western, society.

The introduction of racial and cultural boundaries *between* different groups of migrants reinforces the institutional boundary between staff and detainees, constructing the detainee as non-belonging to ‘us’ and unassimilable. In this vein, ethnic minority staff are sometimes considered exceptional examples of integration, which paradoxically reinforces that boundary¹¹. For those staff members, however, their position requires them to further distance themselves from detainees and show loyalty to the institution, as described here:

“At the beginning it was pretty difficult, because they [detainees from the same origin] take advantage of you, they have the feeling you belong to them, not... Then setting boundaries is important, showing them, stop, I get not paid from you, I get paid from this side” (Ivan, prison officer).

Boundaries between employees and detainees, then, are not only a matter of ethno-cultural or national belonging, but have a clear institutional dimension, which requires staff members to resort to other categories of difference.

Boundary making based on categories of illegality and deservingness

Besides ethnic and racial categories, legal and administrative categories are powerful markers of social difference in the boundary work done by staff in order to make sense of immigration detention, and again they have an important moral dimension. In particular, staff members understand detention through the lens of ‘illegality’, despite being aware that immigration detainees are not incarcerated for a criminal offence: “they are not criminals, but... they are still illegal”, they argue. Rather than being acknowledged as a consequence of a restrictive system, ‘illegality’ is often seen as a consequence of people’s bad choices and/or morality. Furthermore, this notion establishes an analogy with prisoners, who are held for breaking the law, which produces ambiguity and confusion among staff members (Bosworth, 2014).

It has been argued, however, that ‘illegality’ does not automatically function as “an absolute marker of illegitimacy” (Chauvin and Garcés-Mascreñas, 2012: 243), where an emerging “moral

¹⁰ Translations from German are from the author, while employees’ names have been changed for anonymity.

¹¹ See Tassin (2016) for a thorough analysis of the dynamics of categorisation and hierarchisation within the staff.

economy of deservingness” introduces different grades of (il)legality (Chauvin and Garcés-Mascareñas, 2014). In the case under scrutiny, this moral economy is highly influenced by the institutional context of detention: on one hand, being confined in a penitentiary works to delegitimise migrants through their symbolic criminalisation; on the other hand, the imagination of detention as coming at the end of a probatory path through which they have to prove their need for protection and/or their civic value contributes to moralised perceptions of undeservingness.

Indeed, detention is mainly understood within a state system which sorts ‘true’ refugees from ‘bogus’ asylum seekers and legitimate from illegitimate migrants (see Darley, 2010). As a result, those who end up in detention must inevitably be the ‘undeserving’ ones:

“I think that we live in a state under the rule of law [Rechtsstaat]! (...) they have so many rights and particularly we [emphasis] in Switzerland, we take extreme care that it [the country of deportation] is not a country where someone is persecuted, that it is not a country where there is war. (...) I assume that they [the detainees] are of two sorts: economic refugees and criminals who are worried about a criminal prosecution at home” (Peter, prison officer).

For this employee, deportation comes at the end of a procedure that allocates a status to those who deserve it. Firmly believing in the Swiss system and highlighting the supposed fairness and generosity of the state with migrants in general, detention is then seen as a ‘necessary evil’ to cope with the abuses of that system:

“Something that always depresses me is that many people from Syria are shown on TV, how they have to sleep under tents – old people, children, and so on. They are not here, because here are... many young people, who have money, who partly have done (...) ‘big shit’, they are here. The poor people who are down there, they cannot come, because they don’t have the money for the journey. That’s the worst [thing]” (Dario, prison officer).

According to this officer, people who are in real need of protection are too destitute and helpless to undertake the journey to Europe. This depoliticised image of the ‘genuine refugee’ as a suffering victim fleeing from persecution is counterposed to the figure of the ‘bogus asylum seeker’, usually imagined as male, young, black and/or Muslim, who does not deserve compassion or protection. This dichotomy has a strong gender dimension: the feminisation of the image of the refugee as a passive victim results in the demonisation of rejected male asylum seekers, who in opposition are seen as excessively agentive and opportunistic, lying and trying to abuse the system (Griffiths, 2015; Scheel and Squire, 2014). Symbolically, the fact of being held in prison amplifies this representation of detainees as lacking a sense of morality.

If actual need and responsibility for it intervene in the moral evaluation of deservingness, so do attitudes towards support in the form of docility and gratefulness (Oorschot, 2000). When detainees do not comply with the expectation of being docile, passive and dependent (Griffiths, 2015), they display a ‘lack of gratitude’ in the eyes of some employees, which is seen as evidence of their immorality and ‘inauthenticity’ (Hall, 2012; see also Darley, 2010 on the relation between gratitude and deservingness):

“(...) the gratitude [emphasis]... they are safe now. They have fled from war, from famine, and then the trash is so full with food leftovers! That is questionable as well, because the tap is running all the time... [In your country] you do not have the resources, you have to



walk a few kilometres to the water and it is scarce, and here you let the water run, because it comes from the wall, right? That's what I don't understand" (Jan, prison officer).

Besides being contradictory in its reference to safety, this quotation implies that detainees should be grateful, reflecting their representation as (illegal and undesired) *guests* (Hall, 2010). Illegality and ungratefulness are used as markers of difference that create a moral boundary not only between citizens and non-citizens, but also between deserving and undeserving guests, the latter forming a powerful category of exclusion.

'Unknown' identity as a threat

If cultural, legal and moral categories are used to construct the detainee as different and undeserving, another element is categorisation as 'the unknown'. Identity becomes particularly salient in detention as revealing it and/or providing identity documents can result in quick deportation. Consequently, states make considerable efforts to fix the identities of migrants (Mountz et al., 2013), who sometimes attempt to resist them. The resulting contested or 'unknown' identities make detainees unreliable and potentially dangerous in the eyes of prison staff (see also Griffiths, 2014; Hall, 2010). A prison officer used the metaphor "walking in the darkness" to describe working in immigration detention, pointing to insecurity felt because of unknown identities, resulting in lower capacity for trust (see also Bosworth, 2014: 183; Hall, 2010).

This unknown character leaves space for imagination: "The problem is, you don't know who they are, they could have killed ten people in their country of origin and ten during their journey to Europe, or they could be rapists, or they could have done nothing bad, you just don't know" (informal conversation). Despite being held for a migration enforcement goal, detainees become suspects of crime because of their unknown identity and past. This is reinforced by the presence of certain migrants with criminal records placed alongside immigration detainees, and even more by the institutional context of the prison, characterised by a co-presence of immigration and penal detainees, held in almost identical conditions.

The construction of detained migrants as potentially criminal reflects gendered and racialised representations of criminality that are reinforced through the symbolic use of the prison as a space of punishment. The fact that statistically, the population of immigration detainees shares several characteristics with the population of the criminal justice system – being predominantly male, young and of foreign nationality – contributes to blurring the categories¹². Furthermore, detainees' outbursts of rage and despair can sometimes result in aggressive behaviours (towards others or themselves) and are discursively used by staff to sustain their potential dangerousness.

The construction of detainees as threatening justifies a series of security measures based on pre-emption and hypervigilance (Hall, 2010, 2012) as well as the use of physical force for control. Furthermore, it helps staff to rationalise feelings of fear that are taboo in prison work as considered too 'feminine' (Crawley & Crawley, 2008), turning detainees into an objective danger. Indeed, both discourses presenting detainees as dangerous and practices to control and restrain them contribute to the construction of prison work as a male job. Through the display of strength and vigour, staff members assert their masculinity (see Tassin, 2016; Hall, 2012), compensating for the frustration

¹² Men represent approximately 92% of immigration detainees and 94% of prisoners; the average age is respectively 29 and 34; and the rate of foreign national penal inmates reaches 68% (calculated on the basis of data published by the Swiss Federal Statistical Office for 2019 on the population of incarcerated people).

that the perceived feminine nature of many of their tasks – such as delivering food or laundry – produce.

This criminalising discourse tends to present detainees as enemies or ‘villains’ through the making of a moral boundary that ultimately serves to legitimise the work and practices of immigration detention (Ugelvik, 2016), as well as the existence of a parallel system – a ‘law for enemies’ (Eckert, 2008) – that does not provide the same rights as it does for citizens.

Conclusion

We have seen how prison staff create boundaries between themselves and detainees through categories of culture and race, legality and deservingness, unknown identity and dangerousness. These boundaries work to legitimate their role in the deportation system as well as to facilitate moral distancing from inmates and their suffering (Gill, 2016). The emotional weight of boundary work for prison officers would be an interesting focus for further research. An intersectional analysis of detention centres would also benefit from research in female or mixed institutions, where gender categories would arise more explicitly in the boundary work of staff.

Despite this not being the focus of the article, it is important to highlight that detainees clearly contest the legitimacy of their incarceration, questioning the categories through which they are othered, and inverting moral arguments to highlight the immoral character of immigration detention. In this way, detention centres become the stage of boundary work based on morality, at the same time, constitutive of struggles between actors of the border regime (Casas-Cortes et al., 2015). Further research could shed light on such border struggles, focusing not only on how practices of border enforcement reproduce national boundaries but also on how those are contested and challenged by several actors.

In this article, I have shown how the organisation of immigration detention in carceral institutions that are part of the criminal justice system blurs the distinction between illegality and criminality, which helps legitimise migrants’ exclusion. The prison as a space of punishment affixes categories of criminality and immorality onto migrant detainees, which are reproduced in staff members’ discourses. Intensive boundary work is needed to justify a system that deprives migrants of the right to liberty for administrative reasons, in the same institutions as prisoners who are punished for a criminal offence. Through the construction of boundaries that are morally charged, staff members legitimise detention as a practice of border enforcement that aims at excluding non-members while reaffirming the normative boundaries of national membership that institutionalise and reproduce global inequality.

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