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Irregular migration struggles and active subjects of trans-border politics: New research strategies for interrogating the agency of the marginalised

Abstract:

The politics of migration has become increasingly prominent as a site of struggle. However, the active subjecthood of people on the move in precarious situations is often overlooked. Irregular migration struggles raise questions about how to understand the agency of people who are marginalised. What does it mean to engage people produced as 'irregular' as active subjects of trans-border politics? And what new research strategies can we employ to this end? The articles presented in this Special Issue of *Politics* each differently explore how actions by or on behalf of irregular/ised migrants involve processes of subjectivity formation that imply a form of agency. Collectively we explore how irregular migration struggles feature as a site marked by active subjects of trans-border politics. We propose a research agenda based on tracing those processes – both regulatory, activist, and everyday – that negotiate and contest how an individual is positioned as an 'irregular migrant'. The ethos behind such research is to explore how the most marginalised individuals reclaim or reconfigure subjecthood in ambiguous terms.

Keywords: Irregular migration; Subjectivity; Marginalisation; Trans-border

The rising politics of migration

The politics of migration has become increasingly prominent as a site of struggle on the political scene over recent years. Once a policy issue largely left to domestic politics, migration now features prominently in the 'high politics list' as integral to wider questions of security (Huysmans, 1996) and economics (Phillips, 2011). This is reflected in academia, where Migration Studies appears to be one of academia's fastest 'growth industries', and where journals and conferences in Political Science pay increasing attention to the issue of migration. Moreover, media representations of migration-related issues have become increasingly prominent. This is not only the case in relation to the so-called 'European migration crisis' of 2015 and its ramifications for the European Union, but also in relation to significant political decisions made by the electorate, such as the UK's referendum on the European Union and the election of Donald Trump as US President. Yet while 'irregular migration' in particular has arisen as a key issue to address across these various spheres, the active subjecthood of people on the move in precarious situations is less well explored. Irregular migration struggles in this sense raise broader questions about how to understand the agency of people who are marginalised. In this special Issue we consider what it means to engage people produced as 'irregular' as active subjects of trans-border politics and what new research strategies we can employ.

Threatening political community?

The politics of migration is often connected to debates over the survival of political community and national identity, as well as to debates over the provision of the 'good' society (Castles, 2002). From this perspective, border security and deportation regimes are treated as tools by which to enforce the distinction between who is 'in' or 'out' of political community (Peutz and De Genova 2010). Individuals and families are thus constituted as 'criminal' or 'irregular' for having entered political territories, or over-stayed visas, without state authorisation (Betts, 2010; Dauvergne, 2008). Parents are separated from children, spousal relations interrupted, and individuals find themselves forcibly deported to places that they do not perceive as their home and where they expect violation of their basic rights. From this perspective, migration control is increasingly prioritised over economic concerns, as states raise walls and institute checks even where border controls may not have been enacted for decades.

Migration policies concern not only the 'other', but can also be understood as representing the shadow of future regulations that are used to govern individuals within the state in general. For example, national and local governments use them to test rules intended for all forms of welfare provision (Guentner et al, 2016: 399). Border security practices and surveillance mechanisms are not focused on migrants in isolation, but are rolled out to embrace entire populations (Amoore, 2006; Cote-Boucher, 2008). In this regard migration has not only become a site of struggle in its own right, but also forms a nexus for debates over what it is to live within our present political communities and what forms they should take.

While individuals and families that cross national borders or over-stay visas without state authorisation are constituted at a site of struggle, precisely how we should understand the politicality of individuals living in an irregular situation is far from straightforward. People on the move undoubtedly have agency in the sense of making decisions and choices, enacting life changes and change in the situations through which they move, and putting forward particular claims or demands in the context of migration. But when labelled as migrants and refugees they can also be perceived as a 'threat' to the political communities they seek to enter by exposing the limits of political community and challenging the constitutive borders that form community in such terms (Closs-Stephens & Squire, 2012a,b; Dillon, 1998).

The securitisation of migration is bound up with ways of categorising people on the move as either 'risky' or 'at risk' (Aradau, 2004). Indeed, while people on the move in precarious conditions are often seen as threatening to political community and all that it represents, they are also often seen as passive victims of broader geopolitical forces or as a 'symptom' of political events beyond their control and thus in danger themselves. Beyond this, there has also been an increasing emphasis on the agency of people escaping detrimental life conditions (Rygiel, 2011). In this Special Issue we go further to highlight the significance of researching irregular migration struggles as manifestations of trans-border politics. What research strategies can be developed in order to interrogate political actions by or on behalf of the marginalised? What are the

political implications and ethical complications of undertaking such research? And, how to avoid inadvertently playing into a rising politics of migration that is continuously haunted by fears around the 'threat' posed to political community?

Active subjects of trans-border politics?

The articles presented in this Special Issue of *Politics* each differently explore how actions by or on behalf of irregular/ised migrants involve processes of subjectivity formation that imply a form of agency. That is, collectively we explore how irregular migration struggles feature as a site marked by active subjects of trans-border politics. This is important, because the agency of people who are marginalised is a politically pressing issue. People who are legally categorised as 'deportable', as well as those who are socially and politically deemed in some way as illegitimate on the grounds of their mobility, share a common experience of being subject to processes of irregularisation. This process is not one that occurs simply through the crossing of international borders or staying within a given territorial political community without authorisation, but is also activated in diverse ways through localised practices that mark subjects as suspect or dubious. For example, as some of the contributions here demonstrate, this can occur through processes of registration with local medical services (Schweitzer), through barriers to work and education (Sardelic), through Soap Opera storylines (Innes and Topanki), or the production of letters to the Home Office (Lind, Beattie) that define an individual as present or participating without formal authorisation by the state. To focus on actions that constitute irregularised migrants as active subjects of trans-border politics is a contentious claim in this context, because such actions work against and potentially undermine the very forms of authority that define people as illegitimate in the first place.

People who have crossed international borders or who remain within a territorial political community without authorisation also often share experiences of subjectification that are trans-border. By this we mean that subjectivity formations are not simply transnational (i.e. that cross and are crossed by national and other borders), but that they also involve a transgressive dimension that works against processes of irregularisation in some way. Certainly, irregular/ised migrants are constituted as such through an interplay between various local, national and international regimes. During this process, many are likely to have experienced a range of forms of violence related to war or conflict, extreme political-economic inequalities, and discriminations along intersectional lines such as race, gender, and class. Engaging irregular/ised migrants as 'active subjects' in this context can thus also be understood as a political intervention, which emphasises that people in these situations are not passive objects for governance but enact choices, effect change and make claims to negotiate and navigate violences inherent to a situation marked by irregularity (see also Strange and Lundberg, 2014; Squire, 2011; Mainwaring, 2016).

When we refer to trans-border politics we do not mean to imply a global or universal form of politics, or one that operates on a macro-scale. Rather, we use the term in the sense of a politics that exceeds the jurisdiction of a single

state, while also going beyond ways of 'seeing like a state' more fundamentally (Scott, 1998; Magnusson, 2011). Our intervention thus recognises how processes of subjectification associated with the irregularisation of people on the move involves regimes and forces that go beyond the state, to include global economic transfers as well as cultural forms of globalisation that may play a part in the politics of irregularisation. Yet more than simply referring to authorities and forms of legislation that are 'transnational' in form, we also indicate here the significance of relations and forms of organizing that problematize the schematic epistemological perspective associated with the modern state. In other words, we point to the transgressive dimensions of a transborder politics as indicative of a different perspective or system of beliefs that come into conflict with those that heavily invest the rising politics of migration. Within this context, people who are irregularised face various forms of marginalisation, and lack the support of a state while also being treated as a threat to territorial political community. Focusing on the struggles by and on behalf of individuals who have been irregularised is important in this respect because it enables appreciation of the ways in which the marginalised do make decisions, enact change and participate in claims-making in ways that reshape politics beyond the state in manifold ways.

Methodological and conceptual innovation

The contributions to this Special Issue suggest that there is a need for innovation both conceptually and methodologically within research on irregular/ised migrants. Paying attention to the implications and complications of so doing is critical. In particular, we stress the importance of developing appreciation of how active subjecthood can be both claimed and rejected by people categorised in such terms. We do not here adopt a normative position suggesting that those within such situations necessarily are or *should be* active. None of the articles in the special issue directly advocate for political activism by irregularised and marginalised people. Rather, they highlight interventions taken by and on behalf of people whose legal, social or political status is under question, while exploring the basis of such actions in the context of a politics of migration that produces irregularity or irregularisation. The articles do so collectively via a range of methods including participant observation, qualitative interviews, discourse analysis, ethnographic fieldwork and conceptual reflection. What is innovative here is that the pieces collectively engage these methods in terms that emphasise (a) different forms of action by the marginalised; (b) complications of irregularised migrant agency; (c) solidarity-building acts that bring together citizen-activists with the irregularised to challenge statist modes of exclusion; (d) everyday and creative forms of politics by the marginalised; and (e) an ambiguous politics of accepting and contesting regimes of power or authority. Together, the articles help us make new sense of the manifold ways in which active subjects who are marginalised engage in struggles over irregularisation on a trans-border political scene, despite the challenges that emerge in so doing.

Different forms of action by the marginalised

What forms of action are available to people subject to irregularisation (or who find themselves in an irregular situation). Are some of these more politically effective than others? For example, if a child's letter to the Home Office (Lind, this issue) has no impact on the UK Home Office or her right to stay in the UK, are we to conclude that her agency is impotent – a chimeric shell empty of consequence? Might her letter have been more politically significant, and the child acquired more agency, if it had been part of an activist campaign supported by civil society, as in the *Love Letters* initiative (Beattie, this issue)? If so, who or what would be defined as the political agent – the child authoring the letter, or a London-based civil society organisation organising the campaign?

Conventional definitions of agency often preclude an appreciation of the politicality of people's actions in marginalised situations, because the realm of government or the public is upheld as the primary place where politics occurs. Yet as feminist and critical scholarship has long acknowledged, this ignores the intricacies of power impacting marginalised groups and of defining what is and is not political in the first place. Amanda Beattie's contribution approaches this problem through exploring how migrants recount their emotional and personal experiences of family immigration rules. This is an unorthodox rendering of agency premised on the act of storytelling, that draws on a micro-political approach to analysis. For Beattie (2017), storytelling can serve as a means to recover personal empowerment, providing a function that is restorative and reflexive. She explores this type of agency in the example of the *Love Letters* campaign. The act is one not just of storytelling. It also involves a process of externalising one's story in terms that re-positions the individual within their relationships so as to facilitate a process of empowerment amidst chaos.

The *Love Letters* campaign reported in Beattie's contribution is evidently both intentional and strategic if we consider the actions of the organisers as well as those writing letters. The organisers provide opportunities for the action of letter writing and translate this into an explicit political action. Yet Beattie also shows that there is a need to look beyond the role of these letters within a civil society campaign attempting to impact public opinion and government policy, to instead see them as also having political significance for their function in helping those individuals reclaim and remake their own subjectivities, thus contesting the ways in which they are made as subjects within the host society. Beattie shows how the letters are not a form of therapy provided by activists to 'treat' irregular migrants as 'victims', but instead function as spaces in which those individuals can actively remake their relationship both with themselves and within society, as 'spouses', 'mothers', 'fathers', and so on. While the campaign provides a frame for political action, it thus does not exhaust or fully define the politicality of the acts that it encapsulates. Indeed, what this case indicates is that what appears at first as a singular action by the marginalised can be understood as operating in multiple dimensions, in this case transgressing the public and private divide that has long haunted discussions of political agency.

Complications of Irregular/ised Migrant Agency

Innes and Topinka (2017) explore issues of migrant agency and irregularisation in relation to narrativised characters in a UK soap opera. They argue that the

storyline offers a reflexive engagement with the process through which irregularity is produced, and thus is an important cultural form that has implications for understanding political subjectivity. As Innes and Topinka argue, political science has conventionally overlooked cultural forms, particularly genres that are perceived as female-dominated due to a gender bias. A story in which a regular character is 'exposed' as an 'irregular migrant' in this respect facilitates a destabilisation of predominant understandings of irregular migration by bringing it into the everyday environment of British living rooms and thus providing the conditions for direct discussion of how UK citizens might assist friends in a similar situation. Although elite-produced forms of mass-consumed culture may at first appear an odd site for exploring the agency of the marginalised, Innes and Topinka show how cultural genres such as the soap opera can do more than simply reinforce irregularisation processes. Such interventions can also provide a space of critical reflection on the politics of migration as well as enabling research that explores the complications of engaging the agency of the irregularised as part of a complex wider social and political context.

In her contribution, Vicki Squire (2017) unpacks these complications further by examining the ways in which agency, particularly in the context of its conceptual pairing with structure, can easily be mobilised in the terms (discussed in our introduction) that play into the risky/at risk framing of irregular migration. In so doing, she warns against any simplistic engagement of 'migrant agency' conceived as a conceptual or methodological category that can provide a route out of the dynamics of power that render people on the move without authorization as irregular. Instead, Squire draws on the work of William Connolly to emphasise how the very use of the category 'migrant agency' is an onto-political move that defines life or being in a particular way and needs to be considered carefully as such within any given context. Focusing on the ways in which agency has conventionally been understood in terms of the intentional subject – even in more recent approaches that at first may appear to problematize this view – Squire emphasises the importance of engaging Foucault's problematisation of the intentional subject by instead drawing on the insights of his analysis of subjectification in current discussions of the politicality of marginalised subjects. This is not to do away with the subject, she suggests, but rather it is to explore the constitution of subjects in relation to political interventions and acts that may be more or less intentional, yet which nevertheless have effects that have implications (and can cause complications) for those involved.

Solidarity-building acts that contest statist modes of exclusion

Anna Lundberg & Michael Strange's contribution focuses on the Swedish sanctuary movement, and shows that this involves interventions or acts that are often distinct in terms of their intention and their broader political effects. For example, voluntary work to provide food and shelter requires the active presence of sanctuary seekers who engage in social relations with their fellow city-dwellers, as well as the labour power of volunteers to assist with social provision from which the state has abandoned its responsibility. On the one

hand, Lundberg and Strange (2017) show how this example is important both in terms of the material good it facilitates and also in the ways that it enables a transformation of subjectivities beyond the experience of irregularisation as 'friend', 'cook', 'carer', 'neighbour', etc. On the other hand, they also point to the limitations of this act in terms of the capacity of its participants to control its wider effects. For example, for that initial intervention to impact national migration policies requires a series of separate interventions, such as a journalist choosing to write a positive narrative on the sanctuary initiative, as well as other acts initiated by individual civil servants and politicians. The initial intervention might just as easily be used within an act initiated by a right-wing political party that demonises migrants as 'abusing' city resources. That later act of xenophobia would not have been caused by the intervention of sanctuary; it would be the consequence of the broader social context.

Everyday and creative politics of the marginalised

Lundberg and Strange's article on sanctuary adds to what might be called a 'post-institutionalist' take on politics and human rights, which emphasises the importance of everyday acts in providing a political grounding for rights-claims. Indeed, the articles in this special issue collectively emphasise the importance of both the everyday creative politics of the marginalised. What is significant to many works on the everyday is that they highlight the need to look beyond institutional forms of politics, while also understanding that those legal-institutional arrangements are made possible through innumerable interactions at the everyday level (e.g. see Wall, 2014; Gregg, 2016; Huysmans, 2009; Stanley and Jackson, 2016). The everyday might be dismissed on the grounds that rarely do we see a clear, measurable line of causality running from events at that level to the national or international levels of governance. However, if we take seriously the insights of the works here, our analysis is able to see the politics at play at the everyday level where individuals negotiate and contest their subjectification as 'irregular migrants'.

Julija Sardelić's account of Roma migration in the European Union is instructive in highlighting the significance of an analytics of the everyday. By focusing on regular practices that create ruptures in a statist regime of control, Sardelić (2017) shows how Romani migrants refuse to be swayed by disincentives that are placed on decisions about where it is possible to migrate and what actions they are able to participate within. Whilst this shows a degree of strategic intentionality, such actions make little sense in terms of any material gain. Rather, the decisions made and actions taken make much more sense if understood in terms of attempts to reclaim subjectification. Sardelić thus demonstrates how Romani both with and without EU citizenship show awareness of the extent to which the system of rights effectively leads to their marginalisation. However, instead of just following rules that constrain, Roma express agency through creating ruptures that expose the contradictions and inequalities within that system. The everyday sphere is important here as an analytical tool that renders visible the underbelly of legal citizenship, whereby "*de jure* access to rights does not necessarily mean *de facto* access in everyday life". Moreover, and beyond this statist framework of national and international

regulations, Sardelic also shows how an emphasis on the everyday enables an analysis that is sensitive not only to the active subjecthood of the marginalized, but also the creative dimensions of this. Sardelic thus critically employs the everyday as a means to highlight struggles through which people are rendered invisible, yet shows how this very invisibility can be a creative tool of active subjecthood for the marginalized.

Jacob Lind's article on the agency of children in a deportable situation looks at a group that is highly marginalised, yet also expresses various forms of reflexive empowerment (Lind 2017). The value of actions in the context of a living moment rather than in relation to a long-term political strategy are particularly notable here. Lind compellingly shows how attempts to 'fit into' what is perceived as a 'normal' way are crucial to deportable children's sense of self and to their ability to make self-defined claims to subjectivity. For example, a child writing a letter to the Home Office is not simply a form of political action intended to directly impact government policy, but an everyday expression or performance of a child's subjectification as 'British' despite a regime that attempts to deny otherwise. For those contributions oriented more towards rupture (Sardelić, this issue) or change (Squire, this issue), Lind's emphasis on the everyday lives of the deportable is a timely reminder of the ways in which continuity can be an important outcome of political action for many. Again, this further complicates discussions of 'migrant agency' and points to the everyday dimensions of political action by the marginalised. For some, a child's letter criticising the Home Office might too easily be written off as 'emotive' and therefore outside the realm of rational politics, or as 'impudent interference' with the process of good governance. However, looking beyond institutional forms of politics towards everyday acts of deportable children to 'self-normalise', the creative and affective dimensions of political being or becoming are more visible. Thus, the struggle of people to live a 'normal' life despite being marked out as 'other' by migration regulations can be understood as having value in and of itself within the immediate context of the people's lives, whether or not it challenges migration regulations explicitly in an institutional sphere (Lind, 2017).

An ambiguous politics of engaging and rejecting active subjecthood

A critical engagement with the question of migrants' political actions and initiatives is much needed when undertaking research with people who are marginalised and are subject to irregularisation. This is because evaluating the effects of political actions solely in terms of regulatory impact risks further perpetuating the process of marginalisation (Squire, 2011). Indeed, in many of the examples explored in the articles here – whether a Soap Opera storyline, a campaign movement, negotiations of marginalisation, or the migratory decisions of Roma – it is far from clear to what extent these actions effectively overturn the power dynamics through which people are irregularised. As Lundberg and Strange (2017) show in their analysis of sanctuary activism, many of the actions undertaken work both against and with state agencies, depending on practical considerations dependent on the moment at hand. In this regard, many of the

interventions evidenced here are better understood in terms of an *ambiguous* politics (McNevin, 2014; Squire, 2015).

This is a point to which the article by Reinhard Schweitzer (2017) points in his emphasis on understanding the agency of irregular migrants in terms of 'self-integration'. Schweitzer importantly stresses that the experience of irregularity in this context can involve a contradictory but pragmatic mix of approaches in which individuals switch between different modes of being political. On the one hand, he shows how people who have become irregular in legal terms (ie deportable) actively identify as political through deliberate acts of self-integration into the system that undermine statist exclusions and thus disrupt official scripts of citizenship. On the other hand, he also shows how people in such situations also 'blend in' by engaging with local communities and 'normal' activities such as work in a process of self-integration that is better understood as a 'refusal' of being openly political. Thus, he shows how, sometimes, working hard to just 'fit in' such as through volunteering to assist in a local school or using a false identity so as to maintain a bank account can be a political act, whether intentional or not. This can be understood in terms of a process of navigating subjectivities, with the irregularised sometimes resisting categorisation in such terms while at other times finding it useful to adopt various identities and labels placed upon them so as to strengthen their position in relation to the state. Schweitzer here importantly highlights how negotiations of power and authority are integral in understanding the active subjects of irregular migration struggles and contemporary trans-border politics.

Future research trajectories

What does all this say about future research trajectories seeking to innovate conceptually and methodologically by engaging irregular migration struggles as a site of active subjecthood in the sphere of trans-border politics? In this special issue we have a diverse set of articles that each engages this question in its own terms. However, we also have a coherent collective body of work that emphasises several dimensions as important for the process of analysis:

- The need to acknowledge a range of different forms of political action by or on behalf of irregularised and marginalized individuals
- The importance of reflecting critically on the complications and implications that follow from analytically engaging the concept of migrant agency, particularly in a context marked by processes of irregularisation
- The ways in which everyday solidarity-building interventions or acts can bring together citizens and people who are subject to irregularisation, specifically in terms that challenge statist modes of exclusion or marginalisation
- The significance and politicality of everyday and creative forms of politics by or on behalf of individuals in irregular situations, beyond the formal or institutional sphere
- The criticality of developing a nuanced understanding of an ambiguous politics in which interventions can involve both acceptance and refusal of existing regimes of power or authority

Returning to our opening questions, this thus indicates that far from lacking agency, individuals subject to irregularisation are active subjects of trans-border politics who require from us as scholars reflexive, critical research strategies that enable understanding of the difficulties of being active politically, while also being appreciative of the manifold ways through which political subjectivity is performed or enacted. Rather than prescribing specific research strategies, we thus highlight the importance of a multiplicity of approaches that interrogate rather than assume agency, while paying attention to the context-specific political implications and ethical complications of undertaking research that seeks to extract political being from those more widely defined as 'others'.

How, then, to avoid engaging in an analysis that inadvertently plays into a rising politics of migration that is continuously haunted by fears around the 'threat' posed to political community? The articles offer multiple starting points for such an endeavor and represent diverse journeys that provide for alternative ways of engaging with marginalised people as subjects grappling with problematic power dynamics. What we are left with are a number of key principles that might serve as broad guidelines for new research strategies seeking to interrogate the agency of the marginalised: 1) to take the subject seriously in the process of analysis, without assuming subjects always act with intention, and without losing sight of processes of subjectification that condition subjecthood in particular ways; 2) to focus attention on the different strategies that people use in negotiating processes of subjectification, including forms of community-building that go beyond a statist frame of reference; 3) to develop understanding of the challenges in everyday life of undertaking political actions in complex and brutalized contexts that are difficult to negotiate; and 4) to maintain an on-going commitment to unpacking the consequences of different actions without assuming that this can lead to a clear-cut programme of political action or a set of methodological and conceptual innovations that resolve the problems of power and marginalisation highlighted in this volume.

Though these guidelines create certain burdens for the researcher, without considering them it is even harder for political analysis to produce knowledge about what is an increasingly pressing form of non-elite political action. The articles presented here provide valuable insight into how this can be achieved in practice, developing our conceptual vocabulary, as well as operationalising those models towards the collection and analysis of empirical data.

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