

HOW THE MOVEMENT CONTESTING BORDER REGIMES IN BERLIN CONSTRUCTS HUMAN RIGHTS

THE INTERPLAY BETWEEN COLLECTIVE ACTION, COLLECTIVE IDENTITIES AND HUMAN RIGHTS

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ABSTRACT

My thesis investigates how non-citizens who mobilize in the struggle against border regimes construct and make use of human rights.

Human rights are contested tools. They can be used by powerful actors to reinforce domination and are often associated with a limited emancipatory potential for marginalized groups. Social movements, however, provide spaces where legal notions of human rights may be reshaped and transformed and where new ideas of human rights may be elaborated.

Little is known about the interpretation of human rights by marginalized and grassroots groups that oppose border regimes and how notions of human rights may inspire, orient or influence their mobilization. My thesis is thus bringing a significant contribution to the study of the construction of human rights from below.

My findings show that non-citizens collectively elaborate emancipatory, non-legal notions of human rights. In particular, grassroots social movement organizations (GROs), in which non-citizens mostly mobilize, formulate rights frames that include the right to stay and universal freedom of movement. These frames embed notions of human rights that are emancipatory for non-citizens as they tackle the oppression that they face because of border regimes.

In particular, the notions of human rights that GROs formulate oppose the categorization of non-citizens operated by the state and their differentiated access to legal rights as a function of legal status. Non-citizens invoke notions of human rights that contest their isolated lives in camps and their risk of being deported. Moreover, non-citizens make use of notions of human rights to contest the

racializing impact of border regimes that are seen as a mechanism preserving global inequalities.

My findings show the complexity of the approach to human rights that grassroots social movement organizations follow, in particular in their tactical choices taking into account different temporal perspectives.

INTRODUCTION

This thesis focuses on how social movements construct human rights. More specifically, it investigates the interplay between the mobilization against border regimes in Berlin and human rights. It addresses how activists interpret human

rights, how they collectively rely on them to oppose border regimes and whether they construct emancipatory and non-legal notions of human rights.

Once a firm believer in the importance of the international human rights system, I have progressively grown sceptical of the work of human rights organizations. In particular, I am less convinced of the effectiveness of their top-down approach focused on ensuring the respect of legal notions of human rights as codified in international law. However, my professional experience with a human rights organization combined with my interest in activism have provided me with the opportunity to encounter inspiring grassroots organizations fighting against discrimination, racism and border regimes with few material resources but with enormous determination. These encounters have stimulated my interest to further understand how grassroots organizations and marginalized groups interpret and use human rights.

In 2014 and 2015, while I was conducting research on racist hate crimes in Germany for Amnesty International, I met non-citizen activists who participated in protests opposing the violence and harassment that they were experiencing at the hands of radical right populist groups. The protest camp in Oranienplatz (*O-platz*), which non-citizen activists had set up after a long march from Würzburg to Berlin in 2012, was also repeatedly attacked. I was fascinated by the commitment and enthusiasm of self-organized groups of non-citizens who had been participating in collective actions to oppose border regimes in Germany since the 1990s.

Non-citizens who engage in collective actions and social movements can use different tools, tactics and repertoires of contention to oppose border regimes. They may frame their demands in terms of human rights and may orient their mobilization towards the achievement of human rights principles. However,

human rights are contested tools. Scholars have pointed out that human rights can be used by powerful actors to reinforce domination and that they are often associated with a limited emancipatory potential for marginalized groups. Human rights law embeds the notion of state sovereignty, which is intimately associated with the state prerogative to control borders. Social movements, however, provide spaces where legal notions of human rights may be reshaped and transformed, where new ideas of rights may be elaborated, and where the role of the state in guaranteeing human rights can be reconceived.

Little is known about the interpretation of human rights by marginalized and grassroots groups that oppose border regimes and how notions of human rights may inspire, orient or influence their mobilization. While mobilizing against border regimes, non-citizens may formulate claims embedding human rights notions or may demand access to human rights. I am interested to understand if they make use of legal notions of human rights to formulate their claims and how they position themselves towards the state and the law. In particular, I examine the interplay between legal status categories grounded in asylum and migration law and collective identity processes that occur in the context of the mobilization against border regimes. For example, the legal distinction between migrants and refugees and the category of undocumented migrants stem from the application of international, European and domestic laws. I examine if and how the mobilization against border regimes provides opportunities for challenging or questioning those state-assigned legal categories. My thesis is inspired by a critical approach towards legal status categories and embeds a social constructivist perspective to legal status. In order to contest the rigid legal distinction between migrants and refugees, I call refugees* people who have moved from the global South to the global North and who are racialized non-citizens in the global North. They are refugees* irrespective of whether they enjoy the legal status of refugee, and border

regimes contribute to their racialization.¹ As we shall see, my choice is also in line with how racialized non-citizens who mobilize in the movement opposing border regimes in Berlin identify themselves.

I am interested to understand if refugees* and other social actors who mobilize with them consider the law as a source of oppression as it allows their categorization and the enforcement of border regimes, or if they consider the law, and more specifically human rights law, as a source of inspiration for achieving social justice. In this thesis I explore if refugees* extract notions of human rights from the law and subsequently re-elaborate, reshape and transform them through their mobilization against border regimes.

The possibilities to contest and reshape legal notions of human rights are also associated with how refugee* activists and other social actors who oppose border regimes position themselves vis-à-vis the state and what role they conceive for the state regarding promoting human rights. States shape and enforce border regimes – controlling borders is one of their prerogatives – but they are also the guarantors of human rights in the international human rights system. I am interested to explore whether the movement opposing border regimes may elaborate and use notions of human rights that are outside the state because they transcend the role of the state in the international human rights system. This thesis thus investigates the connection between claim-making processes and human rights, in particular when social movement actors formulate demands to the state. However, it also examines how notions of human rights may permeate layers of the mobilization against border regimes that are autonomous, or at least not directly oriented towards, or shaped by, the state.

¹ See the conceptual roadmap at the end of this introduction.

The innovative aspects of this thesis are numerous. First, scholarly work in the area of human rights has notoriously underestimated non-legal dimensions of human rights. The predominantly normative understanding of human rights has resulted in ignoring social and historical processes through which human rights are constructed. This thesis will provide valuable insights into the processes through which human rights are used, contested, reshaped and formulated by social movements. Little is known, too, of how marginalized groups, including refugees*, interpret human rights and whether they see human rights as tools that challenge the status quo, that is, the oppression that current border regimes exercise on them. As we shall see, the scholarship of human rights has given prominence to the construction and use of human rights through top-down approaches.

Second, this thesis will contribute to the sociology of human rights by analysing the multi-faceted connections between political mobilization and human rights. Social actors can rely on notions of human rights when they formulate their demands and expose their grievances against border regimes, for example in the context of protests or other visible repertoires. However, the ethnographic approach of this thesis has also enabled the study of less visible forms of mobilization that can be inspired by notions of human rights and that can, in turn, shape the construction of human rights.

Third, scholars have focused on the struggles centred around the protest camp on Oranienplatz in Berlin. Little attention has been devoted to the mobilization against border regimes in the aftermath of the eviction of the protest camp and other occupied sites including the Gerart Hauptmann school, which the last inhabitants left in January 2018 when I commenced my ethnography in Berlin. My thesis contributes to the understanding of the mobilization against border

regimes after the protest camp, the legacy of *O-platz*, and the changes of collective identities and strategies that occurred at multiple levels within the movement. It examines in depth collective identities and how they are intertwined with human rights by providing an account of the most submerged aspects of the mobilization against border regimes beyond claim-making and the most visible and spectacular collective actions.

In order to explore the interplay between the mobilization against border regimes in Berlin and human rights, I organize this thesis as follows. In Chapter 1, I lay out the main theoretical perspectives that I will draw on to analyse and interpret my findings. In particular, I discuss the theoretical tools that enable the analysis of the relationship of the social movement opposing border regimes with the state, on the one hand, and with the law, on the other hand. These two axes of analysis are crucial to examine how the movement against border regimes constructs human rights, in particular to understand if the movement elaborates novel, non-legal notions of human rights outside the state. I present the ideas of collective identities, multiplicity of identities and identity boundaries, which I rely on to investigate the approaches of the movement to human rights. The scholarship of collective identity provides lenses to analyse the beliefs shared by social actors within the movement regarding the roles of the state, supranational institutions and the law in shaping border regimes.

In Chapter 2, I present my ethnographic approach by providing some elements of self-reflection regarding my participation in the movement opposing border regimes as a white researcher who enjoys freedom of movement within the European Union. I emphasize how ethnography has enabled the collection of data regarding multiple layers of the mobilization against border regimes, which are crucial to understand how the social actors in the movement conceive and approach the state and the law. I lay out the criteria that inspired the choices

regarding the social movement organizations (SMOs) for participant observation, the repertoires in which I participated and the barriers that I encountered in gaining access to some of them. Moreover, I provide further details on the methods I used to collect and analyse my data.

In Chapter 3, I set the scene and situate the movement to lay the ground for the analysis that will be carried out in the following chapters. I explore the multiplicity of the movement opposing border regimes after *O-platz*, in particular in terms of collective identities and of types of social movement organizations. The multiplicity of the movement is crucial to further understand different approaches to human rights and their interplay with collective identities that I examine in the following chapters. More specifically, in this chapter I investigate how activists constructed the role of refugees in *O-platz* as well as in the post *O-platz* mobilization, and how the idea of a movement led by refugees was intertwined with the movement's anti-racist collective identity. I examine the dynamics shaped by race and citizenship status in the social movement organizations in which I participated and the role of both citizen and non-citizen activists. Moreover, I examine the prominence of anti-racism as oriented towards opposing radical right populist parties and movements in 2018, which contributed to forming a broad alliance among diverse social movement organizations. The analysis of the anti-racist multiple identities in the movement is conducive to explore both the construction of human rights as aspirations for global justice and the identity boundaries among social movement organizations that take a divergent approach to human rights.

In Chapter 4, I explore the multiple dimensions of the mobilization against border regimes to analyse how social movement organizations approach the state. This analysis is crucial to further investigate in the following chapters if social movement organizations formulate notions of human rights outside the state.

More specifically, I examine when and how social movement organizations address the state or supranational institutions. Moreover, I analyse the components of the mobilization that are not oriented towards the state and how they are intertwined with notions of human rights. I discuss how rights are connected with two specific submerged dimensions of the mobilization against border regimes. The first aspect involves nurturing ties of solidarity between citizen and non-citizen activists that are aimed at offsetting the negative consequences that border regimes have on non-citizens, including the stratified access to rights. The second aspect includes the outreach initiatives in which social movement organizations engage to facilitate the political activation of non-citizens, which is associated with the awareness of their rights.

In Chapter 5, I explore the interplay between collective identities and state-upheld legal status categories. I examine how non-citizens construct the refugee* identity and how their shared interpretations are critical of the legal notion of refugee. The analysis that I carry out in this chapter is crucial to investigate how some social actors interpret the law, in particular how they oppose the unequal access to rights that is embedded in asylum law. This aspect is key to further examine in the subsequent chapters whether and how they elaborate notions of human rights outside the law. However, not all social movement organizations share the same interpretation of the legal notion of refugee and, more generally, of legal status categories. In this chapter, I explore these differences, which are crucial to understand different approaches to human rights among social movement organizations.

In Chapter 6, I build upon the different approaches towards legal status categories that I have identified in the previous chapter. I analyse the demands that different social movement organizations formulate when they engage in visible repertoires, in particular in protests. More specifically, I examine the rights frames that the

social movement organizations in which I participated use, in particular the idea of the right to stay. In contrast, human rights organizations frame their claims through the idea of the right to asylum. In this chapter, I conceptualize a collective identity boundary between reformist and radical social movement organizations, which is crucial to understand different approaches to human rights.

In Chapter 7, I build on the collective identity boundary discussed in the previous chapter to examine how activists who mobilize in radical social movement organizations construct human rights. I draw on the analysis undertaken in Chapter 5 regarding their opposition to legal status categories embedded in the law and investigate whether this is associated with a rejection of legal notions of human rights. Moreover, I draw on the investigation of the relationship between the mobilization against border regimes and the state that I carried out in Chapter 4 to explore whether radical social movement organizations construct notions of human rights outside the state.

To conclude, in Chapter 8, I emphasize the main conclusions that I can draw on the basis of the analysis of my empirical data. More specifically, I highlight how my data and analysis contribute to some of the scholarly debates that I have outlined in the first chapter.

CONCEPTUAL ROADMAP

In this thesis I make use of a few key concepts (listed below), which can be used as a reference for readers to navigate the whole thesis.

I use the notion of **refugee*/refugees*** as an analytical category with a twofold purpose. Firstly, I draw on the notion of refugees* because the racialized non-citizens who are part of the grassroots organizations in which I participate identify themselves as refugees irrespective of whether they hold the legal status of refugee. I make use of refugee*/refugees* with a view of highlighting the

meaning of the notion of refugee beyond its legal meaning. Secondly, I use this notion to refer to a collective identity through which both the citizen and non-citizen activists who mobilized in the grassroots organizations in which I participated contested legal status categories, in particular the legal notion of refugee, and legal hierarchies.

With a view to contesting the hierarchies among different legal status categories, I do not make a distinction between migrants, asylum seekers and refugees. I use the terms **non-citizens** to avoid the categorization among people on the basis of their legal status. I use refugee/refugees when I report the quotes or paraphrase the words of activists, in particular in the main bodies of the chapters in which I present and analyse my data (Chapters 3-7). However, I make use of terms such as **migrants** and **asylum seekers** whenever I cite scholarship literatures that draws on them. I make use of the categories refugee*/refugees* when I highlight my analysis regarding legal status categories and when I draw conclusions on the basis of my data, for instance in the concluding sections of the chapters in which I present my data (Chapters 3-7).

Racialized non-citizens are people who have moved to Germany from the global South and who experience processes of racialization that are also shaped by border regimes and migration status. I make use of this notion to refer to refugees* when I aim to emphasize processes of racialization which refugees* are subject to. In a few instances, I refer to some racialized non-citizens as Black people when they identify themselves as Black and when they refer to the racialization processes that attribute meanings to their skin colour.

White citizen activists are activists who hold German or EU citizenship and who have a dominant position in the movement because of their citizenship status and their belonging to the majority ethnic groups of their countries of origin. I consider EU activists as citizen activists because they enjoy residence rights in Germany. All the German and EU activists who mobilized in the grassroots organizations in which I participated and whom I have met belonged to the majority ethnic group of their countries of origin. I identify these citizens as white to refer to the system of privilege that they benefit from, which is also associated with their citizenship status. I refer to these activists as white citizen activists when I aim to emphasize the imbalances between them and racialized non-citizen activists.

CHAPTER 1. AN AMBIVALENT POTENTIAL: THE COLLECTIVE USE OF HUMAN RIGHTS IN THE STRUGGLE AGAINST BORDER REGIMES

In this chapter I review some of the scholarly concepts and debates that I use to analyse the construction and use of human rights in the movement opposing border regimes in Berlin. In particular, I bring together multiple theoretical

approaches to investigate if the collective construction of human rights is a mode through which non-citizens become political subjects by opposing the oppression that border regimes have on them.

With a view to examine the emancipatory potential of human rights, I address the ambivalence of human rights, in particular of legal notions of human rights. In this chapter, I review approaches within the sociology of human rights that conceptualize human rights as not only legal notions. Such conceptualizations are crucial to empirically investigate if social actors construct notions of human rights that are emancipatory for non-citizens rather than being resources for powerful actors. States can indeed make use of human rights to justify aspects of border regimes as human rights law does not challenge their prerogative to control borders, to restrict international mobility and to categorize non-citizens. Human rights law does not for instance oppose all deportations or, more generally, restrictions that states impose on international mobility. This thesis examines if the actors who oppose border regimes in Berlin produce meanings and uphold beliefs that may challenge legal notions of human rights and the role of the state in upholding human rights. This thesis draws indeed on the idea that human rights are constructed rather than neutral and universal and that subaltern groups and social movements crucially contribute to their construction.

In this chapter I present different approaches to human rights, in particular *cosmopolitan subaltern legality* and *global constitutionalism*. Moreover, I discuss how these approaches situate themselves vis-à-vis the state and the law. This analysis is crucial to understand if and how non-citizens and other actors who oppose border regimes construct notions of human rights that exceed their legal meanings and that are outside the state, that is they are not grounded in the role that states have to uphold legal human rights.

I draw on social movement scholarship, in particular the concepts of collective identities, identity boundaries and frames to analyse meanings and beliefs produced collectively in the context of the mobilization against border regimes. These meanings and beliefs are associated with approaches vis-à-vis the state and the law, which in turn have an impact on the construction and use of human rights. Understanding the meanings and beliefs that emerge in the context of the mobilization opposing border regimes is thus important to examine the construction and use of human rights.

In this chapter I review some of the scholarly approaches that have conceived non-citizens as political subjects. In particular, I discuss the notion of *acts of citizenship*, through which non-citizens may transform exclusionary, territorially defined and state-bounded mechanisms such as citizenship by nationality. Acts of citizenship are relevant insofar as I investigate if the mobilization against border regimes may transform legal notions of human rights, which are part of the state-centred human rights system. Moreover, I examine the idea of agency within the scholarship of the autonomy of migration, which transcends the attempt of states to control borders and mobility. These perspectives are useful as I investigate if the mobilization opposing border regimes constructs human rights outside the state and beyond the attempt of states to assert their sovereign prerogatives.

1.1 RESISTING BARE LIFE

The participation of non-citizens in social movements has for a long time received little attention as scholars did not consider them as political subjects. In the last 30 years different perspectives accounting for the agency of non-citizens as political subjects have emerged. These perspectives are relevant for my thesis because I examine whether the construction of human rights is an area in which non-citizens become political subjects by resisting, together with citizens, the oppression of border regimes.

For decades scholars considered migrants as workers and temporary residents and thus minimized their participation in politics. Scholars often referred to migrants in West Germany and other European countries as *guest workers* (Martin & Miller, 1980). Guest workers did not enjoy political rights, in particular the right to vote in elections, and thus could not participate in formal politics. Scholars underestimated the participation of migrants in non-formal politics, including in collective actions and social movements. Moreover, they perceived migrants as lacking political and democratic culture because of the social and political contexts of their countries of origin (Martiniello, 2005).

Some scholars explained the little attention given to the political participation of migrants by drawing on the concept of *methodological nationalism*, which is the conflation between the interests of nation states and the agenda for scholarly research. Methodological nationalism resulted in overlooking instances, such as the participation of migrants in social movements, that precisely challenged the power of the state to exclude non-citizens from political participation (Però & Solomos, 2010; Wimmer & Glick Schiller, 2003). Other scholars drew on the *sociology of absence* (De Sousa Santos, 2001, p.191) to explain the invisibility of migrant struggles in the social movement scholarship (Varela Huerta, 2013). The sociology of absence focuses on the processes that actively silence the experiences of subaltern and marginalized groups and make them invisible to hegemonic world realities.

In recent years scholars have addressed the multiple avenues through which non-citizens can oppose the oppression and exclusion that they live under because of border regimes, including by participating in collective actions. These collective actions include social movements and protests through which migrants and/or asylum seekers claim the

regularization of their irregular status (Chimenti, 2011; Nicholls, 2014; Nyers, 2010; Siméant, 1998; Varela Huerta, 2013), contest asylum systems (Monforte, 2014; Nyers, 2003) or oppose detention regimes and deportations (De Genova & Peutz, 2010; Freedman, 2009; Rosenberger, Stern & Merhaut, 2018; Silvermans, 2012).

In Germany, scholars have likewise highlighted the lack of scholarly attention to migrants' resistance in the second half of the 20th century (Bojadžijev, 2012; Karakayali, 2008). In the 1990s, groups of non-citizens organized themselves in refugee shared accommodation, in particular in Eastern Germany. For example, the *Voice Refugee Forum* was founded in 1994 in a shared accommodation in Thuringia (Jakob, 2016; Odugbesan & Schwiertz, 2018). In addition, spontaneous protests emerged in shared accommodation and detention centres (Heck, 2008). In the 2000s, the occupation of Oranienplatz, a square in Berlin, which non-citizen activists transformed into a protest camp that provided visibility for their struggles against border regimes, received more scholarly attention (Bhimji, 2016; Landry, 2015; Langa, 2015; Odugbesan & Schwiertz, 2018; Stierl, 2019; Wilcke & Lambert, 2015).

In this section I focus on three perspectives that provide some analytical tools to explore the construction of human rights as an area of resistance and as an opportunity for non-citizens to become political subjects. First, the notions of *homo sacer* and *bare life* put an emphasis on the material conditions of oppression that migrants experience. Second, the idea of *acts of citizenship* highlights how migrants can resist exclusionary devices such as citizenship defined by nationality and become rights-claimants. Third, the *autonomy of migration* stresses the potential for

migrants' relentless resistance exceeding the attempt of the state to control borders.

Scholars within Critical Border Studies have in particular relied on some of the ideas that Giorgio Agamben has elaborated to explain the oppression that migrants face. Agamben develops the notion of *homo sacer* (sacred man) by drawing on archaic Roman law. A sacred man is a non-subject who is included in the judicial order only in terms of exclusion. A sacred man can be killed without punishment but yet cannot be sacrificed and lives a bare life, a life that is disposable (Agamben, 1998, p. 12). A bare life is a condition in which the very precondition for human rights to be respected, that is the right to have rights (Arendt, 1951), is suspended.

Scholars have applied the notions of bare life and *homo sacer* to the experiences of migrants, for example to explain their exclusion from state protection because of their legal status (Darling 2009; Lee, 2010) or the mechanisms of exclusion associated with deportation (De Genova & Peutz, 2010) and detention (Dines, Montagna & Ruggero, 2015). However, other scholars have criticized the notions of *homo sacer* and bare life. One of the main critiques is associated with the disempowering aspect of notions of *homo sacer* and bare life (Whitley, 2017). In particular, the ideas of *homo sacer* and bare life do not account for migrants' struggles and the fact that migrants can be politically active and contest the conditions in which they live. Another critique stems from the fact that the idea of power in Agamben's analysis underestimates the processes of gendering and racialization that shape

experiences of power (Whitley, 2017, p. 13), which are particularly important to analyse the impact of border regimes.

The critiques of the notions of bare life and *homo sacer* do not mean that the participation of non-citizens in collective action is unhindered. The conditions in which non-citizens live have an impact on their mobilization. Hostile, racist and xenophobic discourses from political parties or mainstream sectors of society and lack of political opportunities have a negative impact on the mobilization of migrants in collective actions (Giugni & Passy, 2004; Koopmans et al., 2005). Moreover, fear of police stops and deportation, in particular for undocumented migrants, as well as restricted access to social and political networks (Dembour & Kelly, 2011) constitute barriers for migrants to mobilize. However, these barriers do not imply that any attempt at individual or collective resistance is doomed, as the notion of bare life suggests.

My thesis investigates the connections between collective identities and the living conditions of non-citizens, which are characterized by differential inclusion. Differential inclusion refers to the multiplication of migration control devices and the multiplication of statuses that they imply (Casa-Cortes et al., 2015, p.80-81). I examine the process through which non-citizens create, or make use of, existing avenues to break the differential inclusion that they experience, including by claiming rights and/or constructing novel notions of human rights.

In contrast to the scholars who have relied on the notions of *homo sacer* and bare life, scholars within Critical Citizenship Studies (CCS) have

accounted for migrants' agency to counteract the conditions in which they face oppression and live bare lives. Such scholars have indeed conceived migrants' struggles as instances where migrants exercise agency by transforming and expanding the notion of citizenship.

Engin F. Isin argues that individuals become subjects by performing acts of citizenship, which allows them to make claims through various sites and scales (Isin, 2008). Acts of citizenship are "those acts that transform forms (orientations, strategies, technologies) and modes (citizens, strangers, outsiders, aliens) of being political by bringing into being new actors as activist citizens (claimants of rights and responsibilities) through creating new sites and scales of struggle" (Isin, 2008, p. 39). Isin thus disassociates the status of citizen from the possession of citizenship as nationality and connects it with the act of making claims. Through performing acts of citizens, subjects constitute themselves as citizens, or those who have the right to have rights (Nyers, 2010).

Scholars within CCS have conceived protests of migrants as instances in which they demand rights and enact themselves as citizens through rights-claiming processes (Ataç, Rygiel & Stierl, 2016). Acts of citizenship that migrants perform in protests transgress the logic of modern citizenship. They promote 'ways of practicing citizenship that, rather than reinforce, disrupt borders of identity, nation, and state, with the aim of producing alternative ways of thinking and practicing citizenship (Rygiel, 2016, p.547). One important aspect of acts of citizenship is that they do not necessarily have to be founded in the law (Isin, 2008). In some instances, acts of citizenship have a paradoxical relationship with the law; for example, undocumented migrants who

demand their regularization ground their demands in the law but at the same time also question the law (Nyers, 2010).

The notion of acts of citizenship is important for my thesis because it emphasizes the agency that non-citizens can exercise when challenging the exclusionary notion of citizenship defined by nationality. Indeed, my thesis explores whether non-citizens exercise agency by constructing notions of human rights that challenge the mechanisms of differential inclusion that are linked to their status of non-citizens and that can be embedded in the law. However, the scholars who have focused on acts of citizenship in the context of migrants' protests have not fully investigated the submerged and invisible processes through which migrants become aware of their right to have rights and draw on it to make claims. My thesis explores whether and how notions of human rights inspire the multiple layers of the mobilization of non-citizens against border regimes. These multiple dimensions of mobilization include the submerged layers in which the awareness of the right to have rights may emerge.

Migrants' struggles and subjectivity is central in the autonomist scholarship (Casas-Cortes et al., 2015; Nyers, 2015). The scholarship of autonomy of migration elaborates a notion of agency that overcomes the oppression that the law, the state and border regimes exercise on migrants. Indeed, autonomists focus on the human agency involved in migration processes which transcends states' attempts to control borders (Mezzadra, 2010; Mitropoulos, 2006). This perspective both rejects narratives that consider migrants as victims or security threats and

highlights migrants' potential to achieve social and political transformations.

Autonomist scholars have conceived borders as spaces of constant encounter, tension, conflict and contestation. Migration is a co-constituent of the border as a site of conflict and as a political space. The forces of migration challenge, contest and reshape the border while state agencies put in place mechanisms to control, stabilize and manage the border and invoke it as a stable mechanism of differential inclusion (Casas-Cortes et al., 2015).

The autonomy of migration focuses on the relentless possibilities for resisting and contesting the attempts of the state to control borders. Cracks and fissures exist even in the most inhospitable environments and migrants can transform them into niche-openings to mobilize collectively and to oppose their domination (Nichols, 2014). Moreover, autonomists emphasize forms of resistance that take place outside the state; migration is construed as a primary force that exists independently of the state's efforts to control and manage it. The emphasis on resistance outside the state is important in the context of my thesis as it explores the possibilities for the construction of notions of human rights, including non-legal notions of human rights, outside the state. The elaboration of notions of human rights outside the state may occur in the cracks left open for invisible forms of collective action that this thesis investigates. However, the contestation of border regimes can also occur in relation to the state as the latter is a constituent of border regimes.

In sum, the notions of *homo sacer* and bare life provide powerful descriptive tools to understand the oppression that border regimes exercise on non-citizens. However, they do not allow for a deeper understanding of practices of resistance. More specifically, they do not explain the processes through which grievances can emerge and migrants can organize collectively to challenge bare life. Critical Citizenship approaches, and in particular the notion of acts of citizenship, theorize migrants' agency as potentially contesting and transforming state-centred devices, in particular citizenship. Nevertheless, the processes through which migrants become aware of their right to have rights and thus become rights claimants are not fully explained. Autonomist perspectives focus on the voices and subjectivities of migrants and capture the complexity and the potential for migrants' agency. Yet, these perspectives do not take into account how contestation may occur also in relation to state practices or in the interstices between the state and autonomous spaces.

In this thesis, I draw on CCS to conceptualize how non-citizens can transgress state-centred devices including citizenship. As we shall see, non-citizens transgress legal status categories and the legal notion of refugee. Moreover, I make use of the concept of autonomy of migration to examine the possibilities for autonomous contestation of border regimes and to examine approached to human rights outside the state. The living conditions of non-citizens, which some scholars have conceptualized as bare life, have an impact on collective action and collective identities. However, non-citizens have the potential to transgress and transform the conditions that border regimes impose on them.

1.2 THE AMBIVALENCE OF HUMAN RIGHTS AND THEIR CONSTRUCTION FROM BELOW

As I discussed in the previous section, this thesis investigates whether the construction of human rights is an area in which non-citizens become political subjects by elaborating and using notions of human rights that challenge their oppression. As we shall see, this thesis also investigates if bottom-up constructions of human rights may challenge legal notions of human rights that have a limited emancipatory potential for challenging border regimes.

Scholars have emphasized the ambivalence of human rights, in particular in the area of migration, and have questioned the potential for human rights, in particular legal notions of human rights, to challenge the oppression faced by marginalized groups, including non-citizens. Precisely in view of the ambivalence of human rights, I argue the importance of studying constructions of human rights from below. In this section, I present the debates regarding the potential for human rights to challenge oppression and domination. Moreover, I explore different approaches to human rights as well as different understandings of human rights, including beyond their legal connotation.

This thesis investigates if non-citizens and other social actors that oppose border regimes elaborate and use notions of human rights that challenge oppression and promote emancipation. Scholars have extensively questioned the potential for human rights to challenge oppression and promote the emancipation of marginalized groups. Some scholars have emphasized the limited emancipatory potential of human rights, as they may contribute to improving individualistic rights but fall short of

challenging socio-economic relations (Gordon, Swanson & Buttigieg, 2000). Samuel Moyn has argued that human rights are not only insufficient to challenge structural inequalities, but they also constitute a distraction as they displace the attention from more important issues of structural injustice (Moyn, 2018). These critiques have primarily emphasized the limitations of legal notions of human rights as codified in international law. It is thus crucial to investigate the construction of non-legal notions of human rights. My thesis explores whether the social movement actors that oppose border regimes use legal notions of human rights as a basis to elaborate non-legal notions of human rights that may have a stronger potential for challenging socio-economic inequalities and other forms of oppression.

Other scholars have emphasized the ambivalence of human rights and proposed a more nuanced understanding of the potential for human rights to challenge oppression. Neil Stammers refers to the paradox of the institutionalization of human rights to conceive the ambiguous relation between human rights and power. Stammers emphasizes that the inclusion of human rights in laws and policies as well as the establishment of institutions that monitor human rights may diminish the possibilities for human rights to challenge various forms of power (Stammers, 2009, 2015). The ambivalence of human rights implies that their entanglement with power can be used to justify policies that oppress specific groups. However, their ambivalence can also entail the use of human rights to formulate progressive claims and for progressive cultural politics (Nash, 2015, 2019). More specifically, both dominant and oppressed groups can make use of human rights either to challenge oppression or to justify it (Perugini & Gordon, 2015). By analysing the

political use of human rights by civil society organizations defending the rights of Palestinians as well as by organizations of Israeli settlers in the West Bank, Perugini and Gordon highlight that their discourses are both framed by human rights. Their diametrically opposite narratives are not premised on manifestly wrong legal arguments but rather stem from the ambivalence of human rights (Perugini & Gordon, 2015).

My thesis investigates the ambivalence of human rights in the area of migration and asylum and the potential for human rights to challenge border regimes. Scholars have questioned the potential for human rights to protect migrants and have highlighted the barriers for migrants to access human rights. Sandro Mezzadra has for instance stressed that human rights standards and protection in the area of migration intermingle with security and economic concerns and enable the control and categorization of migrants (Mezzadra, 2015). Marie-Benedicte Dembour and Tobias Kelly have argued that the barriers for migrants to enjoy human rights can be associated with the entrenched character of nation states, the tendency of any liberal democracy to draw exclusionary boundaries, and the racialization and the low socio-economic status of migrants (Dembour & Kelly, 2011).

In contrast, other scholars have pointed to the role played by human rights in the protection of migrants' rights for example in Spain and in the United States (Rodriguez & Rubio-Marin, 2011). Moreover, scholars have emphasized that human rights conceived as broader social justice ideals, rather than legal norms, represent a resource for social movements (Engle Merry et al., 2010). Social movements may make use of human rights despite the acknowledgement of their ambivalence. By drawing on

her empirical research on migrant mobilization in Germany, Anne McNevin has highlighted that migrants are aware of the flaws of the human rights regime that they refer to while formulating their claims. At the same time, human rights offer a language that speaks to the shared history and experiences that migrants seek to express (McNevin, 2013, p. 197).

My thesis explores how the ambiguity of human rights plays out in the mobilization against border regimes. It does not take for granted general assumptions regarding the limited potential for human rights to challenge oppression; nor does it consider human rights as quintessentially emancipatory. These two dichotomous approaches are likely to be associated with biased understandings of human rights that Stammers has identified as a hall of mirrors (Stammers, 1999). My thesis explores how specific interpretations, constructions and approaches to human rights that are collectively elaborated may challenge the oppression that border regimes exercise on non-citizens.

Scholars have indeed emphasized that oppressed groups have contributed to shaping the construction of human rights. Upendra Baxi argued that since the Second World War, the poor and the oppressed have been the hidden authors of new forms of human rights (Baxi, 2000, 2008). Neil Stammers emphasized that eurocentrism and methodological nationalism have contributed to erasing the role played by subaltern actors in the construction of human rights (Stammers, 2015). He emphasized for instance the Haitian Revolution, in which claims to natural rights were made to achieve the emancipation of slaves and to challenge the plantation economies and the slave trade (Stammers, 2009, 2015).

However, despite those contributions, little is known about the various conceptions of human rights from below outside top-down approaches promoted by both international governmental and non-governmental organizations. My thesis makes a significant contribution by investigating bottom-up approaches to human rights and in particular how notions of human rights are constructed from below by marginalized actors who engage in collective action.

Scholars have emphasized multiple interpretations and understandings of human rights as well as different approaches for law and human rights. First, I present *global constitutionalism* and *subaltern cosmopolitan legality* as they provide tools to analyse how different social actors can use and construct human rights (Nash, 2015). Then, I examine the multiple ways in which social actors can interpret human rights.

Global constitutionalists conceive human rights as universal legal norms codified in international law that states have committed to uphold. Global constitutionalism is a top-down approach that human rights organizations and transnational advocacy networks follow as they focus on monitoring the compliance of state actors with human rights law and standards. The scholarly literature on human rights has predominantly focused on global constitutionalism (Nash, 2015).

Subaltern cosmopolitan legality is an opposite approach to global constitutionalism insofar as it conceives notions of human rights as emerging from the experiences of the marginalized. Boaventura de Sousa Santos and César Rodríguez-Garavito have conceptualized subaltern cosmopolitan legality in particular to study the law in the context of

globalization. Subaltern cosmopolitan legality takes the perspectives of the marginalized; it seeks to expand the notion of rights that goes beyond the liberal idea of individual autonomy and incorporates solidaristic understandings of entitlements grounded on alternative forms of legal knowledge (De Sousa Santos & Rodriguez-Garavito, 2005, pp. 9–15). Subaltern cosmopolitan legality focuses on the importance of political mobilization for the success of rights-centred strategies and conceives collective action as a necessary tool for counter-hegemonic forces to achieve the desired legal change (De Sousa Santos & Rodriguez-Garavito, 2005, p. 17).

In her critique of subaltern cosmopolitan legality, Kate Nash argues that subaltern and grassroots mobilizations may create legal definitions and notions of human rights that are different from mainstream legal understanding. Nash referred to the Zapatista movement as an example of subaltern legality that elaborated notions of human rights outside the state (Nash, 2012). However, Nash challenges the idea that the law can be emancipatory only if it emerges from the experiences of the marginalized outside state-centred dynamics. She emphasizes that the role of the state cannot be ignored as the state is constructed as the guarantor of human rights in international human rights law (Nash, 2012).

My thesis investigates if and how notions of human rights are elaborated within or outside the state, in other words, whether social actors collectively elaborate and use notions of human rights that transcend the role of states to uphold human rights in international law. The state is a crucial actor in the international human rights system; if non-citizens use

legal notions of human rights to formulate their claims, they may make those claims to the state. However, as I discussed in the previous section when I presented the notions of acts of citizenship and the autonomy of migration, non-citizens may also mobilize in collective actions that are autonomous from the state and make rights claims outside the law. My thesis explores bottom-up approach to human rights, which are crucial elements of subaltern cosmopolitan legality, and investigates how non-citizens can elaborate notions of human rights in the context of their collective actions. However, my thesis also investigates if social actors who oppose border regimes may follow hybrid approaches, in which legal notions of human rights are used alongside non-legal notions to challenge their oppression. My thesis examines whether some components of global constitutionalism permeate the bottom-up approaches to human rights that refugees* and other social actors may embrace in their mobilization against border regimes.

In order to examine if and how social actors construct human rights from below that have an emancipatory potential, this thesis draws on multi-faceted, multi-scalar understandings of human rights and opposes the idea that human rights are predominantly legal notions codified by the law. Scholars have challenged the idea that human rights are universal and neutral tools codified in international law and have emphasized that human rights are rather cultural products. Malcolm Waters highlighted that human rights are institutions that are specific to cultural and historical contexts; their universality is in itself a social construction (Waters, 1996). Taking for granted the universality of human rights is precisely the result of their socially constructed essence; their universality is indeed constructed (Sewell, 2005).

As they are socially constructed, human rights can be subject to multiple interpretations beyond their specific content codified in international law. Marie-Bénédicte Dembour identifies four broad understandings of human rights in her four-school model:

- a) The natural school views human rights as entitlements which individuals possess simply because they are human beings. Human rights should apply in a way that transcends human-made boundaries including borders, and the development of human rights law is generally seen as progress;
- b) The deliberative school considers human rights as political values that societies choose to adopt. Constitutional law is one of the primary ways to express human rights as values agreed upon by a specific society;
- c) The protest school views human rights as claims and aspirations that can challenge the status quo in favour of those who are oppressed. The concrete source for human rights is social struggles rather than international law;
- d) The discourse school argues that human rights exist because people talk about them. While in some instances human rights discourses can yield positive results because the language of human rights is powerful, the proponents of this school generally aspire to a larger project of emancipation (Dembour, 2010).

These four schools are ideal-types and involve different understandings of the relationship between human rights and the law. My thesis investigates how social actors who mobilize against border regimes in Berlin interpret human rights by taking into account the multiplicity of

understandings and interpretations of human rights. I examine whether the elaboration of human rights in the social movement opposing border regimes in Berlin exceeds legal notions of human rights. As this thesis explores the elaboration of notions of human rights in bottom-up approaches that could challenge oppression, I will in particular examine if the actors who mobilize against border regimes interpret human rights according to the protest school. As I expect the interpretations of human rights to be varied and complex, I also investigate if social actors interpret human rights according to the other schools identified in Dembour's four school model, which is important to examine how activists in the social movement opposing border regimes may understand human rights in relation to the law.

1.3 CONSTRUCTING HUMAN RIGHTS IN MULTIPLE LAYERS OF MOBILIZATION

In the previous section I discussed the notion of the ambivalence of human rights, which is premised on the ambiguous relationship between human rights and the state and the possibility for states to make use of human rights for their own interests or for strengthening forms of oppression. Bottom-up approaches to human rights such as subaltern cosmopolitan legality provide options to construct human rights outside the state. It is thus important to understand the relationship with the state of social movement organizations that oppose border regimes in Berlin, in order to analyse their approach to human rights. In this section, I review the main approaches regarding the relationships between social movements and the state and the theoretical approaches focused on forms of mobilization that are autonomous from the state. This analysis is particularly useful in the context of this thesis as states are actors that contribute to shaping border regimes. My thesis examines if refugees* and other social actors construct human rights outside the state with a

view to challenging the nation states' prerogative to control their borders (see e.g. Anderson, 1991). In this section, first I present the notions of social movement and of border regimes. Then I discuss some of the approaches that theorize the relationship between social movements and the state.

The notion of social movement is important to analyse the construction of human rights. It provides tools to understand the collective processes through which notions of human rights may be collectively negotiated and agreed upon and if human rights-centred strategies are elaborated with a view to contesting border regimes. The scholarship of social movements is crucial to understand the multiplicity of the actors who mobilize against border regimes and of their collective identities, and thus the potential complexity of multiple and overlapping understandings of human rights. As discussed in the previous section, I am interested to analyse bottom-up approaches to human rights, which entail a particular emphasis on how non-citizens elaborate human rights. However, non-citizens are not a homogeneous group; they often hold a variety of legal statuses that provide them with a differentiated access to human rights (Nash, 2009; see also section 1.4.4 below). Moreover, non-citizens come from different countries, belong to varied ethnic minority groups and experience border regimes differently according to their genders. All these identities may become shared in the context of collective actions and impact the mobilization against border regimes. Moreover, non-citizens often mobilize with other actors, in particular citizen activists, who may embrace different identities. As I discuss in the next section, multiple collective identities may be associated with multiple understandings of human rights.

The scholarship of social movements offers conceptual tools to analyse the multiple layers of mobilization in which non-citizens and other social actors participate and the extent to which they orient their grievances and demands to the state. Donatella Della Porta and Mario Diani conceive a social movement as a network of actors who share a common set of beliefs, solidarity and collective identity and who mobilize around conflictual issues by using different forms of protests (Della Porta & Diani, 2020).

Understanding social movements as networks where multiple actors establish relations, ties and alliances based on their ideological and tactical proximity (Diani & Misch, 2016) is crucial to avoid considering social movements as actors themselves with a unified set of goals, a common strategy and one collective identity. This consideration on multiplicity is crucial to investigate the construction of human rights in the movement opposing border regimes, for a variety of reasons.

First, border regimes are complex systems that regulate the exclusion and disenfranchisement of migrants (Tsianos & Karakayali, 2010). The notion of border regime implies a radical constructivist approach to borders, which are seen as shaped by a multiplicity of actors including the state but also migration forces (Casas-Cortes et al., 2015). Borders are multiple sites of resistance and the notion of border regime allows for an understanding of the multiple modalities, strategies and repertoires of contention (Tilly, 1978, 2008) through which non-citizens and other social actors can contest borders. Different social movement organizations and actors may establish ties and alliances on the basis of

their affinity regarding the modalities through which they contest border regimes. These multiple actors constitute the social movement contesting border regimes, which is diverse and complex. Multiplicity may be embedded in the construction of notions of human rights, as the multiple actors in the movement may elaborate different notions of human rights that challenge different aspects of border regimes. As discussed earlier, by drawing on social constructivist approaches to human rights, this thesis opposes the idea that human rights are exclusively or predominantly legal notions defined by the law.

Second, non-citizens often mobilize with citizen activists in the context of solidarity movements or solidarity protests (Ataç, Rygiel & Stierl, 2016; Della Porta, 2018; Gauditz, 2017; King, 2016; Rosenberger, Stern & Merhaut, 2018). The mobilization of non-citizen and citizen actors in the same social movement organization or movement can give rise to multiple collective identity processes, multiple grievances and multiple strategic preferences and orientations of action. Differences within the movement premised on different citizenship status and racialization processes (Omi & Winant, 2015) may be associated with divergent understandings of human rights. As we shall see in the next section, non-citizen and citizen actors may also embrace different understandings of human rights or divergent opinions on whether human rights can challenge domination and transform border regimes.

Third, non-citizens and other social actors may contest border regimes by engaging in multiple, more visible or less visible, forms of mobilization and by addressing their demands to multiple institutions or state actors. My thesis explores the relationship between the movement against border

regimes and the state because of the role of the state in the international human rights system. More specifically, states are supposed to guarantee human rights as they have ratified international human rights treaties, but at the same time are also actors that violate human rights (Nash, 2015).

My thesis investigates how the social movement opposing border regimes addresses the ambivalent relationship between human rights and the state. Social movement actors may for instance construct notions of human rights outside the state, that is, irrespective of the state's role to uphold human rights, precisely because of the ambivalence of legal notions of human rights. They may also engage in forms of mobilization that are autonomous from the state. However, they may also choose to make claims to state authorities by making reference to legal notions of human rights that states have committed to uphold, which is the approach of global constitutionalism discussed in the previous section. Examining approaches to human rights requires understanding the multiple levels of mobilization in which social actors engage to oppose border regimes, including forms of mobilization targeting the state or that are autonomous from the state or both.

Scholars of social movements have emphasized the challenges that social movements pose to dominant and powerful institutions, authorities or structures including not only the state, the elites but also corporations and educational institutions (Goodwin & Jasper, 2015; Leitner, Sheppard & Sziarto, 2008; Tarrow, 1998; Walker, Martin & McCarthy, 2008). The scholarship of migrant protests has often framed the relationship between collective actions and the state through the analysis of claim-making processes in the context of visible repertoires of contention, in particular

protests. For example, Ruud Koopmans and Paul Statham have examined the claims made by migrants in the context of protests in the United Kingdom, Germany and the Netherlands. They have emphasized that migrants mostly addressed their claims to the institutions of the states where they resided (Koopmans & Statham, 1999, 2014; Koopmans et al., 2005).

My thesis examines whether the activists and the social movement organizations who contest border regimes in Berlin identify specific state authorities as the actors to blame for the enforcement of border regimes and if they formulate their demands to the state by drawing on human rights. States are crucial actors shaping border regimes, as one of the prerogatives of nation states is indeed the control that they exercise over their borders (see e.g. Anderson, 1991). However, the Europeanization of asylum and migration policies has also contributed to the emergence of supranational state actors shaping border regimes, most notably the European Union (Monforte, 2014). Accordingly, this thesis also analyses whether the actors who oppose border regimes target the European Union, or more generally supranational or international institutions, when they formulate their claims against border regimes.

In addition to examining the targets and the content of claim-making processes in visible repertoires, my thesis also investigates forms of mobilization that are less visible. Notions of human rights can be elaborated in the context of the everyday life of *submerged networks*. Alberto Melucci has emphasized that social movements are constituted by networks that are submerged in everyday life and that emerge in the context of more visible mobilizations. Visibility and latency constitute

two poles of mobilization that are intertwined (Melucci, 1985, p. 800). Social movement actors may deploy notions of human rights that they elaborate in the context of submerged daily activities when they participate in or organize more visible collective actions.

Moreover, these submerged forms of mobilization may include dimensions where social actors operate autonomously from the state. According to Melucci, collective actions cannot be reduced to a political action where the only index of disruption is the confrontation with authorities (Melucci, 1989, p. 24). Melucci highlights the multilayered dimensions of change associated with social movements, which include an effect on political systems as well as a more molecular one involving the alteration of everyday life (Melucci, 1989, p. 77). Other scholars have conceptualized more directly the autonomous dimensions of social movements from the state. For example, Raúl Zibechi has described social movements as attempts to seek autonomy from the state and from political parties. Social movements provide subordinate groups with spaces where the control of dominant forces cannot reach. This space is crucial for reconfiguring social relations and facilitating the emancipation of marginalized groups (Zibechi, 2010, 2012). Analysing the potential for emancipation associated with social movements therefore requires exploring the changing social ties within and outside movements. Movements not only change the balance of power within society but also “weave social ties that are born and grow and germinate and become the mortar of the new world – not the new world itself but the seeds of that world” (Zibechi, 2012, p. 48).

Scholars have also emphasized the autonomous components of the mobilizations of non-citizens, which in some instances they have associated with the possibility for non-citizens to become political subjects. For example, Pierre Monforte has emphasized instances where undocumented migrants created autonomous spaces of life where they reclaimed their existence and established solidarity ties among themselves as well as between them and other social groups (Monforte & Dufour, 2013). Sandro Mezzadra and Brett Neilson referred to border struggles as instances associated with the production of political subjectivity. They refer not only to movements that openly contest the discriminatory impact of borders but also to instances where migrant movements detach themselves from the pervasive effects of border policies and renegotiate notions of border through the construction of networks and transnational social spaces. Mezzadra and Neilson argue that border struggles open spaces for new political subjects to emerge (Mezzadra & Neilson, 2013, 13-14).

This thesis examines if the social actors that oppose border regimes in Berlin engage in forms of mobilization that are autonomous from the state and if, in the context of these mobilizations, they elaborate notions of human rights outside the state.

To sum up, in this section I have emphasized why the notion of social movement is useful to conceptualize the multiplicity of the mobilization against border regimes which may be associated with the multiplicity of approaches to, and understandings of, human rights. The complexity of border regimes, the multiple actors who participate in the social movement opposing border regimes, and the multiple layers of

mobilization in which they engage are likely to give rise to complex processes in which human rights are constructed through overlapping and diverse understandings.

In this section I have emphasized the importance of analysing the multiple layers of mobilization in which social actors can engage. In view of the ambivalent relationship between human rights and the state, it is crucial to investigate if and how social actors challenge that relationship, for example by constructing notions of human rights outside the state, including in forms of mobilization which are autonomous from the state. My thesis investigates the multiple layers and forms of mobilization through which human rights are elaborated. It examines if and how notions of human rights permeate visible and submerged forms of mobilization and whether human rights are elaborated in relation to the state or autonomously from the state.

1.4 HUMAN RIGHTS AND COLLECTIVE IDENTITIES

The notion of collective identity is key in the scholarship of social movements. I rely on the idea of collective identities and multiplicity of identities to examine the multiple and overlapping interpretations and constructions of human rights in the movement opposing border regimes in Berlin. The interpretation, construction and use of human rights to challenge border regimes are associated with the grievances of social actors as well as their beliefs regarding the state and the use of the law, which are indeed components of collective identities.

In this section, first I present the contribution that the social movement scholarship has brought to the study of collective identities. Then, I discuss the notion of collective identity boundaries to emphasize the fuzzy and complex collective identity processes that take place in social

movements, which may be associated with multiple approaches to human rights. I examine in particular the interplay between race and citizenship with collective identities as they may be associated with the elaboration of notion of human rights that challenge the both the racialization and categorization of non-citizens produced by border regimes.

1.4.1 COLLECTIVE IDENTITIES

Collective identity has become a crucial aspect of the social movement scholarship (Della Porta & Diani, 2020; Klandermans, 2014). More specifically, scholars have relied on collective identities to explain why specific grievances trigger mobilization, the motivations underpinning mobilization, the basis of strategic choices beyond rational calculations, and the long-term impact of social movements (Polletta & Jasper, 2001).

Collective identity is a crucial concept to understand the processes through which non-citizens construct notions of human rights by mobilizing with citizens and how imbalances along the lines of citizenship and race among activists may have an influence on grievances, strategies and the interpretation of human rights. Moreover, analysing collective identity processes is important to understand the interplay between the mobilization against border regimes and some aspects of the law, in particular legal status categories that are imposed by the state. This thesis investigates if non-citizens embrace collective identities that can challenge those legal status categories. The contestation of legal status categories may facilitate the elaboration of notions of human rights that have the potential for challenging the oppression of border regimes.

Alberto Melucci has conceptualized collective identity as: “an interactive and shared definition produced by several interacting individuals who are concerned with the orientations of their action as well as the field of opportunities and constraints in which their action takes place” (Melucci, 1989, p. 34).

Collective identity involves the formulation of cognitive frameworks developed and shared by collective actors concerning the goals, means and environment of their action. Collective identity also enables the analysis of the relationships among different actors and the activation of emotional investments with regard to their mobilization (Melucci, 1989).

Collective identities are also intertwined with the collective claims, or demands, made by social movement actors through framing processes (Koopmans et al., 2005; Polletta & Jasper, 2001). Framing processes broadly refer to the production of meaning by social movement actors and are associated with collective identities. Social actors negotiate meaning collectively and these negotiations produce frames (Gamson, 1992). Erving Goffman conceives frames as: “Schemata of interpretation that enable individuals to locate, perceive, identify and label occurrences within their life space and the world at large” (Goffman, 1974, p. 21).

In the last three decades, by drawing on the work of Erving Goffman, the scholarly literature on social movements has often invoked the concepts of frames and framing to explain several aspects of collective action (Benford & Snow, 2000). The concepts of frames and framing are useful in the context of this thesis insofar as they allow the investigation of the grievances that social actors formulate collectively against border

regimes as well as the alternative solutions that they propose. In particular, this thesis examines the diagnostic and prognostic frames that social movement actors collectively devise and deploy against border regimes. Diagnostic framing involves the identification of problems and the attribution of blame to specific actors. This attributional function of diagnostic framing may result in different social movement organizations, or different sectors of one organization, identifying different actors to blame. Prognostic framing articulates an alternative set of arrangements to problems that social actors experience. This prognostic dimension is one of the primary ways in which social movement organizations can differ from one another (Benford & Snow, 2000). This thesis investigates if social movement actors formulate different diagnostic and prognostic frames against border regimes and if those differences may be associated with a collective identity boundary regarding their approaches to human rights.

Moreover, the thesis examines if social movement actors make use of rights frames to formulate their claims against border regimes and if different interpretations of human rights are embedded in rights frames. In his study of the civil rights movement in the United States, Steve Valocchi argues that the movement framed its demands in terms of rights because of the emergence of a specific ideology, the idea system used by movement leaders, which portrayed Black people as being denied freedoms and stressed the government's role in guaranteeing those freedoms in order to achieve a race-free society (Valocchi, 1996). My thesis investigates if social actors opposing border regimes make use of rights frames to invoke the role of the state in promoting human rights and explores if rights frames embed a specific approach to human rights.

Collective identity processes are multiple and take place at different levels, including in both visible and submerged layers of mobilization that I discussed in the previous sections. Collective identity processes are associated for example with the choices regarding the targets that social actors choose for their protests, which may include the state, and the claims or demands that they formulate. Collective identity processes occur also in the daily, less visible, activities of submerged networks. My thesis investigates how collective identity processes are associated with the elaboration of notions of human rights in the multiple layers of the mobilization against border regimes and with the approaches to human rights that activists embrace. Collective identity processes are fuzzy, multiple and overlapping including within a single social movement where collective identity boundaries can emerge, as I discuss in the next section.

1.4.2 MULTIPLE IDENTITIES AND COLLECTIVE IDENTITY BOUNDARIES

Non-citizens may define themselves through the lack of citizenship status in the country where they reside. However, they may also define themselves according to many other identity characteristics according to the perception of their belonging to social groups. In the context of mobilization in a social movement organization or in a social movement, collective identities emerge when social identities become shared among a group. Social identity concerns the socially constructed cognitions of an individual about their membership in one or more social groups (Klandermans, 2014, p. 3). While social identity is an individual identity, collective identity concerns a group and involves more than the mere sum of individual social identities. Collective identities are connected to social identities in the sense that they may emerge when a social identity

becomes shared among the members of a group, in other words when its saliency is enhanced (Klandermans, 2014, p, 3).

Social actors are often part of multiple social groups and are likely to embrace multiple social identities. Multiple collective identities may emerge in the context of collective action and participation in social movements, as social actors are part of multiple groups and may share multiple social identities. Non-citizens without residence rights may perceive themselves as being undocumented migrants and may share that identity in the context of their mobilization for regularization, where their lack of legal status may become a collective identity. However, non-citizens are not a homogeneous group; they are likely to come from different countries, belong to different ethnic minority groups, and identify themselves as men, women, transgender, and so on. When they mobilize, these identity characteristics may become collectively shared and these multiple collective identities have in turn, also an impact on their mobilization, their grievances and their strategies.

Multiple processes may unfold within one social movement organization and/or among different organizations; more specifically, several identity characteristics may become simultaneously shared by social actors who engage in collective actions. These processes may result in divisive collective identities at the wider movement level (Saunders, 2008). This does not necessarily lead to open conflict as movements may choose to give prominence to a specific collective identity to advance specific claims or to oppose a specific type of domination (McGarry, Tramontano & Jasper, 2015).

William A. Gamson suggests considering collective identity as embedded in three different layers: the organizational level, the movement level and the solidary level. The first layer is constituted by a movement carrier, for instance a specific social movement organization. The collective identity of a specific carrier can overlap with the broader movement's identity, which constitutes the second layer. Moreover, the movement identity may or may not be embedded in a larger solidary identity constructed on the basis of people's social location, for example, workers, black women and so on (Gamson W.A., 1991). These three levels are sometimes so closely integrated that they become a single amalgam (Gamson W.A., 1991, p. 41). A multilevel analysis of collective identity processes takes account of the complexity of movements, in particular as they are constituted by interactions between a plurality of individuals, networks and organizations (Diani, 1992, p.13). My thesis investigates collective identity processes at multiple levels, including the organizational and the wider movement levels. It analyses if and how different social movement organizations, or different groups who mobilize within one social movement organization, embrace different collective identities that may, in turn, be associated with divergent approaches to human rights.

The intersection among multiple identities may produce collective identity boundaries within a social movement. I am interested to investigate if collective identity boundaries emerge in the movement contesting border regimes and whether they are associated with different approaches to, and interpretations of, human rights. In her review article on collective identity in social movements, Christina Flesher Fominaya emphasizes that any collective identity formation process involves the

establishment of boundaries; group members recognize their similarities as well as their differences with other reference groups (Flesher Fominaya, 2010). Verta Taylor and Nancy Whittier describe identity boundaries as one of the main identity processes allowing for dynamics between the in- and out-groups. The establishment of boundaries results in the development of consciousness associated with the emergence of interpretative frameworks relating to the common interests of a collective actor in opposition to the dominant order (Whittier & Taylor, 1992). Other scholars have highlighted that several boundary processes may occur within one single movement (Gamson, 1997) and that boundaries may also emerge among different subcultures within a movement (Haenfler, 2004).

Boundaries premised on different collective identities can result in the emergence of opposing interpretative frameworks among different groups concerning their involvement in collective action. The different layers of collective identity are crucial analytical tools to investigate the multiple meanings that social movement actors may attach to human rights and the dynamics through which human rights may have an impact on the mobilization contesting border regimes. Approaches to human rights are indeed associated with collective identities as they may imply a shared understanding among social actors regarding the interpretation and usefulness of the law in the struggle against border regimes, or the necessity to make use of non-legal tools with a higher emancipatory potential.

My thesis examines if collective identity boundaries take shape among social movement organizations and if these boundaries are associated

with divergent interpretations and uses of human rights. In particular, I draw on the distinction between radical and moderate social movement organizations, which is associated to different ideologies, internal structures, tactics, communication and assessment of their successes. While radical social movement organizations formulate a radical agenda focused on structural change, moderate social movement organizations elaborate a reformist agenda in the context of their collective actions, which emphasizes that they are contenders in the existing political system (Fitzgerald & Rodgers, 2000). I examine if this distinction among social movement organizations is relevant within the social movement opposing border regimes in Berlin and if the differences between moderate and radical social movement organizations may be associated with different frames, collective identities and approaches to human rights.

Moreover, with a view to analysing collective identity boundaries, I draw on the identity boundary that Pierre Monforte has identified in the asylum social movements in France and Germany. In particular, Monforte has highlighted three collective identities at the movement level, which are associated with different interpretations of legal status categories, organizational structures, framing, and repertoires of actions (Monforte, 2014). My thesis examines the interaction between collective identities and legal status categories and investigates if a collective identity boundary similar to the one conceptualized by Monforte plays out in the movement opposing border regimes in Berlin.

More specifically, Monforte identified three collective identities that coexisted at the movement level: legitimized identity, principled identity

and oppositional identity. Humanitarian non-governmental organizations (NGOs) providing services on behalf of the state are usually defined by a legitimized identity. They act for the relief of groups that they perceive as victims and they accept the official identification of asylum seekers and refugees. Principled identities are embraced for instance by human rights organizations and are associated with a criticism of the legal categories of asylum seeker and refugee. They criticize and deconstruct the identification of asylum seekers and refugees made by public authorities. Oppositional identities are associated with an autonomous understanding of those categories which radically opposes their legal definition. They are usually held by migrant and refugee-led organizations as well as by those organizations working closely with them (Monforte, 2014, p. 70).

According to Monforte, the social movement organizations holding legitimized identities define asylum seekers and refugees on the basis of their vulnerability, rely mostly on a humanitarian framing to provide relief, rely on corporatist repertoires of actions and are highly professionalized. Those characterized by principled identities make use of pluralist repertoires of actions and are organized according to a structure that combines professionalization and horizontal dynamics. Finally, those embracing oppositional identities act together with asylum seekers and refugees, use protesting repertoires of action and are organized horizontally (Monforte, 2014, p. 111). In his study, Monforte emphasizes the identity boundary between humanitarian and politicized social movement organizations: the latter including organizations embracing a principled or an oppositional identity (Monforte, 2014).

I draw on Monforte's analysis as I examine whether identity boundaries based on, among other things, the interpretation of legal status categories reflect different approaches to human rights. I rely on Monforte's work as a basis to examine the interplay between collective identities, interpretation of legal status categories, and human rights.

1.4.3 COLLECTIVE IDENTITIES AND ANTI-RACISM

Scholars have emphasized the racializing impact of border regimes on migrants (De Genova, 2002, 2005; Garner, 2007; Schwarz, 2016) and, more generally, the role of migration as a category for the purpose of othering (Balibar, 1991). Racialization refers to the extension of racial meaning to a previously racially unclassified relationship, social practice or group (Omi & Winant, 2015). Processes of racialization are intertwined with racism, which is an expression of racially predicated or manifested social and political relations of domination, subordination and privilege (Goldberg & Solomos, 2002, p. 4).

The struggle against border regimes can be conceived as an antiracist struggle through which racialized non-citizens may elaborate notions of human rights that have, or intend to have, an emancipatory potential because they challenge oppression, exclusion and othering.

Alana Lentin has emphasized the heterogeneity of anti-racism along several dimensions. First, anti-racism can be conceived more or less close to the public political culture; the more anti-racism embraces discourses around equality and human rights, the closer it is to the state-sponsored public political culture. In contrast, the more sceptical anti-racism is of the public political culture, the more it tends to emphasize emancipation, resistance, liberation. Second, anti-racist practice can be

more or less grounded in the experiences of racialized people. Third, anti-racism can emphasize everyday institutional racism over the more spectacular opposition to the far-right (Lentin, 2008, p.316).

My thesis examines the multiplicity of understandings of anti-racism in the movement opposing border regimes. Different understandings of anti-racism can constitute collective identities as they may be associated with particular grievances, beliefs, strategies and orientations or actions. My thesis explores three dimensions of anti-racism: the connection between the struggle against border regimes and the experiences of racialized non-citizens, the framing of border regimes as racializing devices that maintain global inequalities, and the opposition to radical right populism. I investigate how these dimensions of anti-racism are associated with approaches to human rights.

First, scholars have emphasized that anti-racism in the mobilization associated with the protest camp in Oranienplatz was associated with the idea that the leadership of the struggle against border regimes should rest with refugees (Bhimji, 2016; Langa, 2015; Ünsal, 2015). I examine if activists and social movement organizations share the belief that the struggle against border regimes must be grounded in the experiences of racialized non-citizens after *O-platz*. Grounding the struggle against border regimes in the experiences of racialized non-citizens may be associated with opportunities for them to elaborate notions of human rights that challenge their domination. As discussed earlier, this thesis investigates if the construction of emancipatory notions of human rights is a dimension in which non-citizens exercise agency by opposing the oppression that they face because of border regimes.

Second, racism can be embedded in the state and state institutions. David Theo Goldberg for instance has emphasized the role of race in the construction of nation states in the 19th century as well as in the building of the European expansionist colonial empire (Goldberg, 2002). Anti-racism can thus be oriented towards identifying and challenging the connection between racism and state institutions.

Some scholars have highlighted the historical continuum between colonialism, racism and current border regimes; both colonialism and border regimes are mechanisms that produce the racialization of non-citizens. Border regimes are seen as devices that maintain the system of racial inequalities embedded in colonialism (Erel, Murji & Nahaboo, 2016). On the basis of these premises, anti-racism can be intimately connected with a decolonizing agenda and with the acknowledgement that border regimes are a continuation of the colonial project (Sayyid, 2017). In this thesis, I analyse if the social actors who oppose border regimes embrace an understanding of anti-racism that focuses on how racism and border regimes are intertwined.

I am interested to investigate whether this dimension of anti-racism is associated with a particular approach to human rights, for instance with the idea that human rights are aspirations for social justice that I discussed in section 1.2.

Third, anti-racism can also be oriented towards opposing the populist radical right (Muis & Immerzeel, 2017) and the far right. This dimension of anti-racism is particularly relevant considering that in recent years

populist radical right parties and movements have proposed xenophobic and racist frames and have brought their racist programmes into the core of societies (Vieten & Pointing, 2016). They have presented migrants and refugees as a threat to security, social welfare and cultural identity, and more generally as the antagonistic others (Hartz, 2018; Rucht 2018). The rise of populist radical right parties and movements in Germany has been accompanied by increasing levels of racist violence against migrants and refugees (Amnesty International, 2016; Benček & Strasheim, 2016).

Some scholars have conceptualized the relationship between anti-racism and antifascism, that is the opposition to the far right, as intimately connected (Fekete, 2014; Higgs, 2016). Others have emphasized the differences between antifascism and anti-racism (Battacharyya et al., 2020; Gilroy, 1987; Lentin, 2008) and highlighted that antifascism may underestimate the fact that racism is embedded and diffused in various state institutions, including in states that are not overtly racist (Battacharyya et al., 2020).

In my thesis, I am interested to understand how interpretations of anti-racism overlap at the movement level, how they are intertwined with collective identities, and how they may intersect with specific approaches to human rights. Moreover, the analysis of the connection between racism and the state is useful to further investigate how social movement organizations position themselves vis-à-vis the state and whether they address the state as an actor that has to uphold human rights or as an intrinsically racially-biased institution.

In the previous sections, I emphasized that racialized non-citizens often mobilize with white citizen activists. Les Back has highlighted the importance of studying the role of whiteness, as a “mode of regulating action, thought and understanding”, in the practices of racism rather as a separate identity category (Back, 2010). I examine how anti-racist identities within the movement may be associated with challenges to whiteness conceived as a system of privilege that white citizen activists enjoy. Scholars have highlighted that critical whiteness approaches attempt to focus on the construction of whiteness and the relation between whiteness and racism. Whiteness also manifests itself unwittingly and unconsciously. Whiteness is conceived as a situational, relational and constantly under construction system of privilege, not always conscious, that can be abolished, deconstructed or rethought (Ware and Back, 2001; Nayak, 2007).

Some scholars have highlighted that social movements are opportunities to carry out an abolitionist project focused on challenging and abolishing whiteness as a system of privilege (Roediger, 1994; Ware & Back, 2001). However, anti-racism is not always oriented towards abolishing whiteness as a system of privilege; as Sullivan points out, liberal white people may espouse anti-racism to make themselves feel good and thus perpetuate dynamics of racial domination and white privilege (Sullivan, 2014). I examine if white citizen activists who collectively contest border regimes critically reflect on their privilege in the context of their mobilization against border regimes and, if that is the case, how their reflection is intertwined with anti-racist collective identities.

1.4.4 COLLECTIVE IDENTITIES AND LEGAL STATUS

States categorize non-citizens and assign them multiple legal statuses: for example, refugee, asylum seeker or beneficiary of international protection. A crucial question that this thesis addresses is how collective identity processes have an impact on legal status categories and vice versa. More specifically, I investigate if the mobilization against border regimes may reshape, contest or transform legal status categories as this could constitute a process through which social movement actors construct novel notions of rights. As legal status categories are indeed embedded in the law, challenging them may point to specific views of the law, which may justify formulating notions of human rights outside the law. Exploring the contestation and transformation of legal status categories provides insights into the relationship of social movement organizations with the law, which is an important component of their approach to human rights.

International law constructs the category of “refugee” as distinct from the category of “migrant”. The 1951 Convention relating to the Status of Refugees and its 1967 Protocol defines a refugee as “any person who, owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it”.² The UN Refugee Agency (UNHCR) states that:

² <https://www.unhcr.org/3b66c2aa10>, article 1 of the Convention and article 1 of the Protocol Relating to the Status of Refugees.

A migrant is a person who, for reasons other than those contained in the definition [of refugee], voluntarily leaves his country in order to take up residence elsewhere. He may be moved by the desire for change or adventure, or by family or other reasons of a personal nature. If he is moved exclusively by economic considerations, he is an economic migrant and not a refugee. (UNHCR, 2019, para. 62).

Border regimes have produced a multiplication of legal statuses or “figures of migration” (Casas Cortes et al., 2015; Scheel & Ratfisch, 2014). Border regimes are associated with a complex and bureaucratic system of categorization of migrants which Sandro Mezzadra refers to as state taxonomies and nomenclatures (Mezzadra, 2015). Scholars have problematized legal status categories, including the legal distinction between migrants and refugees. They have emphasized that legal categories should be an object of inquiry in themselves (Scalettaris, 2007) as they are not neutral but reflect relations of power and domination in the area of migration (Crawley & Skleparis, 2018; Karakayalı & Rigo, 2010). Some scholars have also criticized the process through which states determine protection needs of non-citizens and assign them legal status categories. Procedures set up by states to assess claims for international protection may turn out to become an arbitrary decision-making process (Kelly, 2011).

States, as well as international institutions such as the UNHCR, draw on the clear-cut distinction between refugees and migrants to criminalize migrants and to extend the reach of their migration management policies (Scheel & Ratfisch, 2013). Moreover, people may leave their countries of

origin because of multiple and intertwined reasons. Migration may occur in an emergency context which economic factors have substantially contributed to producing. Therefore, the distinctions between refugees and migrants are often blurred (Castles, 2003). Bastian Vollmer and Serhat Karakayalı have emphasized the use of the categories of migrants and refugees for political reasons, beyond their legal meaning. By arguing that the acceptance of refugees is connected with their representation as deserving people. Deservingness is usually indirectly correlated with agency, so the refugees who are forced to migrate are seen as the most deserving. They argue that the events that occurred during the New Year's Eve of 2015-2016 in Cologne, when hundreds of North African men reportedly sexually assaulted women, re-demonized refugees after the long summer of migration and labelled them as undeserving migrants or as economic migrants (Vollmer & Karakayalı, 2018). Sandro Mezzadra highlights the need to connect the critique of the notion of "illegal migrant" with more general practices of mobility and migration regimes. In particular, he argues that the concept of "voluntary migration", and the distinction between migrant and refugee stemming from it, needs to be conceptually challenged and empirically tested (Mezzadra, 2015).

Scholars have indeed emphasized instances in which collective actions contested the legal differentiation between refugees and migrants. For example, in a study on the protest against the UNHCR staged by Sudanese refugees in Egypt in 2005, Carolina Moulin and Peter Nyers pointed to the challenges posed by the protesters to the notions of protection, mobility and care upheld by the UNHCR. In particular, protesters called for being recognized as refugees and rejected the

attempts of the UNHCR to draw a line between refugees and economic migrants (Moulin & Nyers, 2007). My thesis investigates if and how non-citizen and citizen activists who mobilize against border regimes in Berlin challenge the legal distinction between migrants and refugees.

The contestation of the notions of migrant and refugee may be associated with collective identity processes in which legal status becomes a prominent characteristic and in which state-assigned categories are questioned. Previous scholarly research has highlighted that legal status may become a shared collective identity characteristic at the group level. In particular, the lack of residency rights has been the crucial element triggering the mobilization of undocumented migrants, in the context of which it has influenced identity-formation and claim-making processes (Però & Solomos, 2010). Undocumented migrants have invoked their collective identity, premised on their lack of residence rights, to claim regularization and to redefine the boundaries of citizenship (McNevin, 2006).

Scholars have also emphasized that legal status has indeed intersected with other identity characteristics in the mobilization of undocumented migrants. Milena Chimenti's study of social movements of undocumented migrants has underlined that the lack of legal status and residency rights had an impact on the identity of movements of undocumented migrants in both London and Paris. However, Chimenti has emphasized differences regarding the saliency of other identity characteristics. In particular, the collective identity of migrants in Paris was premised on one minimum common denominator, which was precisely their undocumented status. By contrast, other characteristics

became salient in the mobilization of undocumented migrants in London. These characteristics included in particular national origin and ethnicity. Chimenti explains that difference by pointing to the stronger role played by community organizations and NGOs in London, which were segmented along ethnic and national lines (Chimenti, 2011).

In a comparative study focusing on protest events staged by undocumented migrants in Canada (Québec), France and Germany, Pierre Monforte and Pascale Dufour concluded that despite differences at the national level, those mobilizations were all associated with the same symbolic meaning; more specifically, they triggered a process of emancipation of undocumented migrants from the state, which did not recognize them as legal actors. Undocumented migrants redefined the limits of the legal order through their mobilization (Monforte & Dufour, 2013). The scholars pointed to transnational similarities among the claims laid by undocumented migrants. More specifically, migrants opposed deportations and demanded their regularization. However, Monforte and Dufour pointed to some differences regarding the salience of identity characteristics other than legal status and explained them by referring to the differences among the integration models in the three countries. On the one hand, national origin was more salient within identity processes of migrants in Québec than in France or Germany as a result of integration policies premised on multiculturalism. On the other hand, social class was more salient in France than in Germany or Québec because French trade unions strongly supported the mobilization of undocumented migrants (Monforte & Dufour, 2013).

My thesis examines in particular the intersections among several identity characteristics, in particular legal status and race, and how they are associated with collective identity processes and approaches to human rights. I am particularly interested to examine the interplay between legal status categories and identity processes because of the potential connections between the contestation of legal status categories and approaches to human rights. The contestation of legal status categories may be premised on the opposition to legal distinctions such as that between refugee and migrant. Moreover, it could also be associated with resisting the differentiated access to legal rights available to non-citizens as a function of their legal status.

Scholars have emphasized that legal status is one of the devices that has an impact on the access to legal rights and the enjoyment of human rights. Border regimes shape the stratified mechanisms regulating access to rights (Morris, 2003). Non-citizens may thus have differentiated access to human rights according to their specific legal status. Kate Nash for instance has emphasized the intersection between citizenship status and other legal or de facto possibilities for enjoying human rights (Nash, 2009, p. 1079). In particular, she has theorized three categories of non-citizens that include *quasi-citizens*, *sub-citizens* and *un-citizens*. Quasi-citizens are long-term residents who, despite not enjoying political rights, have access to many rights because of their residence status and secure employment. Sub-citizens do not have employment or any entitlement to social benefits and include, for example, asylum seekers waiting for their status to be determined or adult dependants of quasi-citizens. Un-citizens, such as undocumented migrants, do not have documents and can be deported or detained even if they have been residents for years (Nash,

2009). I explore how the differentiated access to rights of different categories of non-citizens may shape their collective identities and the contestation of legal status categories. I examine if the differentiated access to rights is a dimension on the basis of which non-citizens contest legal status categories and how different categories of non-citizens may shape specific diagnostic and prognostic frames.

In sum, my thesis examines the taxonomies and nomenclatures embedded in German and European border regimes, how non-citizens challenge them and, more specifically, if they contest the differentiated access to legal rights as a function of legal status. I analyse if a particular legal status category has an impact on collective identities, such as has been the case in the struggles of undocumented migrants that I have discussed in this section. I investigate how quasi-citizens, sub-citizens and un-citizens collectively mobilize against border regimes and how their different legal statuses and the differentiated access to legal rights may be intertwined with their grievances, frames and interpretation of human rights.

CONCLUSIONS

My thesis investigates if non-citizens become political subjects who contest the oppression that border regimes exercise on them through the elaboration of novel and emancipatory interpretations of human rights

More specifically, I contribute to three crucial debates in the sociology of human rights. First, I investigate whether the mobilization against border regimes in Berlin elaborates notions of human rights that are grounded in the perspectives and experiences of marginalized groups as conceived by

subaltern cosmopolitan legality. I investigate the association between these notions of human rights and collective identity processes. I explore in particular the anti-racist identity premised on the contestation of global inequalities and the role of border regimes in promoting them. Moreover, I examine the interplay between legal status categories and collective identities with a view to identifying the association between the contestation of legal status categories and specific approaches to human rights.

Second, in view of the multiple understandings of human rights, I examine whether some of the actors that oppose border regimes conceive human rights as legal norms codified in international law as global constitutionalists suggest. Moreover, I analyse if and how the interpretation of human rights as legal notions overlaps with the construction of other, non-legal, notions of human rights. I am particularly interested to examine instances where hybrid notions of rights may be developed in ways that combine the top-down and bottom-up approaches.

Third, I investigate how the actors that oppose border regimes frame the ambivalence of human rights as tools that can both promote emancipation and strengthen domination. I analyse the multiple layers of the mobilization against border regimes including both visible and submerged layers of mobilization. The analysis of multiple layers of mobilization is conducive to explore if social movement actors elaborate notions of human rights outside the state or if they frame the state as a guarantor of human rights and thus make rights claims to the state.

CHAPTER 2. AN ETHNOGRAPHIC EXPLORATION OF THE SOCIAL MOVEMENT OPPOSING BORDER REGIMES IN BERLIN

I lived in Berlin from January to November 2018 with the main purpose of studying the social movement opposing border regimes. My departure for Berlin occurred in a peculiar period of my private life and entailed the separation from Carlos, whom I had recently fallen in love with. The excitement of the unknown intertwined with my feeling of loneliness; this tangle, compounded with the inevitable difficulties of the fieldwork, produced turbulent mood swings throughout my stay.

The first week I tried to explore as much as I could. I felt exhausted but also exhilarated. I spent very little time in my large, cosy and green-carpeted room in

Prenzlauer Berg, an obscenely gentrified neighbourhood, dotted with trendy cafes and organic shops. My housing situation was a choice dictated by convenience as I rented a room in the flat of a friend of a friend. No visits allowed though. Alina, my landlady, was quite reserved and appeared often a bit nervous of sharing her space with a lodger. I usually bumped into her in the hallway or in the kitchen in the morning and exchanged a few words in my tentative German as she spoke little English. Laura, her 15-year-old daughter, shyly avoided me, rushing through the hallway and disappearing after having timidly uttered her greetings.

I spent most of the first week frantically going in and out of the flat to attend protests, exploring the contacts that I had reached out to and visiting cafes where I could scribble my first notes. I felt ecstatic; my curiosity in discovering the unknown often morphing into a thrill. After a few weeks a routine progressively took shape; it comprised the regular meetings of the groups that I reached out to for my participant observation, a free German course run by volunteers in Bethanien (Kreuzberg), and participation in protests and other public events.

The groups I reached out to always met in the same venues: KUB, a counselling centre for migrants and refugees in the neighbourhood of Kreuzberg; cafe Karanfil, a space for grassroots groups in Neukölln which borrowed its name from the Turkish word for the red carnation, a symbol of revolution and resistance; and Project Raum, a meeting space in a housing association in Neukölln. These venues, which initially sounded so mysterious, slowly became points of reference, soothing the anxiety of the unknown but also removing the thrill of discovery.

I used to take the same tram and tube line, from my flat in Prenzlauer Berg to Alexanderplatz and then south to Kreuzberg and Neukölln to reach the venues of my meetings. When the spring came, I always went down the same cycle path riding the bicycle that I had purchased in a second-hand shop. I cycled along the

Volkspark Friedrichshain, crossing Karl Marx Allee and then farther down south. The TV tower in Alexanderplatz continued to serve as a point of reference. Always visible during my commutes until reaching Kreuzberg or Neukölln, from where the tower was no longer visible. I always felt a bit adrift when the tower was not within my sight.

The succession of extreme seasons, a freezing winter and torrid summer, accompanied my fieldwork which I conceive as a process of sorting out some of the countless pieces of a puzzle. From the outset, I have approached my fieldwork as an attempt to pierce the visible and the superficial and to overcome the cursory knowledge that I had of Berlin. On 30 January, one of my first days in the city, I sketched out these reflections:

While walking to the Bethanien Centre [where I attended German classes], I crossed one of the bridges close to Ostbahnhof and I noticed the Yamm beach and bar on the river. Berlin appeared familiar and yet still unknown to me. It is an ambivalent feeling. It is familiar because I know some of its streets, buildings and museums. I have indeed visited Berlin more than a dozen times in my adult life. In the past, I often crossed the bridge connecting Kreuzberg with Warschauer Strasse. I often looked out for the television tower in Alexanderplatz as a point of reference to orient myself. This geographical knowledge appears now quite irrelevant to me. The knowledge I have of Berlin is similar to my knowledge of the German language; it is a familiar sound that I have heard so many times but whose nuances often remain opaque. It is a superficial knowledge that tells me little and certainly not what I would like to know. My knowledge of the topography of Berlin has not dissipated my feeling of the unknown. It would have been very different had I chosen a completely unknown city for my fieldwork; an unknown city with all its layers to be discovered, including the ones that are more accessible to

*grasp. I would have probably felt more disoriented at the beginning. I would have then become acquainted with its architecture, streets and parks and a feeling of familiarity would have slowly emerged. That kind of knowledge is not satisfactory. I would like my stay to break that barrier, the barrier of living in a place without profoundly knowing some of its intimate dynamics.*³

I would like to reconstruct my research journey in Berlin as a process of discovering what my gaze has been able to grasp beyond the superficial and the visible. This journey was inspired by my drive to understand collective forms of resistance. On 30 January, I wrote in my notebook:

*I would like to investigate if the city is capable of embracing, welcoming forms of resistance constituting alternatives to homogeneous and unpoliticized lives, consumerism and individualism. I am optimistic about their existence, even if they are perhaps at risk of extinction. I would like to get to know those dynamics more intimately and, possibly, to contribute to some of them. I am not sure about their actual impact for a substantial change; their existence has nonetheless to be preserved. Any hope would vanish otherwise. I hope the numerous posters that one encounters when wandering the streets of Berlin or visiting its cafes mean more than persuasive slogans against Fortress Europe, patriarchy or heteronormativity.*⁴

My enquiry has also drawn on my reflections regarding the modalities through which I could participate in the struggle against border regimes. I wanted to avoid being a spectator or an observer and I thus chose to be an active participant. In the first weeks, I met some of the activists with whom I spent time throughout the year. My relationship with some of

³ Ethnographic notes taken on 30 January 2018.

⁴ Ethnographic notes taken on 30 January 2018.

them evolved significantly. In the first days of my stay, I met Joanne⁵, a woman from Kenya, at Südblock, a queer-friendly cafe in Kreuzberg, where I had been numerous times before. I suggested gathering there as I remembered it as a cosy and friendly venue. I realized that day that Südblock was not ideal for a focused conversation as it became very busy and noisy in the late afternoon and in the evening. Joanne was standing at the bar when I arrived. She immediately suggested moving to a quieter place nearby, a kebab shop where she had been before.

Initially I perceived her as distant, distrustful and aloof. She treated me with what I perceived as contempt. However, she became friendlier and warmer in our subsequent encounters, mainly occurring in the context of the fortnightly meetings of the *Alliance against Deportations*, a network of social movement organizations opposing deportations. In the meetings of the *Alliance*, I often translated from English to French and vice versa. This was one way to provide some practical support to the activists who participated in the meetings. Joanne appreciated my support from the outset. She did not speak French and she needed an English translation from French. We built a trusting and frank relationship, which, considering the initial premises, I did not expect.

I got Joanne's contact details from Ruben, an activist from Nigeria whom I had met at a conference on refugee mobilization organized by the Jewish Museum in Berlin in March 2017. I rang him before setting off to Berlin and asked if he could put me in touch with activists in Berlin. Joanne lashed out her frustration at Ruben as soon as we started walking

⁵ Joanne is a pseudonym. All the names mentioned in this thesis are pseudonyms chosen to protect the privacy of my interviewees as discussed in section 2.4.

towards the kebab shop. She exclaimed: “I don’t know why Ruben sent me another researcher!”. Bewildered, my face almost froze before I forced myself to smile. She came to my rescue, certainly involuntarily, as she started asking questions about Milan, where she was planning to spend the following weekend with a friend. I talked extensively about the tourist attractions in the city. I then realized that there was nothing left to say and that we had not yet reached the kebab shop where we were heading to. I reverted to explaining the main purpose of my research shortly before the kebab shop eventually appeared in front of us.

It was cold and I felt a bit all over the place because of Joanne’s initial comment. I was looking forward to sitting down and taking some time to outline my ideas to her. I ordered a tea and a soup for Joanne upon her request, a peculiar combination of beverages in my view. She appeared a bit more relaxed as soon as she started sipping her tea. When I restated my interest in investigating the mobilization opposing border regimes, she suggested focusing on protests in Bavaria, in particular in Bamberg, where non-citizens had recently organized several protests.⁶ As she explained that Ruben was coordinating some of those collective actions, I suspected she was taking her revenge and redirecting me towards Ruben.

Joanne was part of a woman-only social movement organization, the *International Women Space* (IWS), which emerged in the context of the protest camp set up in the public square Oranienplatz in 2012. My access to *International Women Space* was restricted and so was the access to another woman-only social movement organization (SMO), *Women in Exile and friends*. When I mentioned to Joanne

⁶For more information about the protests in Bamberg in 2018 see:
<http://www.statewatch.org/news/2018/jan/germany-bamberg-prel-rel.pdf>

that I was aware of those restrictions because of my gender, she suggested volunteering with women-only organizations when they organized conferences or other events. Joanne emphasized: “We always need some extra help to cook or even to clean after the events and we welcome everyone’s contribution”.⁷ This was a helpful tip which I made use of a few months later to participate in the bus tour organized by *Women in Exile and friends*.

In our first encounter, Joanne asked me a question that I failed to answer on the spot. The question was crucial and it stirred many reflections throughout my stay in Berlin. Joanne talked about her role in the struggle to oppose border regimes. She emphasized the difficulty to maintain a frontline role; as she had obtained residence rights, many problematic aspects of border regimes did not concern her directly any longer. I asked whether it was necessary that an issue affected us personally for actively contesting it. She said it was crucial indeed. Then our conversation rolled out as follows:

Joanne: What is your fight at the moment?

Me: Do you mean my personal or political fight?

Joanne: If it’s personal then it’s also political.

*Me: I am not sure. Maybe, I don’t have any. Or I have to give it more thought.*⁸

Some of the activists whom I met had a personal stake in contesting border regimes as they had a direct negative impact on their daily lives; many had sought asylum in Germany or were at risk of being deported. However, the majority of the activists whom I met were German or from other European countries. During

⁷ Ethnographic notes taken on 30 January 2018.

⁸ Ethnographic notes taken on 30 January 2018.

my fieldwork, I reflected on the imbalances within the movement, the role of citizen activists as well as my role as a white researcher and as an activist. Towards the end of my fieldwork I had more clarity about my motivations for opposing border regimes. My fieldwork has also been a journey into my motivations and ideals to oppose border regimes and my role in the SMOs in which I participated.

In this chapter, first I explain why I chose to carry out an ethnography to study the social movement opposing border regimes in Berlin. Then I explore my own positionality in the field of my enquiry and my active involvement in the social movement organizations that I chose for participant observation. I analyse the criteria that I took into consideration for sampling SMOs for participant observation and activists for interviews. To conclude, I emphasize some of the main themes that I identified in the process of analysing my data.

2.1 BERLIN: A FUZZY FIELD FOR MY ETHNOGRAPHIC ENQUIRY

In their article on multi-sited ethnography in sociology, Eva Nadai and Christopher Maeder argue that the reasons for finding, defining, and delineating the field in ethnographic research have been largely overlooked (Nadai & Maeder, 2005). The choice of Berlin as the field for my ethnographic enquiry into the mobilization against border regimes has been, on the contrary, the object of lengthy deliberations on my part.

The original idea to study the social movement against border regimes took shape in the context of a non-academic research project on racist crimes that I carried out in Germany between late 2014 and 2016. In that context, I met a few groups of activists who opposed far right groups and who organized protests in front of some of the refugee shared accommodation targeted with racist violence. Non-citizens participated in those mobilizations; they took to the street in very hostile

neighbourhoods and towns such as Freital and Heidenau (Saxony) and Marzahn-Hellersdorf (Berlin), where several violent racist attacks had been perpetrated.⁹ I had the opportunity to talk to non-citizens who organized themselves collectively in grassroots social movement organizations. These SMOs included for example *Women in Exile and friends*, one of the organizations that I liaised with during my fieldwork in Berlin in 2018, and the *Asylum Seekers' Movement*.¹⁰

When I carried out the research on racist crimes, the proliferation of initiatives and groups mobilizing on refugee issues in Germany was impressive. They constituted the so-called “*Willkommenskultur*” (Welcome Culture), which embedded notions of solidarity for refugees, in particular against a background of increasing anti-refugee sentiment (Hamann & Karakayali, 2016). The collective actions that non-citizens organized, which I observed during my research, were eclipsed by the mobilizations inspired by either solidarity or anti-refugee sentiments. The protest camp in Oranienplatz, in which non-citizens took on a frontline role, had been repeatedly targeted with racist violence. However, at the time of my fieldwork, it had already been evicted.¹¹

The reflections that I developed while researching racist crimes shaped my interest to explore the voices and subjectivities of non-citizens. They also informed the sampling of the SMOs that I chose for participant observation. Once I had refined my research focus, I identified as a key criterion for choosing my field the existence of social movement organizations led by racialized non-citizens as I was interested in their political subjectivity and collective mobilization. While my research in Germany shaped my interest in the

⁹ See Amnesty International, Living in Insecurity. How Germany is failing victims of racist violence, 2016: <https://www.amnesty.org/download/Documents/EUR2341122016ENGLISH.PDF>.

¹⁰ The Facebook page of the Asylum Seekers' Movement can be accessed here: <https://www.facebook.com/AsylumSeekersMovement/>.

¹¹ See Pro-Asyl, “Hetze and Rassistische Gewalttaten nehmen zu” (In German), <https://www.proasyl.de/news/hetze-und-rassistische-gewalttaten-nehmen-zu/>.

mobilizations of non-citizens, I considered several other alternative fields for my enquiry before settling on Berlin. For example, as I had reviewed the literature regarding the collective actions of undocumented migrants in France and Italy, I pondered the idea of choosing a field in either those two countries. In particular, I considered focusing on the Ventimiglia–Menton border between France and Italy where French authorities frequently pushed back non-citizens to Italy and prosecuted activists who provided humanitarian aid.¹² However, I had doubts as to whether non-citizens in the borderland between France and Italy participated in sustained collective actions over time beyond the collective resistance that they put in place to escape control and cross the border. Non-citizens often travelled onward to other destinations once they had successfully reached France. Moreover, state authorities pursued a politics of dispersal that consisted of strategies that weakened any collective action emerging in the borderland between France and Italy (Tazzioli, 2019).¹³ As my research focused on the construction of human rights and on the interplay between collective identities and human rights, I sought to research a field in which mobilization against border regimes could be sustained over time, at least for the period of my fieldwork.

In March 2017, I attended a conference organized by the Jewish Museum in Berlin and focusing on refugee political participation.¹⁴ On that occasion, I met Ruben, the activist whom I mentioned in the introduction to this chapter, as well as a few other non-citizen activists. I realized that despite the fact that the protest

¹² See, for example, Oxfam briefing paper “Nowhere but out. The failures of France and Italy to help refugees and other migrants stranded at the border in Ventimiglia”, https://www.oxfamitalia.org/wp-content/uploads/2018/06/bp-nowhere-but-out-refugees-migrants-ventimiglia-150618-en_update.pdf.

¹³ For example authorities dismantled the Baldi-Rossi camp that had been established by activists in 2015. More information about the Baldi-Rossi camp is available here: <https://www.redpepper.org.uk/the-deadly-border-politics-of-ventimiglia/>.

¹⁴ Im/possibilities: perspectives on refugee participation, <https://www.jmberlin.de/en/conference-impossibilities-perspectives-on-refugee-participation>.

camp in Oranienplatz had been evicted in 2014, non-citizens continued to mobilize collectively in some of the SMOs that had preceded or that emerged from the protest camp. Moreover, at the conference I learned that self-organized groups of refugees had been mobilizing in Germany since the 1990s. For example the *Voice Refugee Forum* emerged in 1994 in Jena (Thuringia).¹⁵ I thus chose Berlin as the field for my enquiry as it hosted SMOs in which non-citizen activists participated in collective actions and that were solid enough to sustain the political mobilization against border regimes throughout my stay.

As I discussed in the previous chapter, my thesis explores how the social movement opposing border regimes constructs and makes use of human rights. For the purpose of my enquiry, I rely on key concepts elaborated by the scholarship of social movements, such as the notion of collective identity and submerged networks. I chose to conduct my enquiry through ethnography. Ethnography involves the study of social phenomena in natural settings with methods of data collection that capture ordinary and daily activities that involve the participation of the researcher in those settings and, in some instances, in those activities (Brewer, 2000).

Ethnography allows for the investigation of meaning-making within social movements, the lived realities of movement activists, and their everyday cultural production (Juris & Khasnabish, 2015). Ethnography is thus well suited to investigate collective identity processes taking shape within the social movement organizations that contest border regimes, their invisible or submerged forms of mobilization as well as the interplay between collective actions and human rights. Ethnography has provided me with the opportunity to understand how activists collectively identify themselves, how they formulate grievances and what

¹⁵ Twenty-five years of struggle for solidarity and self-empowerment; <http://thecaravan.org/node/4693>.

meanings they attach to human rights. Exploring those dimensions requires the investigation of the processes through which meanings are produced in “natural settings”. For the study of social movement organizations in Berlin, natural settings included for example internal meetings, workshops and protests. Moreover, scholars have made use of ethnographic approaches to explore the differences not only among movements but also within movements (Juris, 2008; Mische, 2008). This aspect is particularly relevant for my enquiry into the differences pertaining to the interpretation and use of human rights among social movement organizations and collective identity boundaries within the movement.

My ethnography does not deal with a holistically and clearly defined small group but rather with multiple actors and processes. These actors and processes include collective identity both within the social movement organizations in which I participated and at the movement level, as well as the multiple actors that opposed border regimes and the ties and connections among them. The social movement opposing border regimes in Berlin is not an isolated “cultural island” ready to be entered and studied, but rather a fuzzy field – that is, a field without clearly defined boundaries (Nadai & Maeder, 2005). The movement contesting border regimes in Berlin is a fuzzy field because a social movement is not a discrete entity but rather an intricate bundle of networked connections that constantly evolves (Diani, 1992). The movement that I have studied is indeed constituted by dozens of social movement organizations that are tied and connected among themselves but also with other groups located in other German cities or even abroad. In particular, in light of the increased competences of the European Union in the area of border control, Europeanization is shaping the collective actions of groups and organizations opposing borders (Monforte, 2014). This results not only in social movement organizations making claims vis-à-vis the European Union but also in transnational connections established among social movement organizations. The SMOs contesting border regimes are also connected to other

movements in Berlin such as the movement against gentrification and the feminist movement in a way that sometimes blurred the boundaries between movements. Moreover, racialized non-citizen activists engage in the struggle against border regimes with citizen activists, who are German or European. This multiplicity may be associated with dynamics and divisions along the lines of race, citizenship, residence rights or gender.

My ethnography of the mobilization against border regimes in Berlin is shaped by my theory-driven research questions that oriented my exploration and defined my field. Some scholars have referred to the type of ethnography that I conducted, in which theory-driven research questions defined the field, as sociological ethnography (Nadai & Maeder, 2005). In particular, theoretical approaches drawn from the scholarship of social movements and the sociology of human rights provided an orientation regarding the definition and the boundaries of my fuzzy field. For example, the theories that conceive social movement organizations as engaging in submerged forms of mobilization, which can be autonomous from the state, resulted in the methodological choice to orient my participant observation towards the exploration of the invisible daily practices beyond visible repertoires of contention. The choice of focusing on invisible forms of mobilization was in turn important to investigate the relationship of social movement organizations with the state and to examine if they formulated notions of human rights outside the state.

The fuzziness of the social movement opposing border regimes in Berlin as a field of ethnographic enquiry also carries methodological implications, in particular regarding the choice of specific social movement organizations for participant observation, which I address in section 2.3. Moreover, the fuzziness of my field implies that I do not aim to provide a holistic representation of the social movement opposing border regimes. I limit my enquiry to the processes that are

relevant for investigating the interplay between collective actions and human rights and the multiple and diverse interpretations of human rights that activists collectively discussed, negotiated and formulated.

In sum, the field of my ethnographic enquiry is theoretically defined and constructed. I do not aim to holistically represent a clearly bounded field but rather to explore the fuzzy field of collective action against border regimes in Berlin. The fuzziness of my field has methodological implications. For example, I focused my participant observation on the daily activities that activists carried out in connection with their mobilization against border regimes. I mostly met them in the context of internal meetings, protests, or other collective actions that they organized to contest border regimes. I did not follow activists in their everyday routines outside their mobilization. Some activists, in particular non-citizen activists, shared with me information about their daily lives outside their mobilization. For example, they talked about their participation in language classes, house-hunting or their work in the informal economy. Some of these data contributed to further my understanding of the negative impact that border regimes had on them. The knowledge of their daily realities nurtured my understanding of their demands and their struggle against border regimes. However, my understanding of the daily realities of activists outside their participation in the movement was based on the limited knowledge that I acquired in side conversations or anecdotal references in meetings rather than the result of a specific data collection strategy.

2.2 MY ROLE AS ACTIVE PARTICIPANT

In the context of my ethnography, I collected data through participant observation and semi-structured in-depth interviews. In this section, I explain my role in the social movement organizations in which I participated. As we shall see, my role went beyond the role of an observer.

Although border regimes never had a negative impact on my own life, I shared the grievances that the activists formulated against border regimes. In particular, I am sceptical of legal status categories and of the legal distinction between migrants and refugees that is embedded in international law. As I emphasized in the previous chapter, I draw on social constructivist approaches to legal status. The activists whom I met opposed the hierarchies among legal status categories and rejected the idea that linked the acceptance of refugees with their deservingness.

I adopted a role of active participant observer (Johnson et al., 2006) as I fully participated in the activities of the SMOs that I observed. Although my role varied in the different SMOs, it generally involved supporting the organization of protests, commenting on or drafting speeches, as well as translating and ensuring their coordination with other SMOs. My active participation was conducive not only to lessening the conspicuousness of my presence as an outsider and to establishing trust and rapport with my informants but also to mitigating their scepticism of academic research and the role of academics in social movements.

In internal meetings I often interpreted from English to French and vice versa. My role of interpreter partially bridged the gap between my role as a researcher and the activists who participated in meetings. Before setting off to Berlin, I expected my lack of proficiency in German to be a barrier for actively participating in meetings and other activities of social movement organizations. I realized shortly after my arrival that most of the meetings of the SMOs that I had selected for participant observation were held in English or French, two languages that I had mastered.

In particular, I regularly interpreted during the meetings of the *Alliance against*

Deportations and *Corasol*. The meetings of the *Alliance* were attended by English and French speaking activists who were not fluent in German and did not understand each other when they spoke English or French respectively. The activists who participated in the weekly meetings of *Corasol* were all fluent in French. However, one or two English speaking activists who were not fluent in French sometimes attended the meetings. I often interpreted for them on those occasions.

The practical support that I offered as an interpreter persuaded some activists that my participation was useful for the group. For example Joanne, who attended the meetings of the *Alliance against Deportations* on behalf of *International Women Space*, was initially not enthusiastic about my participation in the meetings of the *Alliance*. In our initial encounter, which I mentioned in the introduction to this chapter, she made clear that she did not trust academics and she did not see the added value of academic research into social movements. Before attending the meetings of the *Alliance*, I asked her for access to the meetings. She told me to ask the other activists first. When I told her that the other activists had accepted, she evidently reluctantly told me that she was then fine with me attending the meetings. A few weeks after I had started attending the meetings, I noticed a change of attitude on the part of Joanne. She became friendlier and she was appreciative of my support, which she benefited from as she did not speak French.

In some instances, activists perceived me as one of the organizers of specific events because of my active participation. For example, I committed to several organizational tasks ahead of the protest that three SMOs organized on 20 June 2018 to contest the migration policies formulated by the Minister of Interior. In particular, I reached out to other SMOs to seek their oral interventions at the event. I notified the event to the Berlin police as required by law and I drove a car that was used to carry loudspeakers and other materials. On the day of the protest,

as soon as I reached the square in front of the Parliament building, after having gone in circles for about 30 minutes to find a parking space, two police officers approached me. They explained that the attempts they had made the previous days to liaise with me as organizer of the protest had failed because they did not have my contact details. My interaction with the police, which also involved informing them when the protest came to an end, likely shaped the protesters' perception of my organizer role. Towards the end of the event, Joanne approached me and asked some questions regarding the refunding of train tickets for the activists who had attended on behalf of *International Women Space*. I interpreted her query as an acknowledgement of my role of coordinator or organizer of the event.

I took on the role of an ardent activist (Snow et al. 1986, p. 383-384) as I embraced the ideology of the groups that I selected for participant observation and I eagerly and enthusiastically supported their activities. I conducted my ethnographic enquiry from the standpoint that the enforcement of the border regimes and the legal hierarchies produced by migration policies were often unfair. These views constituted the core of the grievances of most of the social movement organizations which I liaised with. My exploration of the interplay between political mobilization and human rights was premised on the idea that human rights could constitute, despite their ambivalence, a tool for emancipation and for contesting domination. My standpoint has also inspired my choice of referring to racialized non-citizens as refugees* as they self-identified as refugees irrespective of their legal status. As we shall see, they transformed legal status categories in the context of their mobilization against border regimes. The racialized non-citizen activists who mobilized in the social movement organizations in which I participated identified themselves as refugees irrespective of their legal status. I choose to refer to them as refugees* in view of my standpoint on legal status categories. The term refugee* or refugees* offers the possibility to refer to racialized non-citizen activists whom I met irrespective

of their legal status and in line with their collective identities.¹⁶ As we shall see, the transformation of legal status categories is a crucial component of the approach to human rights embraced by the social movement organizations in which I participated.

In the process of exploring my field and of acquiring a further understanding of the grievances and demands that activists formulated, I became more familiar with frames that I found particularly persuasive. In particular, activists framed border regimes as devices that perpetrated global inequalities inherited from colonialism. As we shall see, this frame is associated with a specific anti-racist collective identity that the activists who mobilized in the SMOs in which I participated shared. My participation in the movement made me embrace with greater conviction some of the frames that activists elaborated in the context of their mobilization.

In some instances, I had doubts regarding some of the tactics pursued by social movement organizations, notably when they organized protests that remained quite invisible, which was a concern shared by the activists whom I interviewed. I reflected on my scepticism in my ethnographic notes instead of openly challenging the choices made by the groups that I observed. More specifically, I pondered whether my previous professional experience with more bureaucratic and vertical organizations made me focus on policy change rather than on micro-social change that the horizontal processes and grassroots forms of mobilization that I observed often achieved. My ethnography made me realize the importance of change at the micro-level through submerged forms of mobilization.

Despite my role as active participant, my interests did not always overlap with

¹⁶ See the conceptual map in the introduction to this thesis for further clarifications regarding the use of the term refugees*.

those of activists. The activists whom I met were often concerned with aspects of the mobilization against border regimes beyond the construction of human rights, which was my key focus. For example, Mario, a German activist who coordinated the meetings of the *Alliance against Deportations* (see section 2.3) was concerned with the fragmentation that in his view characterized the movement rather than with the movement's use of human rights. He told me a couple of times that he was keen on discussing with me as my perspective on the movement may generate fresh ideas and solutions. Some other activists, in particular those who became my key informants, were more interested in the specific focus of my enquiry and were thus keen on having discussions with me outside meetings or protests.

My key informants included Tamara, an Austrian activist whom I met at the weekly meetings of *Stop Deportation Group*. She was originally sceptical about my participation in the meetings and she raised some valid points regarding the production of academic knowledge, which in her view often remained confined to academic circles. She suggested organizing a workshop or a meeting in which I could share my findings with activists after my fieldwork, which I agreed to. Carmela, a Spanish woman who mobilized with *Women in Exile and friends* and with *Lager Mobilization Network Berlin* also became a key informant. She was sceptical about my project when we first met at the weekly meetings of *Lager Mobi*. However, we became closer after I had asked her for an interview and we spent hours on her terrace discussing her mobilization against border regimes. I met her quite regularly outside the context of weekly meetings.

Despite my active role, the distance that existed between me and some of the activists whom I met persisted. Despite the close relationships that I developed, such as the one with Joanne that I mentioned in the introduction to this chapter, I remained a privileged researcher and I continued to be perceived as such by some

activists. Border regimes have never had a negative impact on my own life; I have indeed enjoyed freedom of movement within the European Union, which has enabled me to live abroad for 15 years to study or to access high-skilled jobs.

Imbalances along the lines of citizenship and race existed in the social movement organizations in which I participated. In self-organized groups of refugees, in which white German and European activists mobilized with racialized non-citizens, questions arose regarding the role of citizens in the struggle against border regimes and the political subjectivity of non-citizens. My positionality as a white European middle-class man had an impact on the relationships that I established with other activists and, more generally, affected my research. Initially I tended to socialize more easily with non-citizen activists, in particular with French-speaking activists as I was fluent in French and I had the impression that they were more easy-going and spontaneous than the German activists. However, after a few weeks, I realized that non-citizen activists had some expectations regarding the support that they could have received from citizen activists, including myself. I often discussed the expectations of non-citizen activists with Daphne, a French activist who mobilized with *Corasol*. In some instances, I reflected on whether I could have further supported some of the activists whom I met. For example, I often felt uncomfortable when activists discussed their precarious housing situation in the context of meetings and when they asked for hospitality from other activists. I blamed Alina, my landlady, for imposing restrictions on visitors in her cosy apartment where I lived in Prenzlauer Berg. I repeated to myself that I would have hosted some of the activists in need should I have had my own flat.

In particular, my encounters with Bastian, a Cameroonian activist in his mid-20s, and in particular some of the reflections that he shared on one occasion, made me question my approach and the support that I could provide to non-citizen activists

I met Bastian for the first time on 10 March in a protest that I attended in Cottbus. After the protest, I had a coffee with Robert and Mervin, two other activists who mobilized with *Corasol*, while waiting for the train to go back to Berlin. Bastian joined us but he barely said anything. I subsequently met him in the meetings of both *Corasol* and the *Alliance against Deportations*. After a few weeks I noticed that he had increasingly become involved in the mobilization. He started facilitating meetings, took on more responsibilities in the organization of events and made speeches at protests. Meanwhile, we started engaging in discussions more regularly, mostly before or after the weekly meetings of *Corasol*.

At the beginning of April, while we sat outside the venue where the meetings of *Corasol* usually took place, he struck up a conversation about studying German. I explained that my German was not improving substantially as I always spoke English. He emphasized: “I don’t have the choice, I don’t speak English. I have to speak German also to access trainings and it’s better to speak German in meetings with the *Ausländerbehörde* [Office for Foreigners]”.¹⁷ I thought that his comment summed up quite effectively our different positions in Germany. I had no intention to settle in Berlin and my temporary residence did not require me learning the language or “integrating”, a duty that often fell on racialized non-citizens. While my lack of fluency in German constituted at most a barrier for collecting data, the non-citizens whom I met had to acquire at least intermediate knowledge of German to access the most basic training, which could facilitate the acquisition of residence rights. The first couple of months of my stay I attended a free German course run by volunteers and which catered for refugees and migrants who did not have access to state-run free courses and could not afford to pay the fees for private tuition.¹⁸ I felt uncomfortable as I was outside the target

¹⁷ Ethnographic notes taken on 4 April 2018.

¹⁸ Further information about these German courses can be found on the website of the network “German Courses for Everyone”: <https://www.netzwerk-deutschkurse-fuer-alle.de/en/>.

groups for those courses. I realized after attending a few classes that in practice these courses were open to everyone and that other Europeans attended them too. After a few months I enrolled first in a German course at the university and then in a private one. Bastian learned German almost by himself and spoke better than I did even after I attended private courses.

In May, I told the members of *Corasol* that I was planning to attend a solidarity march for migrants in France scheduled for June. For a moment I thought and hoped that Bastian or other members of *Corasol* could attend. I announced my participation in the march at one of the weekly meetings. Bastian texted me on the same evening asking if he could have a word with me next time that we met. After a few days, he explained that he wished to participate in the march but that his legal status did not allow him to travel abroad; indeed, he was at risk of being returned to Spain, the first EU country that he had entered from Morocco.¹⁹ I had envisaged that some activists may have not been able to travel because of their precarious legal status. In hindsight, I should have avoided suggesting non-citizen activists to join a march abroad as they may have perceived me as being oblivious of their situation.

When we met in August for an interview, Bastian initially emphasized that he was looking forward to having discussions with me. He explained that he conceived his mobilization as oriented toward opposing injustices. Then he pointed out that he considered the differences in opportunities available to people as a function of their nationality and legal status as major injustices. When he interrogated my interest in opposing border regimes, I explained that I viewed them as unfair and I thus aimed to identify opportunities to oppose them. Bastian enquired more and more insistently about my role and argued that I should extend my support to

¹⁹ Bastian's return to Spain was based on the Dublin Regulation, see p. 141

individual activists with precarious legal status and at risk of deportation.²⁰ In particular, he argued that I should have provided him with more support.

I felt uncomfortable, almost disturbed. I went home, and I could not sleep properly that night. I wondered if Bastian had a point, although I clung to the belief that collective action was a higher form of mobilization than individualized support. My enthusiastic involvement could not erase the differences between me and those activists who were directly experiencing the negative consequences of border regimes. German or European activists who mobilized in collective action jointly with racialized non-citizens were confronted with similar questions and dilemmas.

In sum, my role as an active participant was overall beneficial for my research. It was essential to gain access to some of the SMOs that I chose for participant observation. Some of them rebuffed requests for interviews that they received from other researchers who were not participating in their activities; this was partly due to their lack of capacity to follow up all the requests and partly because of their scepticism of academics. They would have likely turned down my requests for interview if I had not participated in their groups and they would have denied me access if I had taken on the detached role of observer.

My active role contributed to establishing rapport with many activists. However, my active and enthusiastic role, compounded with my privilege, inevitably nurtured the expectations of non-citizen activists regarding my contribution in alleviating the toll that border regimes were taking on them.

2.3 SAMPLING STRATEGIES TO NAVIGATE A FUZZY FIELD

Each social movement organization opposing border regimes in Berlin constitutes

²⁰ Ethnographic notes taken on 18 August 2018.

an instance of the same social phenomenon, that is, the political mobilization contesting border regimes. These SMOs are the focus of my ethnographic enquiry, which investigates their collective identities, the ties and connections among them as well as their shared grievances and claims at the wider movement level. Moreover, I explore how their collective identities, claims and layers of mobilization are associated with their construction of human rights.

Dozens, if not hundreds, of social movement organizations contest border regimes in Berlin as is apparent from the long list of social movement organizations that subscribed to the calls for action for some of the largest protests that occurred in 2018, including the protest *Unteilbar*, which took place on 13 October in Berlin.

The movement opposing border regimes in Berlin includes a variety of SMOs, including grassroots organizations (GROs) and non-governmental organizations (NGOs). The difference between NGOs and GROs is not always clear. However, in general GROs rely on unpaid volunteers, are small and follow flatter decision-making procedures than NGOs and involve people who make claims on their own behalf (Nash, 2015, p. 20, p. 175).

I had therefore to select, or sample, a handful of SMOs for participant observation as it would not have been feasible to participate in all, or even most, organizations. As I explained in the previous chapter, I am particularly interested in studying how marginalized groups construct human rights from below. This research focus inspired the choice of social movement organizations for participant observation. For example, in view of my research interest, I sought to access GROs, in particular self-organized groups of refugees, for my participant observation. As we shall see, self-organized groups of refugees are a particular type of GRO in the movement opposing border regimes in Berlin. They are GROs in which non-citizens who identify themselves as refugees take on a frontline role

and formulate claims grounded in their own experiences. I purposefully chose not to conduct participant observation in NGOs as existing scholarly literature suggests that they embrace a top-down approach to human rights, as I discussed in the previous chapter.

Moreover, I took into account three other main criteria to sample the SMOs for my participant observation. First, I considered the group composition; as I explained in Chapter 1 and in section 2.1 of this chapter, my initial interest to study the social movement opposing border regimes was spurred by the mobilization of non-citizens. I thus chose to participate in self-organized groups of refugees. On the basis of this criterion, I sought to conduct participant observation in the following self-organized groups of refugees:

- *Stop Deportation Group*²¹: a self-organized group of refugees opposing all deportations that originally emerged in the refugee shared accommodation of Eisenhüttenstadt (Brandenburg) in 2014. *Stop Deportation Group* is a registered association under German law (*eingetragener Verein*, e.V). I first liaised with them via Facebook in December 2017. In January I met Marina, a German activist, to explain the purpose of my research and to offer my active participation in the group. She invited me to attend the next weekly meeting. The meetings, conducted in English and Punjabi, were attended on average by six or seven men from Pakistan and five or six white German or European activists. I attended these meetings for about six weeks. In March 2018, several German and European activists left the group following an internal conflict and I thus decided to put an end to my participation.

²¹ The Facebook page of the group is accessible here: <https://www.facebook.com/stopdeportationgroup/>.

- *Corasol* (Contre le Racisme, Soyons Solidaires, Against Racism, for Solidarity)²²: a self-organized group of refugees originally established by German students in 2009 and opposing racism, deportations and the isolation of refugees in shared accommodation. I attended the weekly meetings, mostly conducted in French, between February and October 2018. The meetings were attended predominantly by Cameroonian men. A few white German and European female activists regularly participated.

Second, I aimed to participate in SMOs that focused their grievances on different aspects of border regimes. More specifically, these aspects included aspects of border regimes shaped by German laws and policies such as deportations or housing policies, and external dimensions of border regimes, such as search and rescue operations and the externalization of the borders of the European Union²³. I intended to explore whether collective identity and claim-making processes were influenced by the specific focus of the grievances against border regimes. On the basis of this criterion, I sought to conduct participant observation in these two GROs:

- *Borderline Europe*²⁴: a GRO founded in 2007 following the prosecution of members of the crew of the boat “Cap Anamur” that had rescued 37 refugees at sea in 2004. *Borderline Europe* mainly opposed “Fortress Europe”, the externalization of EU borders and the restrictions on search and rescue operations at sea. It had the status of registered association under German law (e.V), a permanent office, four employees and some regular sources of funding. I attended their fortnightly meetings between February and October 2018. The meetings were conducted in German and

²² The blog of the group is accessible here: <http://corasol.blogspot.de/>.

²³ The externalization of European borders refers to the expansion by the EU of the spatial component of its border management beyond its spatial limits (Casas-Cortes et al. 2015).

²⁴ The website of the group is accessible here: <https://www.borderline-europe.de/historie>.

English and were mostly attended by white German activists. A few white European activists, and occasionally one or two non-citizen activists, also attended the meetings.

- *Lager Mobilization Network Berlin (Lager Mobi)*²⁵: a GRO that emerged in 2014 and that opposed the shared accommodation where non-citizens had to live while waiting for the state to determine their status. They referred to shared accommodation as *Lager*, or camps, a term that bore a particular negative connotation as it is also used to refer to the transit, labour, concentration and death camps during the Nazi regime.²⁶ I attended the weekly meetings of *Lager Mobi* between February and October. The meetings were conducted in English and were mostly attended by white German and European activists.

Third, I sought to gain access to coalitions of social movement organizations with a view to exploring identity-formation processes at the wider movement level. On the basis of this criterion, I participated in the meetings of the *Alliance against Deportations*, an informal coalition of several GROs opposing deportations, between March and August 2018. The coalition was launched in December 2017 following a workshop on deportations organized by the *Alliance for the Unconditional Right to Stay (Bündnis für Bedingungsloses Bleiberecht)*, which became then part of the *Alliance*. The meetings were usually attended also by activists of *Corasol*, *International Women Space* and *Women in Exile and friends* (two self-organized groups of refugee women) and *Citizen Asylum (Bürger_innen Asyl)*, a social movement organization that campaigned against deportations by promoting acts of civil disobedience. The attendance of the fortnightly meetings progressively decreased until the meetings were discontinued in August 2018.

²⁵ More information on the group is accessible here: <https://lmbn.opplatz.net/>.

²⁶ See Glossary of terms, Voices of the Holocaust, <http://voices.iit.edu/glossary>.

In addition, I participated in the activities organized by the GROs that I mentioned above taking into account the criterion of visibility/non-visibility. More specifically, I studied both visible and submerged dimensions of their mobilization. The former mainly included protests. The latter comprised for instance everyday activities such as internal meetings, coalition and planning meetings with other SMOs and workshops or other training events. The focus on submerged everyday activities was crucial in view of understanding collective identities, which are evolving flows rather than movements' outcomes that can be grasped by limiting the observation to visible repertoires of contention.

In addition to the above, I participated in the initiatives of other social movement organizations that were not the focus of participant observation throughout my fieldwork. These notably included the following initiatives:

- the bus tour of *Women in Exile and friends*,²⁷ a self-organized group of non-citizen women which I did not have regular access to;
- some of the meetings of the Berlin-based group of *Welcome United*, a nationwide coalition of SMOs opposing racism and border regimes, as well as their summer camp organized in July 2018 in Falkensee (Brandenburg);²⁸
- some of the meetings and the initiatives organized by *Familienleben für alle (Family Life for All)*,²⁹ a GRO composed of Syrian and white German activists opposing restrictions on family reunification;
- some meetings of *Seebrücke (Sea Bridges)*,^{30a} a network of mainly citizen activists located in many cities, including Berlin, which emerged in July to

²⁷ The website of the group is accessible here: <https://www.women-in-exile.net/>.

²⁸ Some information about the summer camp can be found here: <https://www.welcome-united.org/en/summercamp/>.

²⁹ The website of the group is accessible here: <http://familienlebenfueralle.net/>.

³⁰ The website of the group is accessible here: <https://seebruecke.org/en/startpage-2/>.

contest the restrictions on search and rescue operations in the Mediterranean Sea;

- some meetings of the coalition for the protest *Unteilbar*, which is composed of a variety of SMOs including NGOs and GROs.

I explained the main purpose of my project when by email or on social media I approached the social movement organizations that I had selected for participant observation. I subsequently provided further information when I attended their regular meetings. My offer of actively participating in those SMOs made my potential contribution more tangible to activists. When I explained my project, they generally did not consider it as harmful since it was based on premises that they shared, namely that border regimes had pernicious consequences and thus had to be contested. Therefore, I gained access to most of the GROs that I had previously identified for participant observation on the basis of the criteria discussed above.

Exceptions notably included the Brandenburg-based chapter of *Welcome United*. In March, I liaised with the group with a view to participating in one of their workshops on political mobilization of refugees. When I informed them about the purpose of my research ahead of the event, they explained that they restricted the possibility of carrying out research about their collective actions to activists who had regularly participated in the group, and therefore they did not agree to my participation in the workshop. Moreover, in view of my male gender identity, I did not have access to women-only groups such as *Women in Exile and friends* and *International Women Space*. However, I was able to participate in some of their initiatives, such as the bus tour that I mentioned earlier, that required wider support.

In a few instances, activists raised specific concerns regarding my research and

my role. For example, Tamara, who attended the meetings of *Stop Deportation Group*, raised her concerns regarding the production of knowledge and what she perceived as a general lack of commitment on the part of academics to sharing their knowledge with those who had enabled the acquisition of that knowledge in the first place. When we discussed her concerns, she suggested organizing a workshop to share some of my findings after the completion of my fieldwork, which I did, as I discuss in the last section of this chapter.

In addition to participant observation of GROs, I analysed written materials, in particular reports and press releases, produced by human rights NGOs, more specifically *Pro-Asyl* and *Amnesty International* as they are two of the largest human rights NGOs in Germany. *Amnesty International* is one of the main human rights organizations worldwide; it has a German national office which was founded in 1961 and around 150,000 members in Germany. *Pro-Asyl* was founded in 1986 and is one of the main refugee rights organizations in Germany. When I cite in my analysis, in particular in Chapters 6 and 7, written materials that those two NGOs produced, I reference them in footnotes.

2.4 IN-DEPTH INTERVIEWS AND OTHER METHODS OF DATA COLLECTION

In the second part of my fieldwork, I conducted 37 in-depth qualitative interviews with activists who mobilized in different social movement organizations. I considered several criteria to select my interviewees. Initially, I chose to interview the few activists who had shown particular interest in my research. In particular, Carmela, Guillaume, Jacob, Sabrina and Tamara, who had been regularly mobilizing in several social movement organizations, were keen on meeting me to discuss past and current mobilizations against border regimes, and effectively became key informants.

Then, I decided to interview both activists who mobilized in social movement

organizations under the focus of my participant observation and activists who were members of other social movement organizations. I interviewed 22 activists who mobilized with the GROs that I had selected for participant observation and 17 activists who engaged with other SMOs. I selected interviewees by taking into account their legal status (citizen/non-citizen), their involvement in the struggle against border regimes and their gender. In particular, I interviewed both citizen and non-citizen activists who were actively involved in the social movement organizations in which I participated, that is, who often participated in meetings and who took on the role of moderator or coordinator in the context of specific initiatives. Out of the 22 activists who mobilized in GROs under the focus of my participant observation, I interviewed seven individuals who identified, or had identified, themselves as refugees; they included five men from Cameroon, one man from Pakistan (who had meanwhile become a German national and who did not identify any longer as a refugee), and one woman from Kenya. In addition, I interviewed nine German activists and six European activists.

These interviews allowed me to collect further data on collective identity processes at the group level as well as the meanings that activists attached to human rights. In particular, my participant observation in submerged daily activities provided me with rich data on collective identity, claim-making and ties and connections among groups that I could corroborate through in-depth interviews. However, activists rarely discussed in meetings or other daily activities their interpretations of human rights and their views about whether human rights could be used to challenge the domination of border regimes. The in-depth interviews proved crucial to gain a further insight into those dimensions.

I carried out 15 interviews with 17 activists³¹ who mobilized with social movement organizations in which I could not participate because of specific

³¹ Two interviews were group interviews with two activists each.

restrictions in accessing them, notably because they were women-only groups such as *Women in Exile and friends* or *International Women Space*. Apart from specific barriers to accessing some social movement organizations, it was not feasible to actively participate in more than five or six of them. My schedule soon became packed with meetings and events and I had to prioritize activities because of scheduling clashes. I sought interviews with activists who mobilized in SMOs that had ties and connections with the GROs that I observed. I conducted interviews with activists who mobilized in 15 social movement organizations. The interviews with activists who mobilized with SMOs other than those under the focus of my participant observation provided me with an insight into collective identities and approaches to human rights in a wider range of SMOs which included also non-governmental organizations such as *Sea-Watch* or *Amnesty International*. Out of these 17 interviewees, five identified themselves as refugees: one man from Benin, one man from Egypt, one man from The Gambia, one woman from Kenya, and one man from Syria. In addition, they included ten German activists, one activist from Italy and one activist from the United States.

To sum up, I interviewed in total 12 individuals who identified themselves as refugees, 21 German activists, one American activist and five European activists. Twenty interviewees were male and 19 female. I identified each of them with a pseudonym of my choice. Most of the interviews were conducted in English or French; one interview was in German. Each interview on average lasted between 75 and 120 minutes. A complete list of my informants is annexed to this thesis..

The interviews were conducive to establishing a rapport with some of the informants, to build a relationship of trust and to further discuss their views about my research. The interview process facilitated subsequent unstructured discussions with some of my informants, in particular with those individuals whom I consider to be key informants. These discussions occurred on the margins

of regular meetings of social movement organizations or in the context of informal gatherings.

Towards the end of my fieldwork, in order to provide activists with a space to collectively discuss the use of human rights to contest border regimes and to reflect on my ongoing analysis, I decided to organize a workshop in the context of the annual conference of the Network for Critical Research on Migration and Border Regimes (Kritnet).³² The workshop, which was entitled “Can rights claims advance the struggle against border regimes?”, aimed to create a space where some of the themes of my research could be discussed collectively. I conceived this space as conducive to acquiring a further insight into those themes but also as having the potential for generating new ideas and reflections for and from activists.

The workshop explored different understandings of human rights beyond their legal connotations. It delved into the arguments advanced by activists to frame their claims against border regimes and interrogated the potential for rights frames to contest border regimes. I invited several of the activists whom I met throughout the year to the workshop, in particular those whom I had interviewed and who mobilized in the GROs in which I participated. Nine activists who mobilized with five different GROs participated in the workshop. Moreover, 13 other participants who were attending the conference and whom I had not previously met also participated in the workshop.

The data collected in the context of the workshop corroborated and completed the data that I had previously collected through participant observation and in-depth interviews about the interplay between human rights and mobilization against

³² The programme of the conference is accessible here: http://kritnet.org/files/2018/10/17.-kritnet-Konferenz-Berlin_Programm.pdf.

border regimes. In particular, the activists at the workshop made use of both legal and non-legal notions of rights to frame their demands against border regimes and crafted demands that exceeded human rights as codified in international law.

2.5 DATA ANALYSIS

I conducted thematic analysis (Braun & Clarke, 2006) with a view to building the interview protocol for the qualitative interviews. In May 2018, I analysed the ethnographic notes that I had taken in the first three months of my fieldwork and I reviewed my theoretical framework in order to identify themes to explore in the qualitative interviews. I identified some of the themes inductively and on the basis of my observations. These themes included the individual activism trajectories, the ties and connections among SMOs, the internal power dynamics – in particular between citizen and non-citizen activists –, the decision-making processes of the grassroots organizations in which I participated, the frames through which activists formulated claims against border regimes, visibility and participation in protests, and submerged layers of mobilization. Furthermore, I identified some themes deductively in view of my theoretical framework. These themes included the activists' interpretation of human rights, their use of legal notion of human rights to frame claims, and their views regarding the role of the state in upholding human rights.³³

In the course of the interview process, which lasted between June and October 2018, my interview style became progressively less structured; if I continued to inspire myself from the original themes included in the interview protocol, I did not follow the original order and I put more emphasis on enquiring how activists interpreted human rights.

I transcribed verbatim all the qualitative interviews between September and

³³ See Annex 2 for more information about the themes that I explored in the interviews.

November 2018. I subsequently carried out thematic analysis of both the qualitative interviews and the ethnographic notes that I had taken since the beginning of my fieldwork.

I followed the six main steps for thematic analysis outlined by Braun & Clarke (2006). The main themes that I have identified in the thematic analysis included the representation of the protest camp in Oranienplatz as a refugee-led movement, the refugee collective identity irrespective of legal status that I refer to as the refugee* identity³⁴, the opposition to legal status categories and to legal hierarchies, the role of non-citizens in the movement opposing border regimes, the anti-racist identities within the movement, the dynamics between citizen activists and racialized non-citizen activists, the negative experiences of non-citizens in Germany because of border regimes, the diversity within the movement among SMOs and in particular the identity boundary between GROs and NGOs, the right to stay, universal freedom of movement, the multiplicity of interpretations of human rights, and the use of legal notion of rights to craft claims against border regimes.

CONCLUSIONS

In this chapter I have outlined the main elements of my methodology to explore how the social movement opposing border regimes in Berlin constructs human rights. I have in particular emphasized my role as active participant in the grassroots organizations under the focus of my participant observation. Moreover, I have emphasized how my methodology stems from my interest in the exploration of bottom-up approaches to human rights and from my theoretical premises.

³⁴ See the conceptual map in the introduction to this thesis for further clarifications about the use of the term refugee*/refugees*.

I have emphasized that my ethnography was also an opportunity to reflect on how I could contribute to the struggle against border regimes and what was my stake in this struggle. I will come back to these questions in the concluding chapter of the thesis. I believe it is important to stress again that despite my effort in being an active participant to close the gap that existed with the activists whom I met and to establish rapport with them, my role of white European researcher shaped the access that I had to some social movement organizations, the data that I collected and the relationship that I established with activists. In particular, some non-citizen activists expected that I would provide individual support that could alleviate the toll that border regimes had on them. I felt uncomfortable about my position and I often had doubts about the practical implications of further supporting them. These dynamics contributed to changing my attitudes. After the first few months, especially after the discussion with Bastian that I mentioned in this chapter, I kept some distance from the non-citizen activists whom I met. For example, I tended to meet them only in the context of meetings or other activities connected with their mobilization against border regimes. In contrast, I established more regular relationships with a few citizen activists who were more interested in the scope of my research and who became my key informants.

In February 2020, I returned to Berlin to provide some feedback about my findings to the activists whom I met in 2018. As I explained in this chapter, Tamara had insisted on me providing a space in which knowledge could be shared with the social movement actors that contributed to my research. I contacted all the 39 activists whom I had interviewed and I met ten of them to present the main findings that I discuss in this thesis. They generally agreed with my findings and they emphasized that they were consistent with their views and understanding of their mobilization against border regimes. They expressed particular interest in the analysis of the multiple interpretations of human rights in the movement, which constitutes one of the main contributions of my thesis.

During the week that I spent in Berlin in February 2020 I did not meet any of the non-citizen activists whom I had interviewed in 2018. Some of them told me that they did not have time that week or that they were very stressed and did not have headspace for discussing my findings. Some others did not respond to my suggestion for meeting. This feedback speaks volumes about the limited potential that academic research could have for marginalized groups that struggle in their everyday life. It also points to the gap that separated my world from the realities of non-citizens and that inevitably remained unfilled despite my active and ardent participation.

CHAPTER 3. THE POST-OPLATZ MOBILIZATION: THE MULTIPLICITY OF THE MOVEMENT OPPOSING BORDER REGIMES IN 2018

In the months preceding my fieldwork, when I was pondering the choices regarding the most suitable field to investigate my research topics, I attended a conference organized by the Jewish Museum in Berlin that focused on refugee participation.³⁵ On that occasion, I met a few non-citizen activists who provided me with a glimpse of the collective actions against border regimes in Berlin.

The event conveyed the impression that the mobilization against border regimes was visible, solid and dynamic. I knew that the times of *O-platz*,

³⁵ Further information about the conference can be found here:
<https://www.jmberlin.de/en/conference-impossibilities-perspectives-on-refugee-participation>.

the protest camp on Oranienplatz, a public square in the neighbourhood of Kreuzberg, which from its start in 2012 propelled the contestation of border regimes for nearly two years, were passed. I expected nonetheless the mobilization to be unhindered in its intensity and visibility.

In December 2017, a few weeks before setting off to Berlin, I wrote a message to the editorial board of *Daily Resistance*, a magazine that I had downloaded from *oplatz.net*, a website that was created to provide a “voice to the refugee movement based at the protest camp on Oranienplatz”.³⁶ The magazine continued to provide a platform to multiple initiatives and social movement organizations after the eviction of *O-platz*. An editorial board member told me that the latest issue of *Daily Resistance* had just been published and so they were not meeting regularly at the time.

In March, I read on *oplatz.net* that new editorial meetings had been scheduled and so I decided to attend the first one. I joined the meeting at Cafe Karanfil, a cosy space in Neukölln, which served as a meeting point for many activist groups in Berlin. I expected a large meeting as I thought that many people must have been involved in the production of *Daily Resistance*, which usually comprised dozens of articles written in different languages. I was surprised when I realized that only four people were attending the meeting. Three of them had been involved with the editorial board for a long time. They were all German, which also surprised me as I expected non-citizen activists to be involved in an initiative that aimed to provide a voice to the refugee movement.

³⁶ Further information about the purpose of the website can be found here: <https://oplatz.net/about/>.

Sonja, an activist who contributed to designing the layout for the magazine, provided some background information to me and Thomas, who was attending the meeting for the first time. Sonja shared a lot of information regarding the history and the purpose of *Daily Resistance*. She spoke fast and jumped from one topic to another, an attitude that brought some dynamism to the meeting. She was friendly and welcoming and asked me several questions about my research project while we had a cigarette outside during the break. Sonja emphasized that *Daily Resistance* was a magazine “written by and for refugees”. She explained that the editorial board collected contributions on a wide range of topics and facilitated the production of the magazine. Another activist explained that the editorial board acted as gatekeepers to some extent as they often edited the draft pieces and filtered them, in particular if they received more articles than those that they could fit in the magazine. Jacob, a German activist whom I met for the first time at this meeting and who then became one of my key informants, added that a communication team composed of several activists ensured that the website *oplatz.net* continued to provide updated information about the mobilization against border regimes.³⁷

Daily Resistance and *oplatz.net* were part of the legacy of the *Oranienplatz* protest camp. Conceived as tools to give visibility to the protest camp, they survived its eviction and continued to provide a space for refugees to express themselves. However, activists were struggling to keep *Daily Resistance* and *oplatz.net* vibrant platforms. As I participated in a few of the subsequent meetings of the editorial board, I realized that

³⁷ Ethnographic notes of the meeting taken on 13 March 2018.

only a few activists regularly attended and that the editorial board struggled to collect enough contributions for the next issue.³⁸ The participation in the meetings of the editorial board also aroused my curiosity regarding the role and representations of non-citizens in the movement. *Daily Resistance* had the vocation of being a medium for refugees to express their voices. However, only citizen activists attended the meetings in which I participated. In the first meeting, Sonja explained that self-organized groups of refugees did not have the resources to produce the magazine, in particular because it was a time-consuming process. The composition of the editorial board and the vocation of *Daily Resistance* raised many questions regarding dynamics along the lines of race and citizenship in the mobilization against border regimes, questions which are crucial to understand collective identities, grievances and frames within the movement.

In this chapter, I discuss the multiplicity of the mobilization against border regimes in 2018. My starting point is the activists' interpretations of the legacy of the *Oranienplatz* movement. The activists whom I met in 2018 often referred to the protest camp as the heyday of the refugee movement.³⁹ In particular, they pointed out that the protest camp had provided crucial visibility to refugees. The protest camp had been an opportunity for refugees to take on a frontline role in the struggle against

³⁸ The fifth issue of *Daily Resistance* was published in September 2018 and is accessible here: <https://dailyresistance.oplatz.net/daily-resistance-5-is-in-print/>. In 2019, a sixth issue of the magazine was also published.

³⁹ The activists whom I met framed *O-platz* as a refugee movement. Activists did not mean that *O-platz* was the movement of people who had obtained the legal status of refugee. As I have indicated in the conceptual map in the introduction to this thesis, activists conceived the notion of refugee as beyond its legal meaning. I use the term refugee* to refer to the collective identification of non-citizen activists as refugees irrespective of their legal status. In this introduction I rather use the term refugee movement to describe how activists framed *O-platz*.

border regimes. In this chapter, I explore the activists' views on *O-Platz*, which they often considered as a baseline, to analyse their current mobilization against border regimes.

The activists whom I interviewed in 2018 often referred to the current mobilization as fragmented and invisible. They often referred to the difficulties that they encountered in coordinating collective actions and the invisibility of the protests that they organized as they often attracted only a few hundred people. Initially, I shared the same perceptions. I indeed participated in small protests, I observed the lack of coordination among different initiatives and I witnessed the difficulties in pursuing initiatives such as *Daily Resistance*. However, I changed my perspective during the course of my fieldwork and towards the end I appreciated the complexity, dynamism and multiplicity of the struggle against border regimes. I reflected on my expectations, including my initial perception of *O-platz* as an ideal-type of unified and visible struggle led by refugees. In the process of researching this thesis, I fully embraced the multiplicity and fuzziness of movement opposing border regimes.

In this chapter, I map the multiplicity of the movement opposing border regimes at different levels. The activists' interpretations of *Oplatz* as a movement led by refugees provided me with an opportunity to reflect on the role of non-citizens in the mobilization that I observed. I examine the dynamics shaped by race and citizenship status in the social movement organizations in which I participated and the role of both citizen and non-citizen activists. I investigate the multiple anti-racist collective identities that overlap at the movement level, which are also connected with the role of racialized non-citizens, and of their lived experiences, in the

movement. The analysis of anti-racist identities is also crucial because, as we shall see, one particular understanding of anti-racism is associated with the interpretation of human rights as aspirations to global justice, in particular within self-organized groups of refugees.

Moreover, in this chapter I explore the multiplicity of the movement in terms of grievances, demands and types of social movement organizations. This aspect of multiplicity is key because, as we shall see, it is associated with an identity boundary in the movement and with divergent approaches to human rights among social movement organizations.

The analysis of the multiplicity of the movement that I pursue in this chapter is crucial for addressing the interplay between mobilization against border regimes and the construction of human rights. As we shall see, the multiplicity of the movement is associated with complex, varied and hybrid interpretations of, and approaches to, human rights.

3.1 PERSPECTIVES ON *O-PLATZ*: A MOVEMENT LED BY REFUGEES

From 2012 to 2014, refugees occupied the public square Oranienplatz in Berlin and transformed it into a site that provided visibility for their struggles against the German and the European border regimes (Azozomox & IWAS refugee women, 2017; Bhimji, 2016; Langa, 2015; Stierl, 2019). In December 2012, activists also occupied the building of the former Gerart Hauptmann school in Ohlauerstrasse in the neighbourhood of Kreuzberg. The last inhabitants of the occupied Gerart Hauptmann school left on 10 January 2018, the day before the date set for their eviction from the building and a couple of weeks before I moved

to Berlin for my fieldwork.⁴⁰ The cycle of protest against border regimes that had been spurred by the protest camp on Oranienplatz came to an end precisely when I started my research journey.

In this section I explore the legacy of *O-platz* as it provides a lens to analyse the mobilization against border regimes in 2018. The activists whom I met in 2018 often referred to the protest camp as a baseline to assess the current struggle against border regimes. The activists' perspectives on *O-platz* contributed to sharpening my reflections on the multiplicity of the movement against border regimes in 2018, which I investigate in this chapter.

O-platz often constituted the laboratory in which the activists whom I met during my fieldwork became engaged in the struggle against border regimes. In interviews, the activists who had been involved in the protest camp emphasized that the mobilization against border regimes had been visible and led by refugees. Joanne, an activist from Kenya who founded the *International Women Space*, a women-only social movement organization that emerged in the context of the occupation of the Gerart Hauptmann school (Azozomox & IWS refugee women activists, 2017), explained to me that the protest camp had already been set up when she arrived in Germany. She joined *O-platz* when she moved from the reception centre in Eisenhüttenstadt (Brandenburg) to Berlin. When I asked her to tell me the main achievements of the protest camp, she emphasized: “We [refugees] got a face, we took a space. The *O-platz* movement changed German history because refugees became visible for

⁴⁰ More information about the eviction of the school can be found here: <https://oplatz.net/aftermath-of-the-eviction-of-gerhart-hauptmann-schule-on-11-january-2018/>.

the first time.”⁴¹

Brice, an activist from Benin who had participated in the protest camp from its outset, also referred to the notion of visibility when I asked him about his opinions regarding the main achievement of *O-platz*. Brice explained: “I think that *Oranienplatz* changed the public perception of refugees. Refugees started to be considered as people. Media started talking about us. We had been struggling against the *Residenzpflicht* [restrictions on freedom of movement for refugees] since 1998 but no one talked about our struggle,”⁴²

The non-citizen activists whom I met and who had mobilized in the context of the protest camp shared the views that it was an unprecedented mobilization. Although non-citizens had mobilized against German asylum policies since the 1990s, when groups such as the *Voice Africa Forum* were founded,⁴³ and throughout the 2000s (Monforte & Dufour, 2013), the non-citizen activists whom I met considered *O-platz* as the first refugee-led movement that became visible to mainstream media and sectors of society.

When I spoke about *O-platz* with German activists, I realized that they also considered the protest camp as exemplary because of the frontline role that refugees had played. Heiko, one of the German activists who had founded *Borderline Europe*, emphasized that the protest camp had changed the public perceptions of refugees. Heiko explained to me:

⁴¹ Interview with Joanne, 20 September 2018.

⁴² Interview with Brice, 29 August 2018.

⁴³ Further information about *The Voice* can be found here: <http://thevoiceforum.org/about>.

During *O-platz*, the main demands were formulated by refugees themselves and not by supporters or German groups. The media listened to refugees and reported about their demands. Refugees were the main actors in the protest camp, not the supporting groups. This was different from before, I think that this empowered refugee activists.⁴⁴

Both non-citizen and citizen activists whom I met during my fieldwork shared a common understanding of the mobilization that had occurred in *Oranienplatz*. They referred to it as the refugee movement precisely because they saw refugees as the main actors of that mobilization. In particular, they viewed refugees as the key actors who formulated claims against border regimes. They considered *O-platz* as a strong refugee-led movement which transformed the public perception of refugees.

In interview, Rita, a German employee of the *Berlin Refugee Council*, a platform comprising many counselling services, organizations and groups supporting refugees, also emphasized the central role of refugees in the mobilization of *Oranienplatz*. Rita was one of the activists who stirred my reflections on the multiplicity of the movement opposing border regimes. She told me:

For the first time in *Oranienplatz* refugees raised their voices and articulated their claims. It was not white people who said: “Refugees want...”, but refugees who said: “We want!”. *Oranienplatz* was a big movement which was destroyed by the Senate [Berlin government]. I think there are now different movements. For

⁴⁴ Interview with Heiko, 24 August.

example, there are Syrians who don't fight for shelters or against the *duldung* [one precarious residence status⁴⁵] but for family reunification. There are Afghanis who fight against deportations, people from West Africa who don't have any chance at the moment to get protection status. We have lots of claims and lots of movements on different issues.⁴⁶

Although the *O-platz* movement often appeared as a unified actor in the narratives of the activists whom I met, it was characterized by multiplicity, in particular regarding the legal status of non-citizen activists. As scholars have emphasized, non-citizen activists who mobilized with the protest camp comprised people who had claimed asylum in Germany. Non-citizen activists also included “Lampedusa people” who had claimed asylum in Italy, and who had moved to Germany (Fontanari, 2017; Fontanari & Ambrosini, 2018). These activists were at risk of being expelled to Italy or the EU countries where they had claimed asylum.

In interviews, like Rita, activists tended to focus on the achievements⁴⁷ and the unifying elements of the mobilization associated with *O-platz*. They were concerned that their present struggle was not as successful as the protest camp. When I discussed the collective actions against border regimes that activists were organizing in 2018, they referred to their fragmentation and invisibility. Anne, a German activist who engaged with *Corasol*, a self-organized group of refugees, insisted on

⁴⁵ See section 5.1 for more information about the *duldung*.

⁴⁶ Interview with Rita, 30 August 2018.

⁴⁷ The main policy achievements of the protest camp that activists mentioned in interviews included the abolition of the restrictions on freedom of movement (*Residenzpflicht*) and the abolition of the system of food vouchers (*Gutschein*).

emphasizing the invisibility of the mobilization in 2018. She told me in interview:

Now we are in defence mode. It's mainly about organizing small actions, it's invisible... there are no big events or struggles. The *Welcome United* annual march [in September] is a big event... but I am not sure that it's a continuous struggle.⁴⁸

Tamara, an Austrian activist who engaged against deportations, emphasized the divisions among social movement organizations. She told me in interview: “[The mobilization is] still fragmented, lots of groups, lots of conflicts, little stability ... new groups emerge, other groups dissolve.”⁴⁹

In the narratives of the activists who participated in the protest camp, *O-platz* appeared as the ideal-type of the mobilization against border regimes. They contrasted *O-platz* with the struggle against border regimes in 2018 and interpreted the latter as fragmented and invisible. They interpreted invisibility as the impossibility for their claims to reach mainstream sectors of society, including the media, policymakers and the general public.

During my fieldwork, I participated in some protests and other public events that were indeed attended by only a few hundred people. These events included for instance the protest organized by three social movement organizations on 20 June 2018 against the restrictive asylum

⁴⁸ Interview with Anne, 29 August 2018.

⁴⁹ Interview with Tamara, 27 August 2018.

policies that the newly appointed government and Minister of Interior had proposed in March. The protest was attended by about 200 people; some of the activists who contributed to the organization of the protest referred to it as “invisible” and were sceptical about its impact.

Moreover, I observed that social movement organizations struggled to coordinate their joint efforts and initiatives. For example in March 2018 I started attending the fortnightly meetings of the *Alliance against Deportations*, an informal coordinating platform which had been set up in December 2017. Initially five or six groups attended the meetings of the *Alliance*. However, the participation decreased until the meetings were suspended in August 2018. The meetings of the *Alliance* constituted a good opportunity for activists and groups to update each other on their respective plans and initiatives. However, I noticed that the *Alliance* struggled to establish common initiatives and that the few activists who attended the meetings mobilized also in several other groups and so their availability was limited.

Multiple collective identities, processes, grievances, struggles and orientations of action coexist in social movements without necessarily making them fragmented or weak. I interpret the views of the activists whom I encountered regarding the mobilization in 2018 as the expression of a concern for the orientation and the impact of their collective actions. I considered the multiplicity and the changes of the movement in 2018 as an empirical validation of the theoretical approaches which oppose the reification of social movements and collective identities. Activists viewed the same multiplicity as a sign of fragmentation and, in some instances, as a weakness. They held different perspectives from mine

which is understandable in view of our different positionality. Despite my active participation in the movement, I never completely abandoned my position as researcher and I never fully bridged the gap that existed between me and other activists.

As collective identities are continuously evolving, the collective identity of the movement as movement led by refugees or as refugee movement was evolving in 2018 as I will further investigate in this chapter. The movement against border regimes in 2018 was characterized by multiple collective identity processes, multiple dynamics among citizen and non-citizen activists, as well as by a multiplicity of grievances and different types of social movement organizations.

3.2 A REFUGEE-LED MOVEMENT? VISIBILITY OF REFUGEES IN THE STRUGGLE AGAINST BORDER REGIMES IN 2018

As I discussed in the previous section, the activists who mobilized in the social movement organizations in which I participated in 2018 considered the mobilization of *O-platz* as led by refugees. In 2018 non-citizens continued to mobilize in self-organized groups of refugees, including those in which I participated such as *Corasol*, *Stop Deportation Group* and *Women in Exile and friends*. However, in interviews activists emphasized that the role of refugees in *Seebrücke* and the coalition for the protest *Unteilbar*, which were among the new and largest mobilizations that emerged in 2018, was less prominent than in *Oranienplatz*. The activists I talked to did not consider those mobilizations as led by refugees.

The collective identity of *O-platz* as movement led by refugees continued to shape my reflections about the role and participation of non-citizens in

the struggle against border regimes in 2018. Citizen activists were concerned about the role that refugees had in the mobilization against border regimes in 2018. Citizen and non-citizen activists alike intended to preserve the identity of the movement as a refugee movement, a movement where refugees took on a central role as political subjects in the struggle against border regimes. As we shall see, this standpoint is also associated with an anti-racist identity premised on the idea that claims against border regimes had to be grounded in the experiences of refugees as racialized non-citizens.

For example, the discussion that occurred in one of the preparatory meetings ahead of the protest *Unteilbar* shows that citizen activists continued to be concerned about the role of refugees in the movement in 2018. On 27 September the Berlin chapter of *Seebrücke* held a preparatory meeting with the purpose of organizing an anti-racist bloc within the upcoming protest *Unteilbar*, scheduled for 13 October in Berlin.⁵⁰ Self-organized groups of refugees, such as *Women in Exile and friends* and *International Women Space*, supported the claims formulated by *Seebrücke*.⁵¹ However, it was mostly white German activists who regularly mobilized with *Seebrücke*, at least in Berlin. For example, I noticed that all but one participant at the Berlin meeting that I attended on 12 September were white native German speakers. I observed that only one Black man, who was not a native German speaker, attended the meeting.⁵²

⁵⁰ As explained in Chapter 2, *Seebrücke* was an initiative that emerged in July 2018 to oppose the impediments imposed by governments on search and rescue operations in the central Mediterranean Sea and *Unteilbar* was a coalition for a protest to oppose right-wing populism.

⁵¹ See the list of social movement organizations that supported the claims of *Seebrücke*: <https://seebruecke.org/en/startpage-2/>.

⁵² Ethnographic notes taken on 13 September 2018.

As stated on social media, the purpose of the preparatory meeting scheduled for 27 September was to create a bloc composed of “anti-racist and migrant initiatives” to “oppose deportations, exclusion and racism”.⁵³ Activists who mobilized with five social movement organizations attended the meeting. These included *Solidarity City Berlin* and *Citizen Asylum*, a newly established campaign promoting civil disobedience to protect people at risk of deportation. Three activists of *Seebrücke* facilitated the meetings; all the participants but me and another person who joined the meeting later were white native German speakers.⁵⁴

Lena, one of the facilitators, stressed the importance of asking self-organized groups of refugees, such as *Corasol* and *Women in Exile and friends*, to join the bloc and to make speeches at the protest. Another participant suggested that refugees should be openly encouraged to march at the front of the bloc. The comments about the role of refugee activists in the anti-racist bloc stirred some debate at the meeting. Tamara, one of my key informants, expressed her bewilderment. She emphasized: “It sounds as if we want them there just to give a visual impression of diversity. We are also assuming that people from those groups are non-white and so visible.”⁵⁵

Another participant reiterated that it was important to avoid a “white-only anti-racist bloc”. Tamara responded by emphasizing that any such

⁵³I am using in the terminology included in the Facebook event for the meeting. Further information about the meeting can be found here: <https://www.facebook.com/events/258602414860613/>.

⁵⁴ Ethnographic notes taken on 28 September 2018. One activist was an Austrian citizen and German native speaker.

⁵⁵ Ethnographic notes taken on 28 September 2018.

occurrence should rather prompt a reflection about the identity of the movement and the role of refugees in the mobilization against border regimes. The suggestion of openly encouraging refugees to join the frontline of the bloc was eventually discarded. However, Lena committed to further liaising with self-organized groups of refugees to ensure their participation in the anti-racist bloc.⁵⁶

Activists interpreted the frontline role of refugees in the struggle as associated with both visibility and claim-making. In interviews, activists explained to me that refugees in the *O-platz* mobilization formulated the main claims against border regimes and that citizen activists who participated in the struggle supported them. In their views, the main claims against border regimes were grounded in the oppression faced by refugees because of border regimes. For example, when I spoke to Joanne, a Kenyan women who had founded the *International Women Space*, she explained that the main claims formulated during *O-platz* challenged the isolation in which refugees lived in remoted shared accommodation. She explained:

We couldn't live the *landkreis* [district] where we lived, let alone work. Breaking isolation was crucial because most shelters were in Brandenburg and people had to walk 30–45 minutes to get to the closest bus stop. We didn't receive money but food vouchers that we couldn't even use in all shops and we couldn't use to pay for medicines or transport. The main demands were the abolishment of the *Residenzpflicht* [restrictions on freedom of movement], the abolishment of the food voucher system, access to employment and

⁵⁶ Ethnographic notes taken on 28 September 2018.

access to German courses which were crucial to break isolation. Nowadays [in 2018], there are many platforms but refugees are not there, they remain a ‘thing’.⁵⁷

In some of the largest mobilizations that I observed in 2018, refugees were, in Joanne’s words, “not there” because most of the activists who attended preparatory meetings were German and European but also because the demands that they formulated were not always grounded in the experiences of oppression lived by refugees because of border regimes. For example, the coalition for the protest *Unteilbar* made claims for solidarity and against the populist radical right but refrained from opposing shared accommodation or from calling for universal freedom of movement.⁵⁸

Some social movement organizations in which both citizen and non-citizen activists mobilized attempted to put in place mechanisms to formulate claims that reflected the experiences of refugees. For example, Donald, an activist who was involved with the network *Solidarity City Berlin*, explained the process through which the network made claims for the right to health by grounding them in the experiences of refugees. He pointed out:

In 2016, we asked refugees and undocumented people within the network what were the different problems they were facing and figured out from there what kind of campaign we would launch and what was most strategic. We identified basic topics: access to work,

⁵⁷ Interview with Joanne, 20 September 2018.

⁵⁸ See Chapter 6 for an analysis of the frames invoked by the coalition for the protest *Unteilbar*.

access to education, access to housing, access to health. And also being able to report a crime to the police without being worried about being asked for documents and being deported. We asked refugees what the most pressing field was for them and they said health care. It was also a social necessity because a lot of the German bureaucracy is based on that, you can't access a school for example without having a medical insurance, you can't sign up to a gym because of that invisible border that is the health care. It's an unofficial wall. That's the first thing we tried to build a position on.⁵⁹

The activists' preoccupations regarding the role of non-citizens in the struggle against border regimes played an important role in the mobilization that I observed in 2018. Non-citizens continued to mobilize in self-organized groups in which I too participated. Large networks including *Welcome United* formulated claims against border regimes grounded in the oppression faced by non-citizens in their daily lives. However, the multiplicity and complexity of the movement that I observed also implied that new social movement organizations emerged in 2018 in which non-citizens did not have a frontline role similar to the one they had in the protest camp *Oranienplatz*. The new networks and coalitions, such as *Unteilbar* and *Seebrücke* formulated claims against the rise of the populist radical right but did not oppose for instance all deportations and shared accommodation.

⁵⁹ Interview with Donald, 17 August 2018. Solidarity City Berlin is a network of social movement organizations and individuals that comprise also undocumented migrants. As I explain further in Chapter 5, many of the non-citizen activists who mobilized in the SMOs in which I participated has a precarious legal status. A few may have been undocumented, that is, without valid documented to stay in Germany. However, they collectively did not identify themselves as undocumented people or undocumented migrants.

Both citizen and non-citizen activists who mobilized in the social movement organizations in which I participated shared the idea that their collective claims against border regimes had to be grounded in the experiences of refugees. However, the multiplicity of the movement that I observed implied an incessant development of collective identity processes and an ongoing reflection on how race and citizenship status influenced the role and position of activists and social movement organizations in the struggle against border regimes. In such a context, non-citizens did not have an unambiguous frontline role in the mobilization against border regimes similar to the activists' perceptions of *O-platz* as a refugee movement.

3.3 RACE, CITIZENSHIP AND IMBALANCES IN THE STRUGGLE AGAINST BORDER REGIMES

The multiplicity of the movement against border regimes also implied the mobilization of activists with a variety of experiences, identities and backgrounds. As I outlined in Chapter 1, the social identity of non-citizen activists, for instance, is not only influenced by their citizenship status but may also be connected with their race, gender, or nationality. The activists' multiple social identities intersect and shape collective identities of, and dynamics within, social movement organizations. Race and citizenship were associated with imbalances in social movement organizations, in particular in the self-organized groups in which I participated. The imbalances among activists along race and citizenship lines stirred my reflections about domination and the role of both citizens and non-citizens in the struggle against border regimes.

As I explained in the previous section, German and European activists shared the understanding that the involvement in the movement of

activists who were directly affected by border regimes was crucial to formulate claims and devise tactics that were fit for purpose. In the introduction to Chapter 2, I recalled the conversation that I had with Joanne, an activist from Kenya who had obtained residence rights. She emphasized the link that in her view existed between mobilization and experiences of oppression. She argued that those who faced directly the oppression of border regimes should occupy a frontline role in the struggle.⁶⁰

In the context of another conversation that we had months later, when we discussed the low attendance at the meetings of the *Alliance against Deportations*, Joanne stressed that other members of *International Women Space*, the organization in which she mobilized, were better placed than her to be involved with the *Alliance* and to fight against deportations. She explained that she was not at risk of deportation as she had obtained residence rights through family reunification. In her view, as she was not suffering directly the negative impact of border regimes, she could only have a supporting rather than a leading role in the struggle against deportations.⁶¹

As I pointed out in the previous sections, the activists whom I encountered shared the opinion that refugees should occupy a frontline position in the struggle against border regimes. These shared opinions had an impact on the identity formation processes among German and European activists. German and European activists mobilized in self-organized groups of refugees with non-citizens who suffered the

⁶⁰ Ethnographic notes taken on 10 February 2018.

⁶¹ Ethnographic notes taken on 9 September 2018.

racializing impact of border regimes.

In interviews, the German and European activists whom I met reflected on their role in the social movement organizations in which they mobilized and their dominant position as white citizens or white people with residence rights. In the context of my participation in internal meetings of self-organized groups of refugees, in which non-citizens often mobilized against border regimes with German and European activists, I noticed a division of roles between those two groups of activists. For example, the German activists who mobilized with *Corasol* tended to translate speeches into German, to draft funding applications and to undertake organizational tasks ahead of protests or other events. Non-citizen activists were more likely to ensure the moderation of meetings, to draft public speeches and to read them out in the context of demonstrations. This division was partly shaped by factors such as proficiency in German and/or knowledge of the German bureaucracy.

In internal meetings, German and European activists often referred to themselves, or were referred to by refugee activists, as supporters. This distinction was also suggested by Tamara, an activist who had been living in Berlin since before *O-platz*. In interview, she told me:

I learned [during *O-platz*] that while white Europeans are supporters, refugees are the actors of the political struggle. This is still the dominant discourse nowadays. [...] The idea is that the power of decision and the visibility should lie with refugees. The role of the supporters is to be quiet and agree on the suggestions put forward by refugees. Refugees are constructed as the revolutionary subjects in

the anti-racist discourse.⁶²

The identity of supporter was associated with the construction of the movement opposing border regimes as a movement led by refugees, a major legacy of *Oranienplatz* (see 3.1). By identifying themselves as supporters, German and European activists attempted taking a step back and enabling refugees to lead the struggle against border regimes and to ground the demands against border regimes in their experiences of oppression. In interview, Dana, an activist who mobilized with *Welcome United* and who was involved in *O-platz* told me about the protest camp:

The supporters didn't want to influence the political process of the refugee movement, they just wanted to give advice and opinions but the structure was based on plenaries for refugees and they decided the way to follow. For [citizen] activists this was tiring because sometimes we have more information about how the political system works, but there was always the danger of telling them what they had to do. They had to make their own experiences, they had to decide but it's difficult for activists to stay behind.⁶³

In contrast, in my fieldwork I observed that German and European activists often had a prominent role in the self-organized groups of refugees in which they mobilized. When I discussed with Anne, a German activist who had been mobilizing with *Corasol* for a few years, she acknowledged the power imbalances along race and citizenship status within *Corasol*. She pointed out:

⁶² Interview with Tamara, 27 August 2018.

⁶³ Interview with Dana, 18 July 2018.

White people are often taken more seriously about what they say and they are often given more space to speak in meetings. At least as far as I am concerned, when the moderator says that we're closing the discussion and I raise my hand then they say "ok, Anne, go ahead"...but they wouldn't do that for other people.⁶⁴

When I asked her whether she would read out a speech at a demonstration, she explained that she would read the German translation but not the original version of the speech. She emphasized that:

Most of the speeches written by members of *Corasol* include personal experiences about being a refugee and I am not, so it would be awkward in particular if there are other refugee members around who could read the speech.⁶⁵

Some German and European activists were aware of power dynamics and opposing conceiving their role in the struggle as a supporting one. Tamara for instance argued that this was a comfortable role as it allowed for evading responsibilities without acknowledging that citizen activists could have made use of their privileged position as white citizens to oppose border regimes.

Daniela, a German activist who co-founded the initiative *Family Life for All* together with Mahmid, a Syrian man, considered the alliance between citizens and non-citizens crucial to contest the legal hierarchies

⁶⁴ Interview with Anne, 29 August 2018.

⁶⁵ Interview with Anne, 29 August 2018.

embedded in asylum law and border regimes. When I talked to her, Daniela stressed the importance of weaving relations of solidarity between refugees and non-refugees and of mobilizing together on an equal footing. In Daniela's view, solidarity was key to counter the divisions "among different groups of citizens, non-citizens, people with different statuses, migrants, hierarchies among refugees".⁶⁶ She opposed the division of roles between refugee activists and supporters as she argued that it constituted a hierarchy among activists.

Weaving balanced relationships in contexts where citizens and non-citizens mobilized together required a constant reflection on power dynamics. Some activists reflected on those dynamics in interviews. However, I did not observe a collective reflection on power dynamics in the self-organized groups of refugees in which I participated. In interviews, both citizen and non-citizen activists who mobilized with *Women in Exile and friends* referred to mechanisms that they created to reflect on power imbalances shaping their mobilization.⁶⁷ For example, *Women in Exile and friends* organized empowerment workshops that were conceived as an exclusive space for refugee women to share their experiences shaped by border regimes.

Pamela, a German activist, explained to me that it would not be appropriate for citizen activists to participate because for instance they had never been directly threatened with deportation. She explained that citizen activists, who identified themselves as friends rather than supporters, had also separate spaces to reflect about their role in the

⁶⁶ Interview with Daniela, 17 August 2018.

⁶⁷ As explained in Chapter 2, I did not conduct participant observation in *Women in Exile and friends* as it is a woman-only grassroots organization.

struggle against border regimes. Pamela reflected upon structural imbalances and the risk of reproducing power dynamics in contexts where refugee women needed space to talk about their experiences. Pamela pointed out towards the end of our interview: “There is so much racism and privilege in me that it would unconsciously manifest in these contexts and this is dangerous”.⁶⁸

Race and citizenship status contributed to shaping identity formation processes in social movement organizations, in particular in self-organized groups of refugees. The shared understanding of the struggle against border regimes as led by refugees, a crucial legacy of *O-platz*, continued to nurture reflections regarding the power dynamics between white citizens and racialized non-citizen activists. The former were often aware of their privileged position and, in some instances, such as in the case of *Women in Exile and friends*, citizen activists created spaces to reflect on their positionality. As I discussed in this section, some activists were critical of the role of supporter which had been devised to frame the role of citizen activists in the refugee-led struggle against border regimes, in particular during the cycle centred around the *O-platz* protest camp.

In sum, the activists who mobilized against border regimes, in particular in self-organized groups of refugees, had different social positions associated with citizenship status and the racialization processes produced by border regimes. White citizen and racialized non-citizen activists who mobilized in self-organized groups of refugees shared the idea that the claims against border regimes had to be grounded in the experiences of oppression that racialized non-citizens lived because of

⁶⁸ Interview with Pamela, 4 September 2018.

border regimes. The construction of *O-platz* as a refugee-led movement confronted citizen activists with reflections about their role in the struggle. The supporter identity was contested by many of the citizen activists whom I met. Despite citizen activists' reflections on their dominant social position, I observed imbalances and power dynamics in the self-organized groups of refugees in which I participated. However, in spite of their different and imbalanced roles, white citizen and racialized non-citizen activists who mobilized in the GROs in which I participated shared an anti-racist collective identity that I discuss in the next section.

3.4 ANTI-RACISM AS A MOVEMENT COLLECTIVE IDENTITY

In the previous sections, I explained one aspect of anti-racism, namely the link between the experiences of racialized non-citizens and the demands formulated by self-organized groups of refugees against border regimes. In this section I explore the multiple interpretations of anti-racism at the movement level. I argue that anti-racism was a common political orientation, in other words a collective identity, of the movement opposing border regimes in 2018, when anti-racism acquired a wider resonance among many diverse social movement organizations.

The activists who mobilized with self-organized groups of refugees considered the orientation of their collective actions as directed towards opposing the daily racism that racialized non-citizens faced in Germany. They interpreted border regimes as mechanisms that produced exclusion, discrimination and othering of non-citizens and as devices that maintained inequalities globally.

The non-citizen activists whom I met often referred to their personal experiences of racism in Germany. For example, on 25 May, after a meeting, I went to a cafe with three Cameroonian activists who engaged with *Corasol* and Billy, a Cameroonian friend of theirs who used to be an activist before he had started working as an assistant nurse. Billy learned German and attended a one-year vocational training (*Pflegerhelfer Ausbildung*). He explained to me that he did not have much free time as the job was quite demanding. When I asked him if he liked his job, he said that he did despite the difficulties that he sometimes faced. He recounted, more specifically, the several instances where residents in care homes had overtly refused his assistance because he was a Black man.⁶⁹ I felt enraged. Billy not only had to undergo a lengthy training to access a low-paid job but also experienced racial discrimination and stereotyping in the workplace.

Many of the non-citizen activists whom I met were males from African countries. They often identified themselves as Black men or Black refugees. As I discussed in Chapter 1, the social identity of being a Black person without permanent residence rights refers to how the intertwined characteristics of race and legal status contribute to shaping the perceptions of an individual regarding their membership in a group. In some instances, I observed how non-citizens from Kenya or Cameroon perceived themselves as part of a group, as Black people or Black refugees, that experienced racism. In other words, the social identity of being a Black non-citizen became prominent at the level of the social

⁶⁹ According to an EU 2017 survey, 33% of the respondents from Sub-Saharan Africa in Germany felt they had been discriminated against because of their migration background or ethnicity in the year before the survey.
<https://fra.europa.eu/en/publication/2017/eumidis-ii-main-results>, p. 31.

movement organizations in which they mobilized. For example, in the context of a meeting that I attended in July, two activists from Cameroon contested the images proposed to represent refugees for the public campaign *Action Citizen Asylum*, which aimed to oppose deportations.⁷⁰ In a discussion about the graphics for the campaign, they challenged an image of Syrian refugees on a train in Hungary as it did not portray any Black refugees. The two activists argued that the image reinforced the idea that Black people were not refugees. Bastian, one of the activists, emphasized: “In contrast, Black people hanging around in Görlitzer Park [a park in Kreuzberg] would have certainly been chosen for a campaign about criminality.”⁷¹ The two activists perceived that they, as Black people, were the object of racial stereotyping and discrimination. They were seen as criminals, scroungers or migrants but not as people who were fleeing their countries for good reasons, as refugees.

In the context of speeches and public events, racialized non-citizens often made references to their daily experiences of racism. They drew on their experiences of racialization to elaborate collective claims against border regimes. For example, one of the non-citizen activists who made a public speech to launch the march organized by the network *Welcome United* in Hamburg on 30 September 2018 referred to personal experiences of racism and the racializing impact of border regimes. He emphasized:

Police are using racism to repress refugees. We are against police repression. Today is the day to show solidarity for people who had

⁷⁰ Further information about the campaign can be found here: <https://aktionbuergerinnenasyl.de/>.

⁷¹ Ethnographic notes of the bi-weekly meeting of the *Alliance against Deportations*, 6 August 2018. NGOs such as K.O.P. regularly report discriminatory identity checks by police in the park. More information can be found here: <https://kop-berlin.de/files/documents/chronik.pdf>

been killed by police [...]. Freedom of movement is everybody's right but whilst Europeans can move freely in Africa, they have established, because they are racist, that freedom of movement is only for Europeans.⁷²

This speech established a connection between personal experiences of racism and the racialization associated with border regimes: restricting freedom of movement and making hard for people coming from African countries to acquire residence rights in Germany contributed to their racialization as Black people. Individual experiences of racism became shared by activists among the self-organized groups of refugees that opposed border regimes. Activists talked about them and invoked them to formulate their grievances and demands in the context of their collective mobilization. Activists from countries such as Kenya or Cameroon, who engaged with self-organized groups of refugees, including *Women in Exile and friends*, *Corasol* and *International Women Space*, drew on the racializing impact of border regimes and their experiences of daily racism in Germany to make collective claims against border regimes. As I emphasized in the previous section, the position of non-citizens, as people who directly experience the racialization produced by border regimes, was collectively considered as the basis for making claims against border regimes.

Non-citizen activists frame border regimes not only as devices that contributed to their exclusion but also as devices that maintained structural inequalities at the global level. They pointed to the past and current forms of exploitation imposed by European countries on their

⁷² Ethnographic notes taken on 1 October 2018 and audio recording of the speech.

colonies and on post-colonial independent states to highlight the paradoxes of border regimes.

For example, Charles, an activist of *Corasol* from Cameroon, emphasized the impoverishment of African countries as one of the reasons pushing people to move and argued that this was the result of short-sighted and rapacious decisions considering the natural resources that many African countries possessed. He pointed to the responsibilities of Germany for the impoverishment of Cameroon:

Germany was the first country to colonize Cameroon. They colonized us for 35 years, from 1884 to 1919. They built the railway by relying on the forced labour of our ancestors, with a view to plunder our natural resources...gold, diamonds and oil.⁷³

The network *Welcome United* made references in its manifesto to the centuries of economic exploitation imposed by former colonial powers on their colonies and the underlying role of global injustices in pushing people to migrate. The manifesto emphasized:

For hundreds of years, some countries have robbed other countries' resources. Slave trade, natural resources, appalling labour and corrupt governments. The wealth of the west is built upon exclusion and exploitation. Europe continues to export a rampant predatory capitalism which kills every day. People escape to Europe because they are left with nothing and want to save their lives.⁷⁴

⁷³ Interview with Charles, 16 August 2018.

⁷⁴ The manifesto of *Welcome United* is accessible here: <https://www.welcome-united.org/en/charta-2/>.

In protests, self-organized groups of refugees often mentioned the arms trade,⁷⁵ which ties European countries to their former colonies and other countries of the global South, as one of the mechanisms through which Europe fuels the causes for fleeing. In the context of the bus tour “Women breaking borders”, which took place in July and August 2018 and part of which I attended, activists who engaged with *Women in Exile and friends* drew on existing neocolonial ties and the arms trade to formulate claims that laid bare the contradictions of the current enforcement of border regimes. For example, in the context of the protest staged in front of the Federal Office for Migration and Refugees (BAMF, *Bundesamt für Migration und Flüchtlinge*) in Nuremberg on 27 July, Julia, an activist from Kenya, stressed in her public speech:

Before you make decisions to deport us to our countries, first look at the treaties that your government signs with our countries. Before you decide to deport us to our countries, stop exporting war weapons to our countries. [...]. We are not the problem, the problems are the laws you make [...] Stop making those treaties with our countries, stop exporting those weapons and benefiting financially from it.⁷⁶

In the context of protests and public events, the group *Corasol* pointed to the use of the currency CFA franc in 14 countries in West and Central

⁷⁵ Between 2013 and 2017, Germany was the fourth biggest arms exporter in the world, after the United States, Russia and France. Its biggest clients were South Korea, Greece and Israel. 8.4% of German arms exports were directed towards African countries. In the same period, the European Union as a whole was the second biggest arms exporter, with 27% of the global share of arms exports, after the United States (34% of the global share).

https://www.sipri.org/sites/default/files/2018-03/fssipri_at2017_0.pdf.

⁷⁶ Ethnographic notes taken on 27 July 2018.

Africa as a legacy of the French colonization. For example, on 20 March 2018, they organized a public talk and discussion, which I attended, where an activist presented the consequences of the “colonial currency”. In particular, he focused on the impossibility for those countries which maintained the CFA franc, which France had introduced in its colonies in 1945, to design their own monetary policies as the currency is pegged to the Euro and the CFA franc is guaranteed by the French Treasury.⁷⁷

Activists who mobilized in self-organized groups of refugees framed border regimes as devices that contributed to the racialization of non-citizens and that maintained the colonial system of inequalities in a post-colonial global setting. These two aspects are crucial components of the anti-racist collective identity of self-organized groups of refugees, which was collectively shared by both citizen and non-citizen activists.

In 2018, I observed that anti-racism acquired wide resonance within the movement also because of the political context. Anti-migrant and anti-refugee movements and parties had been steadily growing in the years preceding 2018 and had succeeded in recruiting supporters by proposing xenophobic and racist frames and presenting migrants and refugees as a threat to security, social welfare and cultural identity (Rucht, 2018). Several events that occurred in 2017 and 2018 sharpened the concerns about the rise of populist radical right parties (Muis & Immerzeel, 2017). These events included the success of the populist radical right party Alternative for Germany (AfD), which had entered the Federal Parliament following the elections held in September 2017 with 12.6% of the votes (Lees, 2018). Moreover, Horst Seehofer of the Christian Social

⁷⁷ Ethnographic notes taken on 21 March 2018.

Union (CSU), who formerly was the Minister-President of Bavaria and who was known for his strong anti-migration positions (Barker, 2017), was appointed Federal Minister on 14 March 2018. In particular, the social movement organizations in which I participated contested several of the new proposals that were included in the governmental coalition agreement which paved the way for the appointment of a coalition government between the conservatives (CDU–CSU) and the social democrats (SPD).⁷⁸ Furthermore, in summer 2018, the Italian government imposed restrictions on search and rescue operations in the Mediterranean Sea which had an impact on German non-governmental search and rescue organizations.⁷⁹

On 20 June, several GROs made speeches in front of the Federal Parliament building in the context of the protest against the new proposed policies included in the coalition agreement that harshened border regimes. In particular, they harshly criticized the establishment of a new model for reception centres for asylum seekers in Germany (the

⁷⁸ An English translation of the main proposed measures can be found here: <https://oplatz.net/wp-content/uploads/2018/03/GermanyGrandCoalition-Migration-English-Deutsch.pdf>.

⁷⁹ On 1 June 2018, a new coalition government between the populist radical right League and the anti-establishment Five Stars Movement took power in Italy following the general elections held on 4 March. The new Italian government relinquished the leading role that Italy had assumed to date to coordinate search and rescue operations in the central Mediterranean Sea and adopted a new policy refusing disembarkation of rescue vessels, in particular those operated by NGOs. As a result, on 10 June, Italy refused the disembarkation of the rescue vessel Aquarius, operated jointly by the NGOs SOS Méditerranée and Doctors Without Borders, which carried 630 rescued people at that point. Malta equally refused to disembark the vessel, which finally reached Valencia on 17 June after the newly-elected Spanish government offered permission to disembark. Several other NGO vessels were refused permission to disembark and were left stranded at sea for days. Moreover, prosecuting authorities in Italy and Malta opened multiple cases against search and rescue NGOs, which had the effect of blocking search and rescue operations by NGOs. As a result, the number of people who died in the Mediterranean Sea increased by around 51% in 2018, when 391 people drowned compared to 259 in 2017. As the number of migrants and refugees reaching Italy plummeted from 119,369 in 2017 to 23,370 in 2018, this means that the death rate of people crossing the Mediterranean increased from one in 464, in 2017, to one in 60, in 2018.

so-called Anker centres) and the limitations on family reunification. Several speakers targeted directly the Minister of Interior, Horst Seehofer, and accused him of fuelling racism. Joanne said on behalf of *International Women Space*:

We don't know yet the complete plan of Mr Seehofer but we know his intentions. He wants to spread the Anker centres throughout the country, he wants to be remembered as a macho man who brought back Germany to order, he has a right-wing agenda which is racist, sexist and misogynist.⁸⁰

Self-organized groups of refugees and other GROs in which I participated embraced the struggle against the populist radical right. Larger networks and coalitions were also concerned with the rise of the populist radical right. The organizers of the *Welcome United* anti-racist march, which took place on 30 September 2018 in Hamburg, referred to the rise of racism in Germany. The call published by *Welcome United* ahead of the march referred to the 2,200 racist crimes that had targeted refugee shared accommodation in 2017 and the electoral success of Alternative for Germany.⁸¹

In interview, Ester, one of the activists who regularly attended the coordinating meetings held by *Welcome United* at the national level, explained to me that the network had decided to highlight more prominently the rise of racism in the call for the 2018 march because of

⁸⁰ Ethnographic notes taken on 20 June 2018.

⁸¹ The manifesto of *Welcome United* is accessible here: <https://www.welcome-united.org/en/charta-2/>.

the political developments that had happened during the year. *Welcome United* published four specific demands ahead of the march, two of which referred to those developments; they are the deaths in the Mediterranean sea and the appointment of Seehofer as Minister of Interior:

In the Mediterranean, Europe shows that human dignity and human rights apply only to those who have a European passport or the right skin colour. Europe is murdering in the Mediterranean and criminalizing solidarity. [...] We call on all city governments to create solidarity-based cities and safe havens and to counterbalance the right-wing governments of Europe. [...] Racism is a system. It pervades the state, the authorities, the police. We demand to be protected – and will have to protect ourselves within our structures of solidarity. We demand the resignation of Federal Interior Minister Seehofer and the dissolution of the Federal Office for the Protection of the Constitution.⁸²

The opposition to racism and the rise of populist radical right parties provided the frames and discourses for larger mobilizations that included very diverse actors. In summer 2018, an association of lawyers, the *Republican Lawyers' Association* (RAV)⁸³, took the initiative to launch a new alliance of groups with a view to organizing a demonstration in Berlin. Dozens of SMOs and individuals signed the call for the march organized on 13 October in Berlin under the motto “*Unteilbar*”

⁸² The main demands of Welcome United are available here: <https://www.welcome-united.org/en/demands/>.

⁸³ RAV, *Republican Lawyers' Association* (*Republikanischer Anwältinnen- und Anwälteverein*) is an association of lawyers founded in 1979 to protect and defend human rights. More information is available here (in German): www.rav.de

[Indivisible].

Apart from GROs that opposed border regimes, such as *Women in Exile and friends*, *Corasol*, *Seebrücke*, *Welcome United* and *International Women Space*, a broad spectrum of different organizations subscribed to the call. They included human rights organizations such as *Amnesty International* and *Pro-Asyl*, humanitarian organizations such as *Caritas Berlin* and *Diakonie Germany*, trade unions such as the *German Organization of Nursing Professionals* (DBfK) and *Ver.di*, LGBTI groups and other organizations representing specific groups such as Muslims and Sinti and Roma.

The activists who mobilized with *Borderline Europe* often discussed the preparation for the protest *Unteilbar* during the fortnightly meetings in which I participated. Some of the activists who mobilized with *Borderline* including Katya, had connections with the association of lawyers who had taken the initiative to launch *Unteilbar*. In September, I discussed with Katya about the coalition *Unteilbar*. I asked her the reasons behind the launch of the initiative. She explained:

The lawyers at RAV were saying that it was enough, that there was too much racism and that right-wing views became part of the mainstream. There have always been sectors of the society holding extreme views on the left and on the right but now it has become normal to go to an event, to a TV show and to promote far right ideas. They wanted to do something against this and they came up with the idea of a big demonstration supported by a broad network.⁸⁴

⁸⁴ Interview with Katya, 21 September 2018.

The call for the protest *Unteilbar* referred to the political shift that was occurring in 2018 and the rise of populist radical right parties. The call framed racism and discrimination as mainstream, socially-accepted phenomena:

A dramatic political shift is taking place: racism and discrimination are becoming socially acceptable. What yesterday was considered unthinkable and unutterable has today become a reality. Humanity and human rights, religious freedom, and the rule of law are being openly attacked. This is an attack on all of us. We will not allow the welfare state to be played off against asylum and migration. We will stand in resistance when fundamental rights and freedoms are in danger of being further restricted.⁸⁵

As I discussed earlier in this section, self-organized groups of refugees framed border regimes as devices that contribute to the racialization of non-citizens and that maintain inequalities at the global level. Self-organized groups of refugees and other grassroots organizations (GROs) in which I participated also embraced an anti-racist identity oriented towards opposing the populist radical right. Larger networks such as *Unteilbar* espoused this latter understanding of anti-racism: they identified specific movements and parties, in particular Alternative for Germany (AfD) but also the newly appointed Minister of Interior, as the main source of the problem as they succeeded in imposing their racist, anti-refugee frames in mainstream sectors of society and political parties.

⁸⁵ The call for the protest *Unteilbar* is available here: <https://www.unteilbar.org/aufruf/sprachen/aufruf-englisch/>.

Contrary to self-organized groups of refugees, *Unteilbar* did not frame border regimes as devices that preserved the colonialist legacy.

The anti-racist identity oriented towards opposing the populist radical right facilitated the establishment of wider alliances. However, as we shall see, *Unteilbar* formulated less radical claims to border regimes than those grounded in the experiences of racialized non-citizens that were promoted by the GROs in which I participated.

3.5 Multiple grievances, alliances and organizational forms

In the previous sections, I analysed the multiple anti-racist collective identities of the movement opposing border regimes. In this section, I pursue the analysis of the multiplicity of the movement by exploring the diversity of the social movement organizations that opposed border regimes in terms of the grievances that they formulated as well as the organizational forms that characterized them.

As I discussed in Chapter 1, the notion of social movement is premised on the idea of networked actors that share grievances, orientations of actions, strategies and collective identities. Differences among social movement organizations, in particular different grievances, can give rise to identity boundaries within a movement, which are important in the context of my thesis because identity boundaries may be associated with a different interpretation and use of human rights. As we shall see, different organizational forms are connected with divergent choices in terms of strategies and tactics, different interpretations of the most problematic aspects of border regimes and, ultimately, different approaches to human rights.

Border regimes are complex institutions that include several dimensions of exclusion and are upheld by both national institutions and supranational ones, in particular the European Union. In the context of my participant observation and interviews, activists made references to different dimensions of border regimes that the SMOs in which they mobilized were opposing. They sometimes drew a distinction between those social movement organizations opposing the European dimension of border regimes and those contesting the domestic aspects of border regimes. For example, in interview, I asked Dana, a German activist, about the differences, in her view, between *Borderline Europe* and *Welcome United*. I sought to explore the different orientations of the grievances of the two SMOs with Dana as she mobilized with both. She was one of the co-founders of *Borderline Europe* and she had joined the Berlin branch of *Welcome United*, the *Community Carnival* in 2017, when they had organized the first anti-racist march.

Dana explained that *Borderline Europe* was mainly composed of German and European activists while *Welcome United* was more mixed as non-citizen activists mobilized together with German activists. Furthermore, Dana emphasized the different focus of the grievances of the two social movement organizations. She stressed:

Borderline focuses on the topic of sea rescue. We had a tradition of working in international networks before *Borderline*, we were already connected to people in Lesbos and Italy. When we founded *Borderline* in 2007, we tried to focus on the European Union's policies in the area of migration and asylum while anti-racist groups

were focusing more on domestic asylum issues. We had the impression that we had to understand the external borders.⁸⁶

When I asked about the main focus of the *Community Carnival*, she emphasized mainly the negative experiences that non-citizens lived in Germany because of border regimes: “For the Carnival, it’s breaking isolation, getting out of the lager [refugee shared accommodation] and being visible, showing other perspectives of how the society could be, how to live together, how to work together.”⁸⁷

In the context of my participation in the daily activities of SMOs, I observed the different focus of grievances that Dana mentioned in interview. I noticed that some social movement organizations oriented their grievances towards the European dimension of border regimes while others opposed the living conditions in shared accommodation or deportations, which were realities that non-citizens experiences in Germany.

The activists whom I met were aware of the increasingly crucial role that the European Union had assumed in the last 20 years to uphold border regimes. The European Union became one of the main targets of the claims made by activists and groups against border regimes, as we shall see in Chapter 4. Some of the social movement organizations in which I participated, such as *Borderline Europe*, contested in particular the role of the European Union in shaping border regimes. As Dana suggested, since its foundation,⁸⁸ *Borderline Europe* had challenged several aspects

⁸⁶ Interview with Dana, 18 July 2018.

⁸⁷ Interview with Dana, 18 July 2018.

⁸⁸ As I discussed in Chapter 2, *Borderline Europe* was established in 2007 when three crew

of the European border regime; these included the rule according to which individuals must claim asylum in the first country where they entered the European Union (Dublin Regulation),⁸⁹ the increasing role of FRONTEX (the EU Border and Coast Guard Agency) and the criminalization of search and rescue NGOs resulting in prosecutions of activists and administrative barriers for NGOs.

Berlin-based non-governmental search and rescue organizations such as *Sea-Watch*, which had been carrying out search and rescue operations in the Mediterranean Sea since its foundation in 2015, likewise interpreted European aspects of border regimes as their main grievances. In interview, Carmen and Robert, two activists of *Sea-Watch*, explained that their claims mostly challenged specific aspects of the European border regime, in particular the Dublin Regulation. Robert emphasized the latter as a specific aspect of the Europeanization of border regimes:

We oppose the Dublin III [Regulation] as it results in the blockage of search and rescue ships because people are not distributed within the EU. We ask the European Union to distribute people fairly [...] because we believe they have the right to ask for asylum here, we believe that there should be legal access to make use of that right.

members of the rescue ship *Cap Anamur* were tried in Italy after they had rescued a refugee boat and saved 37 people in 2004.

⁸⁹ The Dublin Regulation established the responsibility for assessing asylum applications among EU countries. It sets out several criteria for establishing responsibility including for minors, family members of beneficiaries of international protection and “irregular” entry. The rule, except for minors and family members of beneficiaries of (or applicants for) international protection, is that the first country of entry into the European Union is responsible for assessing the asylum claim of individuals who entered the EU “irregularly”. The Regulation 604/2013 (Dublin III) is accessible here: <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32013R0604> .

We have always been saying that we understand that Italy is under a lot of pressure geographically because it is the place to disembark and we have always called for a fair distribution within the EU.⁹⁰

Seebrücke, which emerged in July 2018 to contest the restrictions on search and rescue operations that I discussed in the previous section, likewise formulated claims that mostly opposed the European dimension of border regimes and that focused on the availability of legal and safe passages for refugees to reach Europe and the end of the criminalization of sea rescue.⁹¹

Other social movement organizations in which I participated focused on what Dana referred to as “domestic aspects of border regimes”. These aspects comprise German policies regarding the asylum processes, including the establishment of shared accommodation for refugees and a system for deporting those whose applications are rejected. In particular, some of the social movement organizations that opposed border regimes in 2018, such as *Corasol*, *Women in Exile and friends* and *Lager Mobilization Network Berlin*, interpreted the existence of camps or *Lager*, that is, shared accommodation for refugees, as one of their main grievances. The shared grievance regarding camps was connected with their anti-racist identity. *Lager Mobi* for instance conceived camps as part of a system that racializes and controls non-citizens.⁹²

The multiplicity of grievances did not prevent social movement

⁹⁰ Interview with two activists of *Sea-Watch*, 7 August 2018.

⁹¹ Further information about *Seebrücke* is accessible is: <https://seebruecke.org/wir/>.

⁹² See “Was ist ein Anker/what is an Anker” published by *Lager Mobilization Network Berlin* on 15 May 2018 and available here: <https://oplatz.net/was-ist-ein-anker-what-is-an-anker/>.

organizations establishing ties and alliances. Alliances among social movement organizations do not always entail similar identities and strategies; the multiplicity of the movement against border regimes that I am exploring in this chapter implies that ties and alliances coexisted with differences in grievances, claims and strategies. For example, *Borderline Europe* organized a demonstration with *Corasol* and *Family Life for All* on 20 June in front of the Federal Parliament to oppose the new migration and asylum policies supported by the Minister of Interior, Horst Seehofer. In this context, *Borderline Europe* made claims opposing the new concept of all-encompassing reception centres, the so-called Anker centres where asylum seekers had to spend up to 24 months until the assessment of their application.⁹³ The primary European focus of the grievances of *Borderline Europe* did not prevent them from formulating grievances against an aspect of border regimes shaped by German policies and contributing to the racialization of non-citizens in Germany.

Conversely, in November 2017, *Corasol* staged a demonstration together with *Borderline Europe* and another SMO, the *Initiative against the EU Border Regime*, to oppose the EU agreements with third countries and the planned establishment of hot-spots in third countries such as Niger.⁹⁴ The primary focus of *Corasol*, that is combating racism and the realities produced by border regimes in Germany, did not prevent them from formulating claims against the European dimension of border regimes.

⁹³ Ethnographic notes taken on 21 June 2018 and audio recording of the speech made by activists on behalf of *Borderline Europe*.

⁹⁴ More information about the protest can be found here (in German): <https://www.borderline-europe.de/bildarchiv/demo-gegen-errichtung-sogenannter-hotspots-im-niger>. More information about the externalization of EU borders in Niger and other third countries can be found here: <https://privacyinternational.org/news-analysis/3224/new-report-underlines-eus-strategy-war-migration-border-externalisation>.

The ties among SMOs that oriented their grievances towards different dimensions of border regimes have also been facilitated by the non-hierarchical and horizontal organization form that characterized, for example, *Corasol* and *Borderline*. As discussed in Chapter 1, ties and alliances are indeed associated with similar tactics, collective identities and/or organizational forms. The social movement organizations that I studied in the context of my fieldwork had different organizational forms. These organizational forms included self-organized groups of refugees, other grassroots organizations, large human rights organizations, humanitarian search and rescue organizations, networks of organizations, and individuals.⁹⁵ Specific organizational forms can have an impact on collective identities, and may be associated with a different interpretation and use of human rights.

In interviews and daily activities of social movement organizations, activists referred to the grassroots organizations (GROs) in which refugees had a frontline role as “self-organized groups of refugees”. These groups included *Women in Exile and friends* and *Corasol*. In these GROs, activists intended to put in place horizontal collective structures to oppose border regimes. Through my participation in the weekly meetings of *Corasol* between February and November 2018, I observed for example that activists took turns to ensure moderation and minute-taking and that decisions were taken by majority vote at the meetings.

Although both *Women in Exile and friends* and *Corasol* were GROs, they differed in terms of staff members and funding. While *Women in Exile*

⁹⁵ As I explained in Chapter 2.5, I decided to carry out participant observation in self-organized groups of refugees and other GROs in view of my interest in the construction of human rights by subaltern groups through approaches from below.

and friends employed four part-time staff members and had a permanent office, *Corasol* was entirely composed by volunteers and did not have office premises. Other social movement organizations were characterized by a grassroots structure, in particular because they were composed of volunteer activists and did not have a steady source of funding. These SMOs included for example *Family Life for All*, where both Syrian and German activists mobilized, and the *Alliance for the Unconditional Right to Stay*, a group composed of German activists.⁹⁶

In interviews, some activists who mobilized with *Borderline Europe* described their SMO as a small NGO and some others as an “activist group” as they were sceptical of NGOs. One activist described it as a “radical left group” which attempted to reach out to the broader society. *Borderline Europe* had four staff members, a permanent office and various sources of funding, including from the EU. In interviews, activists who mobilized with *Borderline Europe* often referred to the non-hierarchical structure of the SMO and the collective decision-making in the context of their fortnightly meetings. Through my participation in the meetings of *Borderline Europe*, I observed that while decisions were taken in the context of those meetings, staff members inevitably followed the initiatives promoted by the organization more closely and made most of the suggestions regarding the work plan of the organization.

Other SMOs, such as *Welcome United*, the *Alliance against Deportations* and *Solidarity City*, were networks of different social movement organizations. The *Alliance against Deportations* was an informal

⁹⁶ See chapter 2.3 for further information about organizational form as a criterion for sampling the SMOs under the focus of my participant observation.

network of GROs. *Welcome United* was a network of dozens of SMOs, which contributed to organizing the anti-racist marches in Berlin and Hamburg in 2017 and 2018 respectively. *Seebrücke* was a network of individuals which set up groups in many different cities.

The other SMOs that I liaised with were mainly NGOs; they included for instance *Amnesty International*, search and rescue NGOs such as *Sea-Watch*, and the *Berlin Refugee Council*. While the structures of those NGOs may differ, they all had several paid staff members, including communication and advocacy officers, permanent offices and a vertical decision-making structure.

Examining the relations and ties among SMOs, including between GROs and NGOs, is important as they may point to commonalities and divergences regarding grievances, beliefs or strategies. As I discussed in Chapter 1, weaving ties and alliances may involve a process where collective identities take shape and where specific interpretations and understandings of human rights can emerge. Many of the social movement organizations mentioned above, including NGOs and GROs, were networked together and carried out joint actions. For example, the call for the demonstration organized by *Stop Deportation Group* on 11 February 2018 against all deportations was supported by nine other groups including the *Alliance for the Unconditional Right to Stay*, *Borderline Europe*, *Corasol*, *Welcome United Berlin* and *Women in Exile and friends*. The anti-racist march organized by *Welcome United* in Hamburg on 30 September 2018 attracted the participation of hundreds of SMOs including search and rescue organizations, self-organized groups of refugees and most of the GROs which I studied in the context

of my fieldwork.⁹⁷

Social movement organizations that embraced a different organizational form were networked together and participated in joint collective actions. This applies in particular with self-organized groups of refugees and GROs. However, I noticed that there seemed to be fewer ties and connections between self-organized groups of refugees, other GROs and large human rights NGOs such as *Pro-Asyl* and *Amnesty International*. For example, I noticed that while *Amnesty International*'s activists participated in the protests organized by *Seebrücke* on 2 September and the coalition *Unteilbar* on 14 October,⁹⁸ they were not present in the other protests that I observed. Neither *Pro-Asyl* nor *Amnesty International* joined the call for the anti-racist march organized by *Welcome United* in Hamburg on 30 September.

In interviews, activists who mobilized with self-organized groups of refugees and other GROs expressed scepticism towards human rights organizations. In particular, some activists were unsure as to whether they considered those organizations as part of the same movement contesting border regimes. Ester, an activist with the network *Welcome United*, emphasized the position that human rights organizations occupied in the movement against border regimes. She said:

Those institutions [human rights NGOs] follow a different kind of logic; they have to argue in a certain way not to lose their supporters because they rely on them financially...*Pro-Asyl* or *Amnesty*

⁹⁷ More information about the protest can be found here: <https://www.welcome-united.org/en/trucks-2/>.

⁹⁸ Ethnographic notes taken on 3 September and 15 October 2018.

International are on the periphery of the movement, some individuals who are part of the movement engage with those institutions.⁹⁹

In interview, Sabrina, who mobilized with *Borderline Europe*, hinted at a crucial identity boundary: “Human rights NGOs are strictly attached to the concepts of human rights and nation states. They don’t challenge the idea of the right to asylum. I wouldn’t include them in the movement I am part of.”¹⁰⁰ As we shall see, the boundary that Sabrina referred to is crucial to understand the interplay between the mobilization against border regimes and the construction of human rights.

In this section, I explored the multiplicity of social movement organizations in terms of the orientations of their grievances and organizational forms. A specific focus of grievances was a component of the collective identities of each social movement organization. For example, focusing on EU external border regimes was a collective identity characteristic of *Borderline Europe*, and opposing camps was a collective identity characteristic of *Women in Exile and friends* and *Lager Mobi*.

The social movement organizations that I studied are very diverse in terms of organizational forms. Some SMOs are professional organizations with a vertical decision-making structure and regular funding; these SMOs are NGOs. Others are horizontal, grassroots organizations in which decision are taken collectively. Some of the

⁹⁹ Interview with Ester, 11 September 2018.

¹⁰⁰ Interview with Sabrina, 18 July, 2018.

SMOs that I liaised with were networked despite their different organizational forms. Others did not appear to form alliances on a regular basis. In particular, from my observations, human rights NGOs did not often seem to join the collective actions that other social movement organizations organized. In interviews some activists perceived NGOs either “at the periphery” of the movement opposing border regimes or not part of the same movement. As we shall see, NGOs and GROs also embraced a different approach to human rights.

CONCLUSIONS

In this chapter I set the scene for my analysis of the interplay between the mobilization against border regimes and human rights by presenting the movement opposing border regimes through the idea of multiplicity. Multiple collective identities, dynamics, imbalances, grievances and organizational forms overlapped, intersected and made the movement against border regimes a fuzzy, challenging and fascinating field to study.

As we shall see, the multiple positionalities of activists in the struggle against border regimes, racial and citizenship status differences, and the specific organizational forms of the many social movement organizations that were part of the movement were associated with a multiple and complex use and interpretation of human rights.

In this chapter I set out to analyse the multiplicity of the movement against border regimes in 2018 by referring to *Oranienplatz* as my starting point. I was inspired by the references that the activists whom I met often made to *Oplatz*, which made me reflect on the legacy of the

protest camp. I did not choose to give an account of the activists' interpretations of the mobilization associated with *Oplatz* with a view to comparing it with the struggle against border regimes in 2018. I initiated my analysis by referring to *Oplatz* because the activists' construction of that movement as a refugee movement or a movement led by refugees provided me with a key opportunity to explore the multiplicity of collective identities in 2018.

I analysed the role of refugee* activists in the movement against border regimes that I observed.¹⁰¹ I emphasized that both citizen and non-citizen activists shared the understanding that refugees* should have a frontline role in the struggle against border regimes. They collectively interpreted the role of refugees* in *Oplatz* as a leading one and they believed that refugees* should continue being the main political actors of the struggle against border regimes. However, activists perceived that the movement in 2018 was less unified than during *Oplatz* and that refugees* had a less prominent role in the struggle. I observed the multiplicity of the social movement organizations, alliances and coalitions that opposed border regimes in 2018 and I noticed that some of the largest ones, such as *Unteilbar* or *Seebrücke*, were not led by refugees*. Their claims against border regimes, as we shall see, are not grounded in the experiences of racialized non-citizens. Moreover, I pointed out that in some instances, the citizen activists who mobilized in those coalitions continued to be concerned about the role of refugees* in the struggle and sometimes reached out to self-organized groups of refugees to promote their participation.

¹⁰¹ As emphasized in the conceptual roadmap in the introduction to this thesis, in these concluding remarks I make use of the term refugee*/refugees* to emphasize that the construction of the notion of refugee within the movement went beyond the legal definition of refugee.

The construction of the role of refugees* in the struggle against border regimes as a frontline one also implied reflecting on the role of citizen activists, in particular in GROs in which citizen and non-citizen activists mobilized together. Race and citizenship status shaped identities and structural imbalances among activists. Activists shared the view that the struggle against border regimes had to be grounded in the negative experiences that refugees* faced. However, the dominant social position of German activists, which also implied a better knowledge of the German bureaucracy and language, resulted in them occupying prominent roles. While some citizen activists identify themselves as supporters in a struggle which had to be led by refugees*, some others viewed the supporting role as too comfortable and limited.

The multiplicity of the movement was associated with overlapping collective identity processes. In this chapter, I emphasized the multiple anti-racist collective identities at the movement level. Self-organized groups of refugees* and other GROs framed border regimes as devices that contributed to the racialization of non-citizens and that maintained historical and structural inequalities along the lines of race and citizenship status. Larger coalition embraced an anti-racism oriented towards the opposition to the populist radical right.

In 2018, the anti-racist identity oriented towards opposing the populist radical right facilitated the establishment of larger coalitions where very diverse social movement organizations participated. The coalition *Unteilbar*, for example, embraced an anti-racist identity premised on the rise of populist radical right parties and movements. As we shall see, the

anti-racist identity of self-organized groups of refugees* was associated with their opposition to legal hierarchies and to the legal notion of refugee, and with an interpretation of human rights conceived as aspirations for global justice.

In this chapter I also analysed the multiplicity of the movement in terms of grievances and organizational forms. I emphasized that activists shared an understanding of the orientation of their grievances towards specific dimensions of border regimes. These dimensions included the Europeanization of border regimes and the impact of border regimes on non-citizens in Germany. The focus of their grievances was a component of the collective identity shared by activists within the social movement organization in which they mobilized. These multiple collective identities coexisted with ties and alliances that bound together SMOs that focused their grievances on different dimensions of border regimes. In contrast, SMOs characterized by different organizational forms did not always establish ties and alliances. In particular, human rights NGOs, such as *Amnesty International*, rarely participated in alliances with self-organized groups of refugees* and other GROs. As we shall see, collective identity boundaries existed among social movement organizations characterized by different organizational forms and were associated with different interpretations of human rights.

CHAPTER 4. MULTIPLE LAYERS OF ACTION: VISIBLE AND SUBMERGED MOBILIZATION

Robert, a Cameroonian 27-year-old man, is a professional boxer who trains every day in the neighbourhood of Wedding where he lives. He is tall, muscled and often wears his dreadlocks in a loose ponytail.

Although he often tells me about his boxing training, I do not perceive him as a boxer. While I probably associated boxing with rough edges, Robert usually smiles and has sweet eyes.

I met Robert in February 2018 in the context of one of the first meetings of *Corasol* that I attended. Robert had been mobilizing with *Corasol* for over a year. I often felt moved when Robert recounted his past and, more specifically, his ordeal to reach Europe. He had a melancholic gaze and usually spoke in short sentences interrupted by long breaks. For several weeks after our first encounter, he insisted on using the polite form when he spoke to me in French, despite my repeated request to address me informally. I often teased him by emphasizing that I was not that much older than him after all.

At the end of February 2018, I attended the screening of the film “Those who Jump” in Zielona Gora, a venue in Friedrichshain. The activists of *Corasol* organized a public event in Zielona Gora on a monthly basis. Activists cooked and served a vegetarian meal in exchange for a donation, a concept known as KüFa (*Küche für alle*/kitchen for all), and

organized a discussion or a screening. After the screening of “Those who Jump”, Robert and I discussed with one of the directors of the film, a Malian man who had shot the movie while living in the woods on the Moroccan side of the fence separating Morocco and the Spanish enclave of Melilla. During the discussion, Robert said that the film was a genuine portrayal of the experiences of those who, like himself, had jumped the fence to reach Europe.¹⁰² On that day, I purposefully used the polite form to address him, which turned out to be an effective reminder; he smiled and reassured me that he had got the message.

On 10 March, I travelled to Cottbus, a city in Brandenburg, with Robert and with other activists of *Corasol*. We attended the protest that *Women in Exile and friends* had organized for International Women’s Day to oppose the rise of racism and racist violence in the city. After marching through the city, we gathered in the main square where a meal was served. Robert asked about my thoughts on the protest. I told him that I had found it powerful despite the modest attendance. The protest had indeed been attended only by a few hundred people. When I returned the question, he emphasized that giving voice to concerns publicly was for him an effective way to cope with stress and anxiety.

While waiting for the train back to Berlin, I sat in a cafe in the station with Robert, Bastian and Manuel, two other Cameroonian activists of *Corasol*. They all shared a big bread loaf with raisins while I was having coffee. Robert suddenly stated that he could not drink coffee any more. He explained that he used to drink a lot of coffee with glue and to smoke

¹⁰² A review of the film can be found here: <https://www.hollywoodreporter.com/review/who-jump-les-sauteurs-berlin-866147>.

weed before attempting to jump off the fence in Melilla. Robert said with a blank stare on his face: “I couldn’t see anyone in front of me even though there were more than 200 people. I could just see the fence in front of me.” Manuel smiled incredulously and asked with a feeble voice: “You couldn’t see anyone?!” Robert reiterated: “I could just see the fence in front of me.”¹⁰³

I remained speechless. I still feel destabilized nowadays, two years after, when I recollect that conversation.

In the context of the weekly meetings of *Corasol*, Robert repeatedly broached the difficulties in obtaining a residence permit in Germany. He held a precarious legal status, a temporary ban on deportation (*duldung*) that had to be renewed on a regular basis and exposed him to the risk of deportation.¹⁰⁴ He often asked for support and advice from the other members of *Corasol*. The toll that border regimes had on Robert’s daily life did not prevent him from attending protests and engaging in the multiple collective actions that *Corasol* organized during my fieldwork.

When we met for an interview in the Laidak cafe in Neukölln, two streets away from where *Corasol* met every week, Robert told me that he had learned a great deal because of his mobilization with *Corasol*. He pointed out:

After joining *Corasol*, I learned that I had rights, that I could claim them and that I could fight against those who denied my rights. I know that political interests produce injustice and that it is difficult

¹⁰³ Ethnographic notes taken on 10 and 11 March 2018.

¹⁰⁴ See chapter 5.1 for more information on legal status categories in Germany.

to claim rights. I see my activism as part of a collective rising to change things.¹⁰⁵

Robert's comment about the association between mobilization and awareness of rights – as well as his reflections about the benefits of participating in protests – were thought-provoking. They made me reflect about the entanglement of different layers of mobilization, including visible protests and less visible collective actions.

In this chapter, I examine the relationship between the mobilization opposing border regimes and the state. This is crucial to understand the approaches of grassroots social movement organizations to human rights. More specifically, this chapter explores how notions of human rights are constructed in relation to the state. Notions of rights are not ready-made tools available to non-citizens to make their claims to state institutions as guarantors of rights. Submerged forms of mobilization crucially enable non-citizens to make claims and to participate in visible collective actions. As we shall see in this chapter, the activists who mobilized with GROs believed that visible protests were necessary to make their claims visible to the state and to society at large. Activists shared the understanding that refugees should have a frontline role in the struggle against border regimes, including in visible protests. However, non-citizens living in shared accommodation faced barriers to mobilization. They often had to grapple with all the negative consequences that border regimes had on their daily lives and often experienced stress and anxiety. As we shall see in this chapter, submerged forms of mobilization contributed to breaking the isolation of non-citizens, raising awareness of their rights and sustaining the mobilization over time. I analyse if these

¹⁰⁵ Interview with Robert, 17 August 2018.

submerged layers of mobilization are instances in which GROs build notions of human rights autonomously from the state, in ways that transcend the role of the state in upholding human rights. This is a crucial aspect to understand the approaches to human rights that GROs follow.

In this chapter, first I analyse the visible forms of mobilization in which the GROs under the focus of my participant observation engaged. As we shall see, state institutions were important, albeit not the only, targets of claims formulated in the context of visible protests. Second, I analyse two forms of submerged mobilization: the outreach initiatives in shared accommodation and the solidarity ties that citizen activists interwove with non-citizen activists.

This chapter emphasizes that social movement organizations and activists did not conceive human rights only as frames to formulate their claims while engaging in visible, state-oriented forms of mobilization.

Submerged mobilizations and everyday activities are indeed replete with notions of human rights. The multiplicity of the movement discussed in the previous chapter also translated into multiple modalities through which human rights were constructed and multiple ways in which human rights inspired the mobilization against border regimes.

4.1 VISIBLE MOBILIZATION: THE OPPOSITION TO THE RISE OF THE POPULIST RADICAL RIGHT

The social movement organizations in which I participated organized and/or supported at least a dozen protests during the months of my fieldwork. Protests are tools available to social movement actors to give voice to their grievances and that are visible to other actors who are not involved in the movement.

In interviews, activists expressed varied opinions about the strategic choice to organize and participate in protests. One of the recurrent concerns that activists emphasized in interviews was what they perceived as the invisibility of some of the protests that they organized. As we shall see in this section, activists conceived visibility as the possibility for their grievances and claims to reach their targets, including state institutions but also society at large. In the second half of 2018, they referred to some of the new coalitions and networks that had recently emerged, in particular *Seebrücke*, as examples of protests that had obtained more visibility.

Activists interpreted visibility as crucial for counteracting the populist radical right; the opposition to the latter was a crucial aspect of anti-racist identities within the movement and bound together many diverse social movement organizations, as we discussed in the previous chapter. The activists who mobilized in the GROs in which I participated interpreted the visibility of protests as associated with attendance and media coverage.

In interviews, activists often considered the low attendance at some of the protests that they organized in 2018 as a crucial limitation of their collective action. For example, the protest organized on 20 June by *Borderline Europe*, *Corasol* and *Family Life for All* against the policies of Horst Seehofer, who was appointed as Minister of Interior in March, was attended by only a couple of hundred protesters. When I spoke to several activists who had been involved in the organization of the event, they emphasized that the protest did not attract media attention and was poorly attended, and thus remained invisible. They raised doubts as to whether staging protests was an effective repertoire. For example, Anne,

a *Corasol* activist who was involved in the organization of the protest on 20 June explained:

I don't know if organizing demonstrations is the best strategy...also in Berlin there are three demonstrations every day, the media are not so interested unless it's big. I go to demonstrations because I think it's better than doing nothing. I think it was important to do something on that day [20 June] because we had important things to say without letting other people speak for us.¹⁰⁶

In the second part of the year, new social movement organizations and coalitions organized larger demonstrations. For example, on 7 July 2018, *Seebrücke* staged a demonstration in Berlin which was attended by 12,000 people.¹⁰⁷ On 2 September, 16,000 people attended the protest organized by *Seebrücke* in Hamburg.¹⁰⁸ The protest *Unteilbar* took place on 13 October in Berlin and attracted more than 242,000 people.¹⁰⁹ In interview Fredrich, a German activist who mobilized with *Seebrücke*, considered the mobilization of *Seebrücke* as a turning point. He argued: “[The attendance at the protests shows that] more and more people were willing to speak out to support refugees [...] after right-wingers had dominated the political space for years.”¹¹⁰

¹⁰⁶ Interview with Anne, 29 August 2018.

¹⁰⁷ Further information about the protest can be found here (in German): <https://www.zeit.de/politik/deutschland/2018-07/fluechtlinge-seenotretter-demo-berlin-muenchen-bremen-leipzig>.

¹⁰⁸ Further information about the protest can be found here (in German): <https://www.zeit.de/gesellschaft/zeitgeschehen/2018-09/seebruecke-demonstration-seenotrettung-fluechtlinge-berlin-hamburg>.

¹⁰⁹ Further information about the protest can be found here: <https://uk.reuters.com/article/uk-germany-protests/united-against-racism-germans-stage-mass-protest-against-far-right-idUKKCNI MNOK1>

¹¹⁰ Interview with Fredrich, 2 October 2018.

The activists who mobilized in the social movement organizations in which I participated framed the emergence of *Seebrücke* and *Unteilbar* through the notion of visibility. I explored why they interpreted visibility as an important characteristic of those collective actions. Katya, an activist who took part in the preparation of the demonstration *Unteilbar* explained why attracting a high number of protesters, which was crucial for achieving visibility, was an essential objective for the organizers:

They thought we have to be big, we have to be broad otherwise no one would hear us. We have to show that the opposition is really widespread and that what's happening affects us all and that we are more than the right-wingers. We have to show that the majority is not thinking like the AfD [Alternative for Germany]. We have to show that there is a broad consensus on our demands, that we don't accept racism and right-wing positions. We want to mobilize people who normally don't go to demonstrations.¹¹¹

Anti-racism conceived as the opposition to the racist frames of the populist radical right was an important collective identity in 2018, as we discussed in the previous chapter. Activists framed visibility as intertwined with their anti-racist identity. They framed visibility as a tool to achieve social transformation. In particular, they conceived their collective actions as directed towards disrupting the social support for radical right populist movements and political parties that embraced racist frames and advocated for tighter border regimes.

GROs identified some state actors as responsible for the rise of anti-refugee politics. In particular, the GROs in which I participated targeted

¹¹¹ Interview with Katya, 21 September 2018.

Horst Seehofer, the former Minister-President of Bavaria and the leader of the Bavarian Christian Social Union (CSU), who was appointed as Minister of Interior, Housing and Homeland on 14 March 2018. The social movement organizations with which I liaised considered him as the embodiment of the political shift towards radical right populism. He was often blamed for his anti-refugee positions, which activists conceived as a strategy to tap into the electorate of Alternative for Germany (AfD).

For example, in April 2018, in the context of the first preparatory meeting for the protest that took place on 20 June that I mentioned earlier, the activists who mobilized with *Borderline Europe*, *Corasol* and *Family Life for All* interpreted the new policies proposed by the government as a source of grievance and identified the Minister of Interior as the primary target of their blame. The governmental coalition agreement that had paved the way for the appointment of a new government in March 2018, and of Horst Seehofer as Minister of Interior, set out to restrict family reunification and to establish new multi-functional reception centres, the so-called Anker centres.¹¹² The three social movement organizations drafted a call for mobilizing against the “inhumane asylum politics”, which stripped refugees of their rights and worsened their living conditions.¹¹³

On the day of the protest, the social movement organizations which

¹¹² The establishment of Anker centres was one of the measures foreseen by the new coalition government which was appointed in March 2018. Further information about the Anker centres is available here: https://www.asylumineurope.org/sites/default/files/anker_centres_report.pdf. See also: “Was ist ein Anker/what is an Anker” published by Lager Mobilization Network Berlin on 15 May 2018 and available here: <https://oplatz.net/was-ist-ein-anker-what-is-an-anker/>.

¹¹³ Ethnographic notes taken in March and April in the context of my participation in the preparatory meetings for the protest of 20 June 2018.

participated made speeches that largely put the blame on the Minister of Interior for proposing policies that would harshen border regimes. For example, a refugee woman who spoke on behalf of *Women in Exile and friends* emphasized in her speech:

The Interior and Home Minister is building Ankers and doing all in his power to ensure that as many of us as possible are deported. In fact, his ambition and that of his party is to destroy the coalition government and to give legitimacy to right-wing populism. [...] Mr Seehofer, there are other problems being experienced in this society, which you could concentrate on without being so obsessed with the refugee issues, for instance racism, climate issues and so on. Seehofer has been pushing for radical [right] refugee policies for a long time and is pushing the whole country to accept his inhuman policies.¹¹⁴

In protests, the GROs in which I participated did not target only the Minister of Interior and other state authorities. Some GROs, in particular *Borderline Europe*, also targeted international or supranational institutions. As I discussed in the previous chapter, the formulation of grievances regarding European aspects of border regimes was a collective identity of some of the GROs in which I participated. They often targeted the European Union in the context of protests. In particular, they blamed the European Union for the stalemate in the search and rescue operations in the Mediterranean Sea, the drowning of refugees and the criminalization of search and rescue NGOs.

For example, in the context of the anti-racist march organized by

¹¹⁴ Ethnographic notes taken on 21 June 2018 and audio records of the speeches.

Welcome United in Hamburg, *Borderline Europe* blamed the European Union, and some international organizations such as the International Organization for Migration (IOM) and the Office of the United Nations High Commissioner for Refugees (UNHCR), for the externalization of EU borders¹¹⁵ through cooperation agreements with African countries. *Borderline Europe* emphasized that the externalization of EU borders resulted in the drowning of refugees at sea.

The activists I encountered framed visibility as a tool to reach out to their targets, which included state authorities, in particular the Minister of Interior, and the European Union. However, they also framed visibility as a tool to counteract the populist radical right. When I asked Ester, a German activist who mobilized with *Welcome United*, to explain the aim of the protest that she was contributing to organizing in Hamburg on 30 September, she emphasized:

We want to create an event that brings together and put a spotlight on all the work done by different groups in the cities [...] We're targeting the society more generally. We want every Nazi to realize that we are very powerful, and we want people who sympathize with us to see us so they may join us. We also want to be visible for people who live in refugee camps so that they realize that we are not oblivious to the realities they are facing... The government is not really our target. It's more about building up a counterculture... The idea is to create and strengthen the available spaces for this counterculture and to bring anti-racist topics into the mainstream.¹¹⁶

¹¹⁵ The externalization of European borders refers to the expansion by the EU of the spatial component of its border management beyond its spatial limits (Casas-Cortes et al. 2015).

¹¹⁶ Interview with Ester, 11 September 2018.

Large protest events were oriented towards showcasing the opposition to supporters of populist radical right parties and movements. This intention was encapsulated in the slogan used in the context of the protests against far right groups in Chemnitz in August and September 2018: “*Wir sind mehr*” (We are more).¹¹⁷ I did not participate in the protests but some of the activists who mobilized in the SMOs in which I participated travelled to Chemnitz to join the protests, which were also given wide coverage in mainstream media.

In sum, activists framed the visibility of protests, which they associated with their high attendance and media coverage, as a tool to make their claims heard, to defeat radical right populism and, ultimately, to achieve social and political transformation. However, not all the activists whom I met were convinced that visibility was crucial or that, more generally, protesting was an effective tactic in the struggle against border regimes. For example, Nazir, an activist with *Lager Mobilization Network Berlin*, was sceptical of the impact that large protests could achieve. He rather stressed the need for linking protests and claim-making more closely with the people who were affected by border regimes. He referred for instance to the strategy that *Lager Mobi* had adopted since 2015, which was premised on establishing trust-based relationships with refugees living in camps, visiting them regularly and supporting them whenever they wanted to protest against their living conditions or other aspects of

¹¹⁷ In August 2018, the stabbing of a German-Cuban man by an asylum seeker in Chemnitz sparked a wave of far right protests and counter-protests. On 3 September 2018 a concert organized to oppose the anti-migrant sentiments in the city under the motto “*Wir sind mehr*” (We are more) attracted around 65,000 people. Further information about the event can be found here: <https://www.dw.com/en/chemnitz-concert-wirsindmehr-becomes-a-trending-topic-on-twitter/a-45347284>

border regimes.¹¹⁸

Lager Mobilization Network Berlin did not collectively participate in the large protests organized by *Welcome United* or *Unteilbar*. In interviews, the activists who mobilized with *Lager Mobi* stressed that they were sceptical about the effectiveness of organizing one-off protest events and preferred instead to focus their efforts on establishing connections with refugees in camps. For Nazir and other activists of *Lager Mobi*, visible repertoires, such as protests, had to be intimately connected with submerged forms of mobilization which included the support of collective actions organized in camps by refugees themselves. As I examine in the next sections, outreach efforts and solidarity contributed to stimulating the political activation of refugees and to sustaining their mobilization against border regimes, which included their participation in protest events.

4.2 OUTREACH INITIATIVES: RAISING AWARENESS OF HUMAN RIGHTS

In this section, I investigate the outreach initiatives of self-organized groups of refugees to promote the political mobilization of non-citizens living in shared accommodation. I investigate why activists, in particular those who mobilized with self-organized groups of refugees, considered outreach as an important component of their struggle. The analysis of outreach initiatives is crucial because I argue that they constitute a layer in which submerged networks (Melucci, 1985, p.800) elaborate notions of human rights outside visible claim-making processes oriented towards the state. Moreover, the analysis of this form of submerged mobilization is necessary to understand if and how the activists who mobilized against border regimes elaborate notions of human rights autonomously from the

¹¹⁸ Interview with Nazir, 2 October 2018.

state, in ways that transcend the state's role in guaranteeing human rights.

Self-organized groups of refugees, such as *Corasol* and *Women in Exile and friends*, engaged regularly in initiatives to reach out to refugees who lived in shared accommodation that they framed as camps. For instance, *Corasol*, *Borderline Europe* and *Family Life for All* organized outreach visits to shared accommodation ahead of the protest that they organized against new asylum policies on 20 June 2018, which I discussed in the previous section. In the context of the preparatory meetings ahead of the protest, activists identified several refugee shared accommodation and planned group visits there. They aimed to reach out to refugees and to foster their participation in the protest as well as in a workshop scheduled for 16 June. The workshop aimed to raise the awareness of refugees regarding the new policies.¹¹⁹

I attended the preparatory meetings ahead of the protest and I decided to participate in some of the outreach efforts, in which my role was very similar to the role of other citizen activists. My role of researcher faded when I joined Guillaume, a Cameroonian activist of *Corasol*, with a view to reaching out to the residents of three camps in Falkensee and Nauen (Brandenburg). We did not explain to the people whom we met that I was conducting research as we hastily attempted to persuade them to join the workshop and the protest. Guillaume relied on me to explain the purpose of our visits, in particular to English-speaking residents. However, as we shall see, at some point a comment that Guillaume made brought me

¹¹⁹ Ethnographic notes of the weekly meetings of *Corasol* taken in May and June 2018.

back to reality and made me reflect on my position as a researcher.

On 11 June, I took the train from Berlin and headed to the shared accommodation in Nauen where Guillaume lived. I had to produce an identification document to the security guards who patrolled the reception hall and who registered me as a visitor. Guillaume waited for me in his room; shortly after I knocked, he opened the door and welcomed me with a smile. I noticed that he was wearing a light blue, Star-Wars themed T-shirt. He shared a 20 square-metre room and a small kitchenette with three other people. He explained that he lacked privacy and could not focus or have a moment for himself. It was shortly after 2pm and he was preparing his lunch. He offered me some lunch but I turned down his invitation as I had already eaten.

Although Guillaume often came across as worried and stressed, he appeared very energetic and enthusiastic that day. While having lunch, he repeatedly told me that he felt very inspired by the afternoon ahead of us. During my fieldwork, I often observed Guillaume explaining, in conversations or in public speeches, that his mobilization with *Corasol* had been mitigating the isolation that he experienced in the camp. He often emphasized that his participation in collective actions had been contributing to raising his awareness about his rights. For example, in July, we both attended a summer camp organized by the Berlin branch of *Welcome United*. While delivering a presentation on the Anker centres, the new all-encompassing reception centres proposed by the newly appointed Minister of Interior, Guillaume said:

I got to know my rights because of my involvement in activism and all the people whom I've met in this context. Despite that, I am still

very stressed, I have been seeing a counsellor for six months.

Imagine what would have happened if I lived even more isolated [in an Anker centre], if I couldn't even get in touch with activists and the outside world.¹²⁰

Guillaume was determined to reach out to refugees living in isolation, to raise their awareness of rights and stimulate their political mobilization. After lunch, we waited in Guillaume's room for another activist who was coming from Berlin. When he arrived, we started knocking on doors of the other rooms. We invited refugees to join us in the meeting room downstairs where we wanted to provide them with more information about the upcoming workshop and protest.

Most of the refugees we talked to did not show much enthusiasm for finding out more. A group of young men from Cameroon reluctantly made their way to the meeting room where a Pakistani man and Kurdish man from Syria also joined us. Guillaume talked to the Cameroonian men in French, while I tried to communicate with the other two men who spoke very little English or German. I explained in simple terms that we were part of a self-organized group of refugees based in Berlin that opposed the asylum policies that the new government had proposed. Guillaume sketched out what were the main problematic aspects of those policies. In particular, he emphasized the Anker centres and urged everyone to rise up and oppose them. After 15 minutes, the few people whom we had managed to gather all left. They did not seem convinced by our explanation and I doubted that we would see any of them in the

¹²⁰ Ethnographic notes of the summer camp organized by *Welcome United* between 5 and 7 July in Falkenberg (Brandenburg).

protest or the workshop.

In contrast, a dozen refugees who lived in the other shared accommodation that we visited in Nauen were keen on participating in both the workshop and the protest. While we were knocking on the doors a bit randomly, we realized that several residents came from Chechnya and did not speak any other language than Russian or Chechen. I showed to a couple of them the Russian version of the flyer that we had designed to advertise the protest. One Chechen woman, a young blue-eyed woman wearing a small head-covering, came to the meeting room to listen to us. After 20 minutes of knocking on doors, Guillaume suggested moving to the meeting room where many of the people whom we had talked to were waiting for us. Guillaume appeared to be hasty, adrenaline-driven, excited.

The meeting room was indeed very full as more than 30 people from countries including Pakistan, Iran, Kenya and Chechnya joined us. Guillaume made a short presentation in German and I translated it into English. A refugee from Iran who spoke good English translated simultaneously into Farsi. Guillaume asked me a couple of times the German translation for the words “government” and “law”, which surprised me because his German was better than mine. I thought he must have felt under pressure speaking German in public and to a large group.

Guillaume repeatedly reiterated in his speech: “We have to fight all together against these new laws.” A man asked whether the annual quota of 220,000 refugees that the government wanted to introduce¹²¹ applied

¹²¹ An annual quota for refugees was one of the main measures included in the new government’s

only to new asylum claims or if it also extended to people who had already claimed asylum. I pointed out that this measure would have an impact only on new claims. Shortly after I had uttered my response, Guillaume whispered to me: “I am going to tell you something later.” I was quite curious and so I enquired about Guillaume’s thoughts shortly after we had left. He stressed that I should not have given such a blunt reply to the question about the quota. He emphasized: “When you gave that reply, half of the people left. It is really crucial to make refugees understand the negative impact of the new policies if we wanted to promote their mobilization.”¹²²

Guillaume highlighted the key connection between negative experiences shaped by border regimes and the participation in collective action, which was a shared interpretation among many of the racialized non-citizens whom I met and was a component of their anti-racist collective identity.¹²³ According to Guillaume, my explanation constituted a disincentive to mobilize for the people who were present. My reply suggested that as they had already claimed asylum, the annual quota would indeed not have a direct impact on them. According to Guillaume, the participants would not thus feel the urge to mobilize against the measure.

I reflected in my notes on the fact that the information that Guillaume wanted to convey was not accurate. Ultimately, none of us knew a great deal about the new policies. I chose not to express disagreement with

agreement that *Borderline Europe*, *Corasol* and *Family Life for All* opposed in the protest on 20 June 2018. An English translation of the chapters of the agreement concerning migration and asylum can be found here: <https://oplatz.net/wp-content/uploads/2018/03/GermanyGrandCoalition-Migration-English-Deutsch.pdf>

¹²² Ethnographic notes taken on 12 June 2018.

¹²³ See section 3.4 for the analysis of the multiple anti-racist collective identities in the movement.

Guillaume's observations because I was the only person in the room who was not affected by the new policies or border regimes more generally. Although I actively participated in *Corasol* and I was eagerly contributing to the outreach initiatives that afternoon, I still considered myself as a researcher who benefited from the freedom of movement within the European Union.¹²⁴ I did not correct Guillaume also because I wanted to avoid my position becoming too dominant in the workshop, in particular as I had already undertaken a role that exceeded my researcher role.

During my stay in Berlin, I participated in a few other outreach initiatives to promote the political mobilization of non-citizens. My experience in Nauen speaks volumes about the difficulties of effectively reaching out to non-citizens, including language barriers, lack of time and structural imbalances. Analysing the outreach initiatives such as the one in which I participated with Guillaume is important to understand how submerged forms of mobilization are connected with notions of rights.

Political mobilization broke the monotony of life in camps, as Guillaume emphasized. Participating in social movement organizations provided an opportunity for non-citizens living in Brandenburg (the state surrounding Berlin) to travel to Berlin and to weave social relations with activists in the networks that they joined. Non-citizen activists were particularly aware of this function of political mobilization and were keen on enabling other non-citizens to benefit from it. Moreover, activists shared the understanding that political mobilization was a key mechanism to enable rights-claiming. Non-citizen activists interpreted the awareness of their rights, an awareness which they often acquired through their

¹²⁴ Ethnographic notes taken on 12 June 2018.

participation in social movement organizations, as crucial to challenge the toll that border regimes had on their lives. For non-citizen activists, political mobilization was a crucial tool to become aware of rights and to claim the right to have rights. For example, when I spoke with Julia, a woman from Kenya who mobilized with *Women in Exile and friends*, about the outreach activities in camps, she stressed the impact of the first workshop that she had attended when she lived in a camp:

Women in Exile visited us in the camp and told us more about the politics here [in Germany] and that we had rights, I didn't know that refugees had rights. *Women in Exile* ran an empowerment workshop and taught us that we could fight for our rights, that's how I became an activist in Deutschland [Germany]. I felt there is a need to fight, especially because of the conditions we are living in.¹²⁵

Julia explained that many refugee women came from contexts where women were discriminated against, they were not visible in the political space and were not used to claiming their rights. Moreover, she stressed that refugees in Germany were often afraid of the negative consequences that their mobilization may have on their asylum claims, including the fear of exposing themselves to deportation. She reiterated that it was crucial that refugees living in camps realized the opportunities that they had to collectively mobilize.¹²⁶

In interview Paul, a man from Cameroon and an activist with *Corasol*, likewise emphasized that refugees were often unaware of the possibilities to mobilize as they lived in isolation and had no contact with social

¹²⁵ Interview with Julia, 19 September 2018.

¹²⁶ Interview with Julia, 19 September 2018.

movement organizations. He referred to the first time he had reached out to refugees in Königs Wusterhausen (Brandenburg) with other activists of *Corasol*. He emphasized:

People didn't know anything there, they thought that we had already got our refugee status and that was why we were mobilizing. We told them we hadn't. We explained that they could participate in protests as some of them were concerned about attending protests before obtaining residence rights. Raising awareness is the first step to engage in politics.¹²⁷

In this section I have explored the outreach activities which self-organized groups of refugees engaged in to promote the mobilization of non-citizens against border regimes. Non-citizen activists conceived the participation in collective actions as a crucial tool to become aware of their rights and to enable rights-claiming in protests and other visible collective actions.

The outreach activities that I discussed in this section were oriented towards contesting border regimes by reconfiguring social relations, in particular by breaking the isolation of non-citizens living in, often remote, shared accommodation. At times these initiatives facilitated the interweaving of new social relations and ties between activists and non-citizens who had previously not participated in collective actions. For example, one of the people whom I met in Nauen started attending the meetings of *Corasol* following our visit; he engaged in collective actions that contributed to breaking his isolation.

¹²⁷ Interview with Paul, 9 September 2018.

The outreach initiatives that I discussed in this section drew on the experiences of non-citizen activists who considered political mobilization as a crucial mechanism that enables them to claim rights. Non-citizen activists conceived the involvement in collective actions as a crucial tool to become political subjects and to contest border regimes. In the narratives of non-citizen activists, getting involved with social movement organizations was associated with the potential for countering the negative impact that border regimes had on their lives.

The analysis in this section emphasizes that notions of rights are not ready-made tools available to non-citizens to make their claims visible to the state and society at large. Participating in social movement organizations had the potential for mitigating the isolation in which non-citizens lived and for raising awareness of their rights. Submerged forms of mobilization, such as the outreach initiatives that I discuss in this section, are thus crucial to enable non-citizens to participate in collective actions and to make claims against border regimes.

4.3 SOLIDARITY TIES: SUSTAINING THE MOBILIZATION OF NON-CITIZEN ACTIVISTS

As I discussed in the previous section, promoting the participation of non-citizens in the mobilization against border regimes required time and outreach efforts. Even when non-citizens start participating in collective actions, they continue to experience the toll of border regimes on their daily lives. In this section, I analyse the ties of solidarity that activists created in the context of their mobilization. These ties contributed to offsetting some of the negative consequences that non-citizen activists experienced in their daily lives and to sustaining their mobilization over time. Despite the ties of solidarity being an important aspect of the mobilization, in particular within self-organized groups of refugees, the

primary goal of their collective actions, shared by all activists, was structural change. Activists engaged in collective actions with a view to structurally changing border regimes and they objected to conceiving their collective actions as primarily aimed at providing material support to refugees.

Solidarity ties between citizen and non-citizen activists occurred against the background of imbalances associated with race and citizenship status that I discussed in the previous chapter. Racialized non-citizens spoke about their daily challenges with the citizen activists with whom they mobilized against border regimes; sharing those experiences made apparent the different positions of activists vis-à-vis border regimes. However, as we shall see in this section, despite their different positions, citizen and non-citizen activists shared a similar understanding of the main orientation of their collective actions. They viewed their mobilization as aimed towards transforming border regimes rather than simply alleviating the toll that border regimes had on individuals. Accordingly, activists emphasized the importance of visible repertoires such as protests for defeating the populist radical right and their racist frames, as I discussed in the previous section.

In many of the internal meetings that I attended, in particular those of self-organized groups in which both white citizens and racialized non-citizen activists mobilized, I observed the system of support and connections between those two groups of activists. White German and European activists opposed charitable initiatives to provide support to refugees, which in their view embedded power dynamics and reproduced structural inequalities along the lines of race and citizenship. Rather, they

conceived solidarity with non-citizens, in particular with those with whom they mobilized, as part of their broader commitment to oppose border regimes.

As I mentioned in the introduction to this chapter, Robert often spoke about the toll that border regimes were having on him. The weekly meetings of *Corasol*, which I attended from February to October 2018, always started with a round of introductions when participants shared information about their physical and mental health, their family situation or their legal status. The activists referred to this phase of the meetings as *ronde d'émotions* (introductory round).¹²⁸ Some activists for example spoke about the deaths of relatives or friends who were living in their countries of origin, and they invited other members to memorial services or gatherings.

The moderator of the meeting, a function that activists took up on a rotating basis, usually summed up the general feelings prevailing in the room at the end of the introductory round. Moderators very often observed that most members were stressed and worried because of the uncertainties associated with their asylum application and their residence status.

Every now and then, some activists asked the moderator of the meeting to include a point about their specific situation on the agenda, so that they could further explain what kind of support or advice they were seeking. For example, in February 2018, Robert enquired if someone could accompany him to an appointment with the *Ausländerbehörde*

¹²⁸ The working language of the *Corasol* meetings was French.

[Foreigners' Office] for the renewal of his residence status. At the time, he was holding a *duldung*, a precarious legal status that exposed him to the risk of deportation. Robert told me after the meeting: "I would like someone to come with me because the outcome of the appointment is unpredictable and I fear they could send me back to any African country without me having the possibility of informing anyone".¹²⁹

Robert often raised concerns regarding his residence status in the context of other meetings. For example, in March he explained that he had the impression that his lawyer was not effectively following up on his case and that he was attempting to arrange an appointment with another lawyer. Several activists reiterated that Robert should have sought another lawyer as they had already told him that the lawyer who was assisting him had a negative reputation.

Susanne, a German activist, proposed that a group of people could help Robert gather all the information concerning his case so that he could present it clearly and consistently to a new lawyer. At the end of the meeting, some activists gave Robert contact details of a couple of lawyers. Then Sylvie, a French activist, sat down with Robert and helped him translate into French some official correspondence in German that he had received.¹³⁰

Other activists raised their housing situation either in meetings or private conversations. Many lived in shared accommodation in remote small towns in Brandenburg. For example, Bruce, an activist from Cameroon,

¹²⁹ Ethnographic notes taken on 22 February 2018.

¹³⁰ Ethnographic notes taken on 29 March 2018.

lived in shared accommodation on the outskirts of Potsdam (45 minutes from Berlin). When I visited him with other activists in April to run an anti-deportation workshop in his accommodation, it took us almost two hours to reach the prefabricated containers in the middle of nowhere as we had to take a bus and then walk for over 45 minutes.

Bruce and other non-citizen activists were often afraid of sleeping in their accommodation. Many held the *duldung*, that is, a temporary ban on deportations that had to be renewed regularly. Bruce was at risk of being returned to Spain, his first country of arrival in Europe.¹³¹ Many activists sought alternative housing solutions to avoid the risk of deportation as authorities could easily locate them in the shared accommodation where they had been assigned to live. Silvain, another man from Cameroon, raised his housing situation in one of the March weekly meetings. In particular, he mentioned that he often slept in public parks in Berlin because his accommodation was very far away from the city and he feared becoming a target for deportation there. He asked if anyone could offer him temporary accommodation but nobody at the meeting did so.¹³²

Some European activists offered their rooms or flats to non-citizen activists whenever they were travelling, especially in summer. Several non-citizen activists I spoke to during the year told me that they were temporarily living in housing projects where they had been offered a solidarity room (*solizimmer*) or had sub-rented a room.¹³³

¹³¹ According to the Dublin Regulation, asylum should be claimed in the first country of entry in the European Union. Regulation 604/2013 (Dublin III) is accessible here: <https://www.easo.europa.eu/sites/default/files/public/Reg-604-2013-Dublin.pdf>

¹³² Ethnographic notes taken on 29 March 2018.

¹³³ Housing projects are often former squatted spaces that have been legalized, in particular in the 1990s. Some housing projects designated a few rooms as “solidarity rooms” to be offered to

In February, the activists of *Corasol* discussed their housing project in the context of one of the weekly meetings. They had previously agreed to reach out to specific housing projects to identify the availability of solidarity rooms for those members of *Corasol* who were at risk of deportation or were confronted with barriers to accessing housing. A few activists formed a working group to move the project forward. This did not work in practice. In April, when Silvain raised again his housing situation, it appeared that the working group had made no progress.¹³⁴ In the context of the biannual evaluation workshop organized in September, the *Corasol* activists noted that no progress had been made on the housing front despite the centrality of the issue for many activists who were at risk of deportation. They decided to identify in each meeting a housing project that they could approach to examine possible housing options.¹³⁵

I have given an account of some of the instances in which non-citizen activists shared their daily obstacles in the context of submerged daily activities of social movement organizations. In these instances, non-citizen activists shared advice and tips among themselves and, in some instances, received support from citizen activists. The ties that citizen and non-citizen activists wove in the context of their mobilization against border regimes constituted the basis for support mechanisms that emerged outside the daily activities of SMOs. For example, some of the

refugees* for free or in return for a small contribution. Further information about the history of the squatting movement in Berlin can be found here: <https://newyorck.tools4activists.org/files/2014/06/The-History-and-Cycles-of-Squatting-in-Berlin-1969-2016.pdf>

¹³⁴ Ethnographic notes taken on 15 April 2018.

¹³⁵ Ethnographic notes taken on 3 September 2018.

non-citizen activists of *Corasol* constituted *comités de soutien* (supporting committees), which were informal groups of citizen activists who advised and supported non-citizens individually. Moreover, citizen and non-citizen activists usually volunteered to support the organization of fundraising events with a view to covering the legal costs associated with the asylum cases of individual activists.

While mobilizing against border regimes, non-citizen activists obtained access to a network of activists who had a good knowledge of, and were able to navigate, the German bureaucracy. When I discussed this aspect with Charles, a man from Cameroon who engaged with *Corasol*, he stressed:

Those activists who are really committed to mobilizing with *Corasol* usually make breakthroughs in respect of their residence status. *Corasol* activists put them in touch with lawyers, accompany them to official meetings...sometimes find them a shelter when their asylum shelter is far away and they don't have any place to stay.¹³⁶

Apart from the practical support that enabled non-citizen activists to face the toll that border regimes had on their daily lives, their involvement in SMOs contributed to breaking the isolation of their lives. For example, Guillaume, the Cameroonian activist with whom I participated in the outreach initiatives that I discussed in the previous section, often emphasized that *Corasol* was a “big family”. In meetings and conversations, he often highlighted that his involvement with *Corasol* helped him relaxing, coping with daily stress and provided him with an

¹³⁶ Interview with Charles, 16 August 2018.

opportunity to spend time with people who were sympathetic to his situation.¹³⁷

In sum, the ties of solidarity among activists contributed to sustaining the mobilization of non-citizen activists who were facing many daily obstacles because of the impact that border regimes had on them. The varied forms of support that non-citizen activists benefited from in the context of the submerged daily activities of SMOs sustained their participation in visible collective actions in which they formulated claims against border regimes. However, despite the importance of solidarity, both citizen and non-citizen activists who mobilized with *Corasol* conceived the structural transformation of border regimes as the primary goal of their mobilization.

In September the members of *Corasol* discussed, in the context of their biannual evaluation meeting, the process for new members to join and participate. Some activists had drafted a flyer several months earlier which included some key information for new members. The flyer stated: “We [*Corasol*] try to mutually support one another but we are not a support group [for refugees]”. In the context of the discussion about the flyer, some activists emphasized the importance of individual support and tied it up with the collective actions oriented towards challenging border regimes. However, they shared the view that the latter was the priority for their collective action. During the discussion, Guillaume, the activist with whom I had participated in outreach initiatives in June, emphasized: “It has to be crystal clear for new members that *Corasol* is a

¹³⁷ Interview with Guillaume, 3 July 2018.

political group rather than a group providing social services”.¹³⁸

The German and European activists who mobilized in self-organized groups of refugees shared the idea that their mobilization was oriented towards counteracting the systemic flaws of border regimes. They considered visible repertoires of action as crucial to challenge all the forces that supported border regimes, as I discussed in the previous section. Many of the citizen activists whom I met provided support to non-citizen activists with whom they were mobilizing in the struggle against border regimes. Citizen activists shared the understanding that non-citizen activists should have a frontline role in the struggle against border regimes, as I discussed in the previous chapter. German and European activists were aware of the difficulties for non-citizens to take on a frontline role in the mobilization in view of the hurdles that they had to grapple with in their everyday lives. Providing support to individual non-citizen activists contributed to mitigating some of the barriers that they faced for mobilizing.

For example, Mario, a German activist who had ties with several citizen activists who mobilized with *Corasol* and who participated in the meetings of the *Alliance against Deportations*, was convinced that providing individual support to non-citizen activists was crucial. For instance, he was assisting Bastian, an activist from Cameroon, to find a training programme that could allow him to obtain residence rights. However, he emphasized that individual support should not overtake political mobilization oriented towards achieving broader change. He

¹³⁸ Ethnographic notes taken on 3 September 2018.

explained in the context of our interview:

This boils down to how one conceives politics. We like Bastian and we can help him. We may enable him to stay in Germany. We can do this for one person but not for 100 people. Political work means that we have to change the laws, the political discussion and the general climate. The two can work together but you shouldn't consider humanitarian work as political work, otherwise this is going to exhaust you and you burn out.¹³⁹

Other German and European activists framed the two orientations of their action, the personal support provided to individual non-citizen and the transformation of border regimes, as intertwined. Sabrina, an activist with *Borderline Europe*, stressed in our interview: "It's important not only to focus on what's wrong with the system but also on the people who are affected by the system".¹⁴⁰

The activists who engaged with *Lager Mobilization Network Berlin*, who were mostly German and European, often stressed their opposition to charity, which they identified as the support for refugees offered by NGOs such as *Caritas* or by networks of volunteers who operated at the neighbourhood level. They considered charity as a far cry from their approach, which they viewed as oriented towards building relationships on an equal footing and as intertwined with their opposition to border regimes. Nazir, a man from Iran who came to Germany as an asylum seeker in the early 2000s and who was one of the founders of *Lager*

¹³⁹ Interview with Mario, 20 August 2018.

¹⁴⁰ Interview with Sabrina, 18 July 2018.

Mobilization Network Berlin, explained to me that one of the main objectives of *Lager Mobi* was to form horizontal dynamics with refugees living in camp with a view to breaking their isolation and supporting their involvement in collective actions. He stressed the importance of avoiding “the approach of those volunteers who just tell refugees what to do”.¹⁴¹

As discussed in this section, both citizen and non-citizen activists who mobilized in the GROs in which I participated considered their collective mobilization as primarily oriented towards radically transforming border regimes. Their visible repertoires, in particular protests, aimed to disrupt the policies, laws and support that shaped and sustained border regimes. Solidarity inspired individualized forms of support for non-citizen activists. This support was intended to mitigate the negative impact that border regimes had on the lives of non-citizens and contributed to sustaining their mobilization over time.

The shared orientations towards collective action that I have explored in this section did not rule out divergent views on the aim of specific initiatives. In some instances the different positions of white citizen activists and racialized non-citizen activists resulted in different priorities and different foci. Non-citizens experienced on a daily basis the racializing impact of border regimes, and these experiences had an impact on their interpretation and orientation of collective actions.

For example, in July the activists who attended the meeting of the *Alliance against Deportations*, discussed for the first time the idea of

¹⁴¹ Interview with Nazir, 2 October 2018.

launching the poster campaign *Aktion BurgerInnen Asyl* (Action Citizen Asylum) to advertise the campaign *Citizen Asylum*, which aimed to establish a network of citizens willing to shelter non-citizens who were at risk of deportation. Mario, a German activist, presented the main aim of the campaign and the plans for its launch in the context of three days of action to be held in September. He repeatedly highlighted that the campaign had the purpose of provoking a political reaction by showing to authorities that a critical mass of citizens opposed border regimes and were keen on engaging in civil disobedience to counteract deportations.

Romain, a young man from Cameroon who mobilized with *Corasol* and who used to attend the meetings of the *Alliance*, raised a point about the impact of the campaign on individuals seeking asylum. He asked if the campaign would facilitate their access to the refugee status granted by the state. Mario explained that there was a lack of clarity as to whether the campaign could have that impact. He emphasized: “This is another level. This is an initiative tackling the political rather than the individual level.” A long discussion then ensued as Romain was not convinced about the main objective of the campaign. He was still waiting for his asylum application to be assessed and he feared a rejection. His precarious residence status shaped his doubts regarding the positive impact that the campaign could have on individuals, which in this instance contrasted with Mario’s vision about the wider change that the campaign could promote.¹⁴²

In sum, citizen activists contributed to creating some spaces of support and solidarity with the intention of mitigating the negative impact that

¹⁴² Ethnographic notes taken on 10 July 2018.

border regimes had on racialized non-citizens. As discussed in the previous chapter, the idea of a refugee-led movement opposing border regimes was associated with the frontline role that refugees had in the struggle. However, the daily hurdles that non-citizens experienced were barriers for participating in collective actions and for assuming the frontline role in the struggle. Ties of solidarity interwoven in the context of the daily, submerged activities of social movement were crucial for sustaining the participation of non-citizens in the mobilization against border regimes. However, despite the importance of ties of solidarity, both citizen and racialized non-citizen activists conceived their mobilization as primarily oriented towards achieving the radical transformation of border regimes.

Robert, the young Cameroonian man who inspired me to explore the different layers of mobilization in this chapter, framed his participation in *Corasol* as oriented towards transforming border regimes. He emphasized that his mobilization was crucial for raising awareness of his rights. He felt enabled to formulate claims against border regimes and to participate in protests because he had undergone a process of political activation through which he processed his grievances and elaborated demands against border regimes.

CONCLUSIONS

In this chapter I have explored the multiple layers of mobilization against border regimes. More specifically, I have analysed the targets of claims that SMOs formulate against border regimes, in particular when they organize or participate in protests. Moreover, I have investigated submerged aspects of mobilization with a view to examining whether the GROs in which I participated engage in contesting border regimes

autonomously from the state. The analysis that I have carried out in this chapter is crucial to further understand the approaches to human rights that GROs embrace, in particular whether they construct human rights outside the state, that is, beyond the role that states have as guarantor of human rights in the international human rights system.

In this chapter, I have shown the entanglement between more visible repertoires of contention, protests in particular, and submerged forms of mobilization. In protests, activists targeted - albeit not exclusively - the state and the European Union. In their submerged forms of mobilization, they focused on reaching out to refugees* living in camps and establishing ties of solidarity between refugee* and citizen activists.¹⁴³

Activists framed the visibility of protests, which they associated with high attendance and media coverage, as crucial to radically transform border regimes. However, the submerged daily activities in which activists engaged were crucial to sustain the participation of refugees* in the collective contestation against border regimes, for which their awareness of rights was crucial.

These submerged layers of mobilization aimed at reconfiguring social ties among activists and fostering solidarity. They also intended to mitigate the hurdles that refugee* activists experienced because of border regimes.

The activists who mobilized in the GROs in which I participated framed visibility as a crucial tool in the context of their showdown with racism

¹⁴³ As emphasized in the conceptual roadmap in the introduction to this thesis, in these concluding remarks I make use of the term refugee*/refugees* to emphasize that the construction of the notion of refugee within the movement went beyond the legal definition of refugee.

and the populist radical right. They engaged in protests to make visible their claims to the state, the media and society at large. They were concerned when protests remained, in their views, invisible because of their low attendance and, as we discussed in the previous chapter, they worked towards establishing larger coalitions in the second half of 2018. Activists framed the orientation of their action towards achieving the structural transformation of border regimes.

The collective challenges to border regimes implied the participation of refugees*. As we discussed in the previous chapter, activists framed the participation of refugees* in the struggle against border regimes as of paramount importance. The participation of refugees* in protests and claim-making was premised on a process of political activation through which they broke the isolation in which they lived and became aware of their rights. GROs - in particular self-organized groups of refugees - promoted that awareness process by engaging in outreach initiatives in camps, where refugees* lived in isolation.

The analysis of submerged outreach efforts highlights the process through which refugees* could become political subjects. Refugees* not only live bare lives stranded in camps. Neither do refugee* activists simply make use of ready-made notions of human rights that they deploy in claim-making processes. They often undergo a process through which they became aware of their right to have rights (Arendt, 1951). Many of the refugee* activists whom I met had precarious residence rights and were at risk of deportation. They mobilized with German and European activists whose lives were not impacted by border regimes and who often had a better knowledge of the German bureaucracy and the German language. Refugee* activists accessed a support network by mobilizing

against border regimes, which in some instances mitigated some of their hurdles that they constantly faced. Ties of solidarity interwoven in the submerged daily activities of GROs contributed to sustaining the mobilization of refugee* activists in the movement against border regimes. This chapter highlights that the awareness of having rights inspired refugees* to participate in the struggle against border regimes.

In view of exploring the interplay between the political mobilization against border regimes and human rights, it is crucial to understand if and how SMOs oriented their mobilization towards the state and/or if they engage in forms of mobilization that are autonomous from the state. This chapter shows that the mobilization of the GROs in which I participated was, albeit not exclusively, also oriented towards the state. GROs target also state and European institutions with the claims that they formulated against border regimes in protests.

Submerged forms of mobilization contributed to interweaving new relationships and ties of solidarity. These forms of mobilization, however, were not completely autonomous from the state as they often intended to mitigate the negative consequences that border regimes had on refugees*, including their isolation and the hurdles that they often experienced because of asylum laws. The analysis of the multiple layers of mobilization that I have conducted in this chapter is crucial to investigate in the following chapters the approach to human rights that the GROs in which I participated embraced, in particular the role that they conceived for the state in the processes of constructing notions of human rights.

CHAPTER 5. THE REFUGEE* IDENTITY: BEYOND A LEGAL STATUS

Stop Deportation Group was one of the first social movement organizations that I reached out to before setting off to Berlin. I contacted them via their Facebook page in December 2017. In January 2018 Mira, a German activist in her late 20s who mobilized with *Stop Deportation Group*, suggested gathering in a cafe to introduce ourselves to each other before the weekly meeting that was scheduled for the day after. We met in Südblock, one of my favourite cafes in Kreuzberg because of its large windows and the queer laid-back vibe. The cafe was bursting with people chatting in the late afternoon but it was still quite early in the afternoon when Mira and I met.

I explained to Mira the purpose of my research and I sought access to *Stop Deportation Group* for participant observation. I emphasized that I intended to actively participate in the activities and initiatives of *Stop Deportation*. Mira listened and nodded. She did not show any specific concern about my approach. She timidly smiled a couple of times during the conversation. I perceived her as a trustworthy and committed activist. She then provided me with more details about *Stop Deportation Group* and the activists who mobilized with the organization. She explained that about half of the activists were refugees from Pakistan and that the other half were German or European. Back then I assumed that Mira was referring to the Pakistani activists as refugees because either they had applied for asylum or they had already got the legal status of refugee. I would realize in the following weeks that the activists who mobilized in

the GROs in which I participated referred to racialized non-citizens as refugees irrespective of their legal status. I call racialized non-citizens refugees* to emphasize the non-legal meaning of the notion of refugee within the GROs in which I participated.¹⁴⁴

The day after I had met Mira I attended the weekly gathering of *Stop Deportation Group* for the first time. Initially, the other activists behaved as if I were not there. Yet, that did not disturb me; on the contrary, I felt I had the space to listen and observe without feeling under the spotlight. Hamid, a man from Pakistan in his 30s suggested several agenda points, including the upcoming protest against all deportations scheduled for 11 February 2018. After a while, Mira suggested introducing each other as she emphasized, while looking at me, that there were “newcomers in the group”. Fifteen people were attending that meeting, about half of them came from Pakistan. They explicitly mentioned their country of origin in the round of introduction. They were all in their late 20s or early 30s. Although the other activists did not mention their countries of origin, I found out later when I talked to them that a few were German and a couple were from other European countries.

In the context of this first meeting, several activists from Pakistan raised their concerns about their housing situation. Most of them did not speak German or English and so Hamid, who was fluent in English, translated from Punjabi, their native language, to English. Omer, one of the most vocal activists, explained that they did not feel safe in the shared accommodation where they lived as authorities could have easily

¹⁴⁴ See the conceptual roadmap in the introduction to this thesis for further clarifications regarding my use of the terms refugee*/refugees*.

identified them and could proceed with deporting them to Pakistan. Omer emphasized that they were urgently looking for a flat to rent in order to be safe and to stay in the country.

A couple of weeks later, in a public awareness-raising event organized by *Stop Deportation Group* in the cafe B-Lage to raise awareness about deportations, two Pakistani activists spoke about their experiences. They both faced health issues and were undergoing medical treatment in Germany. Hamid translated from Punjabi to English and added some contextual information about deportations to Pakistan. Hamid always referred to the two activists as refugees. Mira had likewise described the Pakistani activists within the group as refugees when we met in Südblock. The first meeting that I attended made me realize that the activists were at risk of deportation, which implied that they had neither been recognized as refugees by the state nor were they waiting for their asylum application to be processed.

On 11 February 2018, *Stop Deportation Group* organized a demonstration against all deportations. A few hundred activists gathered in Leopoldplatz, in the neighbourhood of Wedding, and marched for a couple of hours in the freezing cold until they reached the metro station Gesundbrunnen. When I reached Leopoldplatz, several groups were holding banners. I noticed that a group of Pakistani activists, including Omer and Hamid, were holding a large banner which read: “Refugees Welcome, Stop Deportation”. I noted again that the Pakistani activists self-identified themselves as refugees despite not having obtained the legal status of refugee.

A few months later, in June, I met Hamid in the context of a festival against racism organized by the Free University of Berlin, where he facilitated a workshop on deportations. At the end of the event, Hamid talked to some German students who were interested in joining *Stop Deportation Group*. Hamid stressed that they needed more Germans, in particular because German language skills were lacking as most of the activists were refugees who were not fluent in German. When we left the venue, I walked to the metro station with Hamid and I asked him: “Who do you consider to be a refugee?”. He emphasized: “All those who apply or have applied for asylum in Germany are refugees because they are subject to the same rules [imposed by the asylum system]”. He then pointed out that he did not consider himself as a refugee any more because he had acquired German citizenship through family reunification.¹⁴⁵

The first meetings and public events of *Stop Deportation Group* that I attended stirred some key reflections regarding the understanding of the notion of refugee within the grassroots organizations in which I participated. In this chapter I investigate how the construction of the refugee identity within the GROs in which I participated challenged and transformed the legal notion of refugee as well as other legal categories. I explore the refugee* collective identity, which entailed the criticism and transformation of legal status categories, in particular the legal category of refugee.

Collective identity processes interacted the legal status categories embedded in asylum law and transformed them. Border regimes shaped

¹⁴⁵ Ethnographic notes taken on 12 June 2018.

some experiences that non-citizens shared. However, through their mobilization, non-citizen and citizen activists reclaimed and redefined legal categories, in particular the legal notion of refugee.

The analysis of the interplay between legal status categories and collective identities illustrates a key dynamic in which the mobilization against border regimes and collective identity processes are intertwined with notions of human rights. In particular, for the activists who mobilized in the GROs in which I participated, all those who experienced the negative consequences of border regimes were refugees irrespective of their legal status. The shared refugee* identity challenged the unequal, stratified, access to rights associated with different legal categories embedded in border regimes. Only people who had obtained the legal refugee status could fully enjoy freedom of movement within Germany, the right to work and the right to family life, which are human rights.

In this chapter, first I illustrate the multiple legal status categories embedded in border regimes and how border regimes restricted the access to legal rights for racialized non-citizens in Germany through their categorization. Then I investigate how border regimes had an impact on shaping the experiences and material conditions of racialized non-citizen activists in Germany. These common experiences were at the heart of collective identity processes that shape the refugee* identity. However, with a view to not essentializing the refugee* identity, I analyse its coexistence with other identity characteristics. Other identity characteristics inspired specific mobilizations such as the mobilization of refugee* women against male domination, patriarchy and the gendered impact of border regimes. Despite their diversity, all the non-citizen

activists whom I met faced the negative consequences of border regimes. Their experiences shaped by border regimes are associated with the emergence of the refugee* identity.

Moreover, I discuss how the collective identity of refugee* challenged the legal notion of refugee and the legal status categories embedded in border regimes. Both non-citizen and citizen activists who mobilized in the GROs in which I participated shared the same understanding of those legal categories. Finally, I investigate whether the diverse social movement organizations opposing border regimes embraced different understandings of legal status categories. I examine how NGOs, in particular human rights organizations, interpreted the notion of refugee differently from the GROs in which I participated in the context of my fieldwork. This analysis is crucial insofar as the identity boundary regarding the interpretation of the notion of refugee that I discuss in this chapter is associated with different interpretations of human rights within the movement opposing border regimes.

5.1 MULTIPLE LEGAL STATUSES AND STRATIFIED ACCESS TO RIGHTS

With a view to analysing the interplay among state legal categories, collective identities and human rights, I briefly present in this section the legal status categories embedded in border regimes and the hierarchies among these categories. Understanding the differentiated access to rights as a function of legal status is crucial to examine the reasons why the grassroots organizations in which I participated contested the legal notion of refugee.

In Germany, the Federal Office for Migration and Refugees (BAMF)) assesses asylum applications and grants different legal protection statuses

on the basis of an evaluation of the risks that a person may face if they return to their countries of origin and, thus, of the reasons for fleeing. The BAMF defines as “asylum seeker” a person who intends to file an asylum application but who has not registered it and as “asylum applicant” a person whose asylum application is pending. The activists who mobilized in the GROs in which I participated did not make use of the notions of “asylum seeker” or “applicant” in their internal meetings, nor when making claims. Nor did the non-citizen activists whom I interviewed identify themselves as “asylum seekers” or “applicants” although some of them were still awaiting a decision on their asylum application. They identified themselves as refugees irrespective of their legal status, which is the reason why I refer to them as refugees*.

In view of the European system to determine the state that is responsible for assessing an asylum application (Dublin III Regulation),¹⁴⁶ German authorities may transfer an asylum seeker to another EU state that has accepted its competence for assessing the application, for instance because it is the first country through which the asylum seeker entered the European Union. The transfer must be made within six months from when the other EU state has accepted its competence, or 18 months if authorities believe that the asylum seeker who must be transferred is hiding to avoid the transfer.¹⁴⁷

The BAMF can grant any of a range of legal protection statuses to people who claim asylum. “Entitlement to asylum” (*Asylberechtigte*), set out by the German Constitution, is granted to persons who are “politically

¹⁴⁶ The text of the Dublin III Regulation can be accessed here:

<https://www.easo.europa.eu/sites/default/files/public/Reg-604-2013-Dublin.pdf>

¹⁴⁷ Article 29 of the Dublin III Regulation.

persecuted”.¹⁴⁸ “Refugee status” (*Flüchtling*) is granted to persons who have a “well-founded fear of persecution” in their countries of origin because of specific identity characteristics such as race, ethnicity or religion.¹⁴⁹ The status of “subsidiary protection” (*Subsidiärer Schutz*) is accorded to persons who face “a real risk of suffering serious harm” in their countries of origin, which is not as serious as a risk of persecution.¹⁵⁰

Apart from the protection statuses mentioned above, the BAMF can also allow a person to remain in Germany for other reasons. In particular, a “national ban on deportation” can be issued for an individual whose deportation to their country of origin would violate the European Convention on Human Rights, or worsen a life-threatening or serious illness.¹⁵¹ Authorities can also issue a temporary ban on deportation (*duldung*) in instances where a deportation cannot be enforced, for example because the identity of a person cannot be established or because an individual is enrolled in vocational training.¹⁵²

The legal status categories mentioned above are embedded in German law and stem from international and European asylum law. In particular, the 1951 Convention relating to the Status of Refugees and its 1967 Protocol defines a refugee as:

Any person who, owing to well-founded fear of being persecuted

¹⁴⁸ Article 16a of the German Constitution. The text of the German Constitution is accessible here: <https://www.bundesregierung.de/breg-en/chancellor/basic-law-470510>.

¹⁴⁹ Article 3 of the Asylum Act, https://www.gesetze-im-internet.de/englisch_asylvfg/englisch_asylvfg.html#p0029.

¹⁵⁰ Article 4 of the Asylum Act.

¹⁵¹ Article 60, paragraphs 5 and 7 of the Residence Act

¹⁵² Article 60a of the Residence Act. Deportation is the forceful removal of a non-citizen from Germany with a view to returning them to their country of origin.

for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.¹⁵³

International law defines the categories of refugee and migrant on the basis of a dichotomous understanding and evaluation of the reasons for crossing an international border. As highlighted by the United Nations Refugee Agency (UNHCR), refugees are forced to flee because of a threat of persecution and because they lack the protection of their own country. A migrant, in comparison, may leave their country for many reasons that are not related to persecution, such as for the purposes of employment, family reunification or study. A migrant continues to enjoy the protection of his or her own government, even when abroad.¹⁵⁴

European Union law establishes that an individual facing “serious harm” in their country of origin can enjoy the status of subsidiary protection, which is a legal status category embedded in German asylum law. Serious harm is defined as exposure to torture or other inhuman or degrading treatment or punishment, the death penalty, or indiscriminate

¹⁵³ Article 1 of the 1951 Convention and Article 1 of the 1967 Protocol. The text of the Convention and Protocol relating to the Status of Refugees can be accessed here:

<https://www.unhcr.org/3b66c2aa10>.

¹⁵⁴ UNHCR, Refugees and Migrants: Frequently Asked Questions (FAQ):

<https://www.unhcr.org/news/latest/2016/3/56e95c676/refugees-migrants-frequently-asked-questions-faqs.html>.

violence due to an international or internal armed conflict.¹⁵⁵

The multiple legal status categories mentioned above establish hierarchies among non-citizens in terms of their access to legal rights. In 2018, asylum applicants had the obligation to live in a designated reception centre (*Aufnahmeeinrichtung*) for up to six months and they could not leave the district (*Landkreis*) where their designated reception centre was located for three months (this restriction is commonly known as *Residenzpflicht*).¹⁵⁶ After six months, those who were still waiting for their asylum application to be assessed could be assigned to live in shared accommodation (*Gemeinschaftunterkunft*).¹⁵⁷

Asylum applicants from Albania, Montenegro, Macedonia, Bosnia and Herzegovina, Serbia, Ghana and Senegal had very slim chances of obtaining a protection status and their asylum application was assessed through an accelerated procedure as they came from countries deemed “safe”.¹⁵⁸ Moreover, they were required to reside in the first reception centres they were allocated to and were subject to residence requirements for the whole duration of their asylum procedure.¹⁵⁹ Asylum applicants did not have the right to work for the period in which they had to live in

¹⁵⁵ Articles 15 and 18 of EU Directive 2011/95, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32011L0095>.

¹⁵⁶ Article 59a (1) of the Asylum Act.

¹⁵⁷ The GROs in which I participated formulate claims against both reception centres and shared accommodation without making a distinction between them. They frame them as camps or, in German, *Lager*.

¹⁵⁸ Article 16a of the German Constitution. Individuals from the EU and from safe countries cannot invoke the right to asylum. The list of safe countries is decided by the Federal Parliament. The text of the German Constitution is available here: <https://www.bundesregierung.de/breg-en/chancellor/basic-law-470510>.

¹⁵⁹ Further information about reception conditions for asylum seekers in Germany can be accessed here: <https://www.asylumineurope.org/reports/country/germany/reception-conditions/access-and-forms-reception-conditions/freedom-movement>.

the designated first reception centre.¹⁶⁰

People who have obtained the legal status of “refugee” in Germany do not have political rights, but they enjoy residence rights as well as the rights to family reunification and to work. They usually obtain three-year renewable residence permits and can get a permanent residence permit after three or five years.

Individuals who have obtained subsidiary protection are granted a one-year residence permit, which can be renewed twice, and have the right to work. The right to family reunification was suspended in 2016 and then abolished in 2018 for people with subsidiary protection. Authorities can grant a monthly quota of 1,000 visas to family members of people with subsidiary protection.¹⁶¹ Individuals who hold a temporary ban on deportation (*duldung*) do not have any right to family reunification. Their access to employment is restricted as it has to be authorized by authorities on a case-by-case basis.¹⁶²

¹⁶⁰ On 7 June 2019, the Federal Parliament adopted the “Orderly Return Law” which made changes to asylum law. Following the adoption of the amendments, asylum seekers are required to live in a designated reception centre for up to 18 months. During this period, they cannot leave the district where the reception centre is located. After 18 months, those who are still waiting for their asylum claim to be processed are sheltered in shared accommodation. The right to work can be exercised after nine months from when the asylum application was lodged if a decision has not been taken. Those individuals from countries deemed “safe” can spend more than 18 months in the first reception centres. Further information regarding these legislative changes is accessible here: <https://www.asylumineurope.org/news/14-06-2019/germany-controversial-law-package-passes-parliament-1#:~:text=While%20the%20current%20Section%2047,amendments%20substantially%20extend%20this%20period.>

¹⁶¹ Further information on family reunification is accessible here: <https://www.asylumineurope.org/reports/country/germany/content-international-protection/family-reunification/criteria-and>

¹⁶² The conditions established by the BAMF according to which individuals who hold a ban on deportation can work are accessible here (in German): <http://www.bamf.de/EN/Infothek/FragenAntworten/ZugangArbeitFluechtlinge/zugang-arbeit-fluechtlinge-node.html>.

Legal categories are neither neutral nor fixed but enmeshed in policy considerations and continuously constructed by authorities. German authorities, for example, reshaped the legal protection status of subsidiary protection by preventing people who obtained this status from accessing the right to family reunification. They also increasingly granted the status of subsidiary protection, rather than the legal status of refugee, to Syrians who fled the civil war and came to Germany.¹⁶³

In sum, the multiple legal status categories embedded in border regimes that I discussed in this section are associated with a stratified access to legal rights. This stratified access to rights is crucial to understand the opposition to the legal notion of refugee and to legal status categories within the GROs in which I participated. As we shall see, their mobilization against border regimes challenged the stratified access to legal rights, which are also human rights, for people who did not obtain the legal status of refugee.

5.2 THE REFUGEE* IDENTITY: COMMON EXPERIENCES AND MULTI-FACETED DIVERSITY OF NON-CITIZENS

The non-citizen activists I met in the context of my fieldwork came from several countries, in particular Cameroon and Kenya. Women mostly mobilized with self-organized groups of refugee women such as *Women in Exile and friends* and *International Women Space*. In the context of the conversations I had with non-citizen activists while attending

¹⁶³ The percentage of Syrians who obtained refugee status dropped from 95.8% in 2015 to 41.6% in 2018. The percentage of Syrians who obtained subsidiary protection status rose from 0.1% in 2015 to 39.7% in 2018. Further information is available here: <https://www.asylumineurope.org/reports/country/germany/asylum-procedure/treatment-specific-nationalities>.

meetings and protests or in interviews, I realized that they held different legal statuses. While a few had obtained a residence permit through family reunification, most were still waiting for their asylum application to be assessed or had obtained a temporary suspension of deportation (*duldung*), which was often associated with a great deal of uncertainty and stress.

The identity of non-citizens is multi-faceted and cannot be reduced to their citizenship status. Gender for instance shaped the mobilization of women as they faced more barriers to mobilization and formulated claims that were associated with the gendered impact of border regimes. All non-citizens were subject to border regimes and thus border regimes had an impact on their lives and on the emergence of the refugee* identity. However, the multi-faceted diversity of non-citizens is associated with multiple collective identity processes within the movement opposing border regimes. In this section, I analyse the coexistence between the multi-faceted diversity of non-citizen activists and their shared experiences shaped by border regimes, which are associated with the refugee* collective identity.

In the introduction to this chapter, I mentioned that the fear of deportation of the Pakistani activists who mobilized with *Stop Deportation Group* made me realize that they had not obtained the refugee legal status, which would have protected them from deportation. In the context of the weekly meetings of *Corasol*, non-citizen activists usually shared their concerns associated with their legal status, which was a cause of stress and anxiety and restricted their legal rights, in

particular the right to work.¹⁶⁴ Some activists were still waiting for their asylum application to be assessed by the authorities or they had appealed a negative decision. Some had received a temporary ban on deportation (*duldung*), which regularly exposed them to the risk of being deported.

Despite the different and precarious legal statuses that the non-citizen activists who mobilized with *Corasol* or with *Stop Deportation Group* held, they collectively referred to themselves as refugees. On 20 June, the activists of *Corasol* organized a protest, together with two other social movement organizations, *Borderline Europe* and *Family Life for All*, against the asylum policies proposed by the newly appointed Minister of Interior. In the context of the preparatory meetings prior to the protest, the activists drafted a text for an outreach flyer which stated: “We identify ourselves as refugees [*Flüchtlinge*] because in Germany we are treated as refugees. With the label ‘refugees’, we experience discrimination and violence.”¹⁶⁵

Border regimes shaped the experiences of the non-citizen activists whom I met; they were all caught up in the mesh of the German asylum system, which they associated with their experiences of racism and exclusion. From the discussions I had with activists and the meetings I attended, I

¹⁶⁴ See section 4.3 for more details about the practice of sharing daily hurdles in the context of the weekly meetings of *Corasol*.

¹⁶⁵ Ethnographic notes of the weekly preparatory meetings for the protests which took place in May and June 2018. In interviews, German activists explained the word *Flüchtling* had a negative connotation because of the suffix “ling”, which is infantilizing and has a negative undertone because it is associated with words such as *Häftling* (prisoner) or *Säugling* (baby). In their view, *Geflüchtete Menschen* (literally: people who fled) was more neutral. Activists referred to these German terms in interviews. In the context of the regular meetings that I attended, which were mostly held in English or French, non-citizen activists mostly used the English word “refugee” or the French word “refugié” to identify themselves. Citizen activists identified non-citizen activists with those words too.

realized that most of the activists had sought asylum in Germany. Some activists reached Germany on a student or tourist visa and subsequently sought asylum. Others travelled to Germany by crossing the border between Morocco and Spain or by embarking on the journey between Libya and Italy by boat. Irrespective of these diverse trajectories, they faced the negative impact of asylum laws and policies in Germany. In particular, non-citizens who claimed asylum had the obligation to reside in reception centres and often spent years in shared accommodation, often located in remote areas. Activists usually referred to reception centres and shared accommodation as *Lager* (camps)¹⁶⁶, in which they were subject to control and often had few contacts with the external world. The restrictions on freedom of movement and on the right to work applied to everyone for three months. Some of the non-citizen activists whom I met had been waiting for years for the decision on their asylum application.

In interviews and in their daily mobilization, non-citizen activists often referred to *Lager* as prisons. They emphasized the restrictions on freedom of movement that the authorities imposed on them while living in *Lager*. For example, when I asked Paul, an activist from Cameroon, about the main problems that people faced in the camps, he emphasized the restrictions on movement and the control that the authorities exercised. He told me:

In the *heim* [shared accommodation], you are like in a prison. Today those who claim asylum will have to stay in Eisenhüttenstadt [a

¹⁶⁶ Camp is a term that bears a particular negative connotation as it is also used to refer to the transit, labour, concentration and death camps during the Nazi regime.¹⁶⁶

reception centre in Brandenburg] until the end of the procedure. At least when I was there people were still transferred to other *heims*. In the *heims*, there is no privacy, you have to leave a copy of your ID to go in and out, there is security and you share a room with many people. It's absurd not to be able to leave your home and to come back when you want.¹⁶⁷

The activists who had precarious legal statuses, in particular those who held the *duldung*, faced the risk of deportation as the Pakistani activists of *Stop Deportation Group* stressed in the first meeting that I attended. As I discussed earlier, several of the non-citizen activists who mobilized with *Corasol* were stressed and anxious because they feared deportation. Asylum laws had an impact on the collective identities of the non-citizen activists whom I met. They shaped their experiences in Germany, in particular in the first months of their stay but often much longer. Some activists did not identify themselves as refugees any longer when they accessed permanent residence rights, for example through family reunification or acquisition of German citizenship. For example, in June Hamid told me that he did not consider himself as a refugee because he had acquired German citizenship after his marriage with a German citizen. This shift points to the extent to which asylum laws shaped the self-identification of all those who are subject to asylum laws in Germany as refugees, irrespective of their legal status.

¹⁶⁷ Interview with Paul, 9 September 2018. Paul referred to shared accommodation as *heim*, which is an abbreviation of the German word “Wohnheim”, which means residence. Paul referred to the reception centre in Eisenhüttenstadt, which, at the time of the interview, was already functioning in a similar way to an Anker-centre. The establishment of Anker centres was one of the measures foreseen by the new coalition government which was appointed in March 2018. Further information about the Anker centres is available here: https://www.asylumineurope.org/sites/default/files/anker_centres_report.pdf.

The non-citizen activists whom I met referred to themselves as refugees and collectively shared the idea that they were refugees, irrespective of their legal status, because they were all subject to asylum laws. The citizen activists who mobilized in the GROs in which I participated shared the collective understanding of the notion of refugee beyond legal status. In meetings and interviews, citizen activists referred to racialized non-citizen activists as refugees and avoided using other notions such as “asylum seekers” or “migrants”. When I asked Philomena, a German activist who engaged with *Women in Exile and friends*, whom she considered to be a refugee, she emphasized:

When we go to the *Lager*, all the women living there are for us refugees. The asylum laws affect them, they live in *Lager*, they get little money, they can’t move a lot because of the *Residenzpflicht* [residence requirements]. These women live under the same conditions, they experience the same human rights violations.¹⁶⁸

The refugee* collective identity that non-citizen activists embraced coexisted with other collective identity processes as the movement against border regimes was characterized by a multiplicity of identities, layers of mobilization and types of social movement organizations. If refugees* shared some common experiences because they were all subject to asylum laws, the realities of some of them were also influenced by specific legal statuses, gender or nationality. For example, in the context of my fieldwork I observed how a specific legal status, the subsidiary protection, inspired the mobilization against the suspension of

¹⁶⁸ Interview with Philomena, 4 September 2018.

family reunification in 2018. Moreover, I noted how the experiences of refugees* were also gendered and how refugee* women mobilized against the gendered impact of border regimes.

In February 2018, *Family Life for All*, an informal group of mainly Syrian and German activists, organized several protests in which they spoke out about their grievances against the changes in the rules for family reunification. In 2016, authorities suspended the right to family reunification for individuals who obtained the legal status of subsidiary protection. In February 2018, the Conservative Party (CDU-CSU) and the Social Democratic Party (SPD) agreed to set a monthly cap at 1,000 for family members of individuals with subsidiary protection who could obtain a residence permit in Germany. In interview, Daniela, who co-founded *Family Life for All* with Mahmid, a Syrian activist, emphasized that there were around 60,000 family members waiting to be reunited with their spouses or parents living in Germany. She pointed out that *Family Life for All* called for “family reunification to be available for all refugees irrespective of their protection status”.¹⁶⁹

Daniela emphasized that existing informal networks among Syrians could be a factor explaining their participation in the mobilization for family reunification. Moreover, Syrians constituted the main national group affected by the limitations on family reunification. Around 69.5% of the overall number of asylum seekers who had obtained the status of “subsidiary protection” in 2018 were Syrians.¹⁷⁰ Non-citizens with

¹⁶⁹ Interview with Daniela, 17 August 2018.

¹⁷⁰ 17,411 out of 25,055 individuals who had obtained the status of subsidiary protection in 2018 were Syrians. The information is available here (in German): http://www.bamf.de/SharedDocs/Anlagen/DE/Downloads/Infothek/Statistik/Asyl/hkl-antrags-entscheidungs-bestandsstatistik-kumuliert-2018.pdf?__blob=publicationFile.

subsidiary protection were subject to asylum laws, which shaped their daily lives. In particular, they had to live in reception centres for up to six months and often in shared accommodation for much longer; their freedom of movement was also restricted. Before 2016, people with subsidiary protection status and people with the legal status of refugee had access to similar legal rights, as discussed in the previous section.

The suspension of family reunification established a clear hierarchy between the legal status of refugee and the subsidiary protection status regarding access to legal rights. Moreover, the increasing percentage of Syrians who obtained the subsidiary protection status rather than the refugee legal status¹⁷¹ was a factor stimulating the mobilization of Syrian activists with *Family Life for All* precisely to oppose the restrictions on family reunification.

Other social movement organizations supported the claims of *Family Life for All* against the limitations on family reunification even though the new restrictive policy did not have a direct impact on most of their members. The GROs in which I participated challenged the new policy on family reunification in the context of their opposition to the new asylum policies proposed by the new government and supported by Horst Seehofer, who was appointed as Minister of the Interior in March.

For example, the activists who mobilized with *Corasol* were not directly affected by the limitations on family reunification as they were mainly

¹⁷¹ The percentage of Syrians who obtained refugee status dropped from 95.8% in 2015 to 41.6% in 2018. The percentage of Syrians who obtained subsidiary protection status rose from 0.1% in 2015 to 39.7% in 2018. Further information can be found here: <https://www.asylumineurope.org/reports/country/germany/asylum-procedure/treatment-specific-nationalities>.

from Cameroon and they rarely obtained the status of subsidiary protection.¹⁷² However, *Corasol* supported the claims of *Family Life for All* against the limitations on family reunification in the context of the protest organized on 20 June 2018 jointly with *Family Life for All* and *Borderline Europe*, which contested the new policies supported by the Minister of Interior. Other types of social movement organizations, including human rights organizations such as *Pro-Asyl*, also contested the new policy on family reunification.¹⁷³

Policy changes that restricted previously available legal rights were factors that stimulated the mobilization of other GROs. For example, in 2016 Afghani citizens launched their mobilization together with German and European activists in a Berlin-based alliance, the *Alliance against Deportations to Afghanistan*. As I explained in this section, one of the common experiences of the non-citizens whom I met was the fear of deportation. However, some groups of non-citizens, for example those from countries deemed safe by the authorities were more at risk than others because they had slim chances of obtaining any kind of residence rights in Germany and were thus exposed more often to the risk of deportation (see 5.1). Other groups of non-citizens were less at risk of deportation because they were more likely to obtain a legal protection status or because the government had adopted a ban on deportations to specific countries.

Tamara, an Austrian activist who mobilized with the *Alliance*, explained

¹⁷² 1.6% of the Cameroonian asylum seekers were granted the status of subsidiary protection in 2018.

¹⁷³ Further information about the claims of *Pro-Asyl* on family reunification is available here (In German): <https://www.proasyl.de/thema/familiennachzug/>

to me that the German government's decision in 2016 to lift the ban on returning Afghani citizens to Afghanistan triggered collective actions specifically oriented towards opposing deportations to Afghanistan.¹⁷⁴ The newly established risk of deportation that Afghani citizens faced contributed to their mobilization. As we shall see, some non-governmental organizations including *Pro-Asyl* and *Amnesty International* likewise opposed deportations to Afghanistan because of the security risks that continued to exist in the country.

Despite the common experiences that non-citizens face because of asylum-law, the impact of border regimes was gendered and had a different effect on women. In the context of my fieldwork, I observed that male domination and the gendered impact of border regimes stimulated the mobilization of female non-citizens in women-only social movement organizations such as *International Women Space* and *Women in Exile and friends*.

International Women Space was founded with the specific purpose of opposing patriarchy and male domination within the protest camp in Oranienplatz. Joanne, one of the founders of *International Women Space*, emphasized in the context of a public workshop held on 8 September:

¹⁷⁴ Interview with Tamara, 17 August 2018. In October 2016, the German government signed a declaration of intent with the government of Afghanistan, which paved the way for deporting Afghani nationals including in instances where they did not possess national identification documents. Further information is accessible here (in German): <https://www.proasyl.de/wp-content/uploads/2015/12/2017-01-18-R%C3%BCcknahmeabkommen-Deutschland-Afghanistan.pdf>. In December 2016, 34 Afghan individuals were deported by a charter flight. In 2018, the German government deported 284 people to Afghanistan. Further information is accessible here (in German): <https://www.proasyl.de/hintergrund/hinweise-fuer-afghanische-fluechtlinge-und-ihre-beraterinnen/>.

Men had fiercely opposed the idea of creating a women-only space within the occupied school in Olauer Strasse and we had to organize shifts to protect our space. [...] Within the *O-platz* movement, men were very dominant and women usually took up gendered roles such as cooking or taking care of children.¹⁷⁵

Women in Exile and friends, a GRO founded in 2002, likewise strived to empower refugee women and opposed the gendered impact of border regimes. *Women in Exile* provided a space and a voice for refugee women in the movement against border regimes which was often male dominated. In interview, Carmela, a Spanish activist who mobilized with *Women in Exile*, explained for example that *Women in Exile* took over the main conference space at the International Conference of Refugees and Migrants that took place in Hamburg in 2016,¹⁷⁶ where the organizers had foreseen a women space in a separated side room and not in the main conference venue.

Women in Exile and friends made claims against border regimes focusing on their impact on women and children. They called for the abolishment of *Lager* for refugees by emphasizing the lack of privacy for women living there and their exposure to further sexual harassment and violence. For example, the women who participated in the bus tour organized by *Women in Exile and friends* in July and August 2018 often spoke about the insecurity that they experienced in shared accommodation. One woman who lived in shared accommodation in Bamberg (Bavaria) said publicly during a demonstration:

¹⁷⁵ Ethnographic notes taken on 9 September 2018.

¹⁷⁶ Further information about the conference can be found here: <http://refugeeconference.blogspot.eu/about/>.

The security guards are very intimidating, they enter our rooms whenever they want, just kicking the doors, coming in without knocking and finding us naked sometimes. We do not sleep at night because of the fear of who can come into our rooms.¹⁷⁷

Collective identity processes are influenced by multiple factors, including the experiences of activists but also realities external to social movement organizations. Acknowledging the multiple layers of identity processes is crucial in order not to essentialize identities. Non-citizens shared common experiences because they were all subject to border regimes and, and in the case of those claiming asylum in Germany, to asylum laws. These common experiences, which non-citizens often framed as negative or even traumatic, had an impact on collective identity processes; in particular, non-citizen activists identified themselves as refugees on the basis of their shared lived experiences, and irrespective of their legal status.

Identity processes do not occur in isolation, they are often also shaped by political changes which crystallize the grievances of social actors. Some groups of non-citizens lived specific experiences which coexisted and intersected with the common experiences that all non-citizens faced as a consequence of asylum laws. I observed, for example, activists who obtained the legal status of subsidiary protection mobilizing for the right to family reunification. Similarly, Afghani activists mobilized against deportation to Afghanistan in the aftermath of policy changes that exposed them to the risk of deportation. People with subsidiary

¹⁷⁷ Ethnographic notes taken during my participation in the bus tour from 27 to 31 July 2018.

protection and Afghanis formulated grievances that were associated with a specific legal status and a specific nationality, which shaped collective identity processes within the social movement organizations in which they mobilized. Moreover, I observed the mobilization of women who formulated claims emphasizing the gendered impact of border regimes and carved out spaces for women to have a voice in a movement that they framed as male dominated.

In this section I have examined the construction of the refugee* identity and I have emphasized that this identity was shared among the non-citizen activists whom I met even though they were not recognized as refugees by the state. Moreover, citizen activists, too, referred to non-citizens as refugees irrespective of their legal status. As I discuss in the next section, the notion of refugee is not simply a legal status category and the refugee* collective identity challenges the multiple legal status categories that are embedded in border regimes.

5.3 THE REFUGEE* IDENTITY: CONTESTING THE LEGAL NOTION OF REFUGEE

In this section I explore how the activists whom I met interpreted the legal notion of refugee and the other legal categories embedded in border regimes. Activists were aware of the legal notion of refugee and the legal differences between a migrant and a refugee. However, both citizen and non-citizen activists contested the legal notion of refugee and the hierarchy among the other legal statuses that I discussed in the first section of this chapter. In particular, activists challenged the unequal access to rights associated with different legal statuses.

In this section I investigate the disconnections between the refugee* collective identity the legal notion of refugee, which is premised on the

risk of persecution based on identity grounds. In interviews, I asked activists to explain who they considered to be a refugee and whether they were familiar with and agreed with the legal notion of refugee. Both citizen and non-citizen activists framed the legal notion of refugee as being too restrictive. In particular they framed the notion of identity-based persecution as problematic because it excluded people experiencing other forms of oppression, especially poverty, from obtaining protection and residence rights.

For example, in August 2018, I talked to Charles, an activist from Cameroon who was at the time waiting for the outcome of his appeal against the rejection of his asylum claim. When I asked him who a refugee was, he emphasized: “Someone who is persecuted in their country and who look for a safe place”.¹⁷⁸ Charles argued that impoverishment also constituted a form of persecution. He pointed out:

“There are people in Africa who flee because, despite their countries being rich in natural resources, they have been impoverished by ill-conceived policies.”¹⁷⁹

Charles challenged the idea that identity-based persecution was the only avenue that could lead to obtaining the legal status of refugee. He referred to processes of impoverishment that countries in the global South experienced during colonialism and which have shaped global inequalities.

¹⁷⁸ Charles said in French, “*son pays*”, which I translated into “their country” to keep the gender neutral connotation in English.

¹⁷⁹ Interview with Charles, 16 August 2018.

According to the activists who mobilized in the grassroots organizations in which I participated, the restrictive legal notion of refugee established legal hierarchies among groups of non-citizens who were assigned the different legal status categories that I discussed in the first section of this chapter. In interviews, activists explained that they were aware of the distinction between the legal notions of migrant and refugee. They challenged the idea, embedded in international law, that migrants exercise free will when deciding to leave their country. They framed the legal notion of migrant as turning a blind eye to economic factors, structural global inequalities and the multiple factors that may shape migration. In interviews, some activists emphasized the negative undertone associated with the idea of migrant, as some public officials or sectors of society resorted to it to justify the denial of residence rights. For example, Paul, a man from Cameroon who claimed asylum in Germany and who at the time of the interview had appealed against the rejection of his application, pointed out:

The society doesn't consider me as a refugee. This [legal] difference between migrants and refugees implies the superiority of refugees. Politicians established those differences, but I think we should be considered as refugees because we fled our home for good reasons. For example, Cameroon is poverty-ridden and there is no employment and Europe is historically responsible for that. But they considered you as a migrant because they don't want you to stay.¹⁸⁰

Both citizen and non-citizen activists contested the legal hierarchy between refugees and migrants. In interview, Julia, a woman from Kenya

¹⁸⁰ Interview with Paul, 9 September 2018.

who had acquired residence rights through family reunification, emphasized:

Migrants should also be given a chance because people have talents and can contribute a lot to this society. Germans are in other countries not because they are refugees but because they seek jobs...they're migrating...if people want to migrate, let them come and contribute to the society.¹⁸¹

Non-citizen activists were conscious of the negative connotations associated with the idea of migrant, which authorities used to deny protection status and residence rights. They did not identify themselves as migrants because they perceived it as trivializing the reasons behind the decision to leave their countries. They considered themselves as refugees irrespective of legal status because, as I discussed in the previous sections, their experiences in Germany were shaped by border regimes. Moreover, the refugee* identity was also premised on the contestation of the legal notion of refugee and the limited idea of what constituted persecution.

Refugee activists not only opposed the hierarchy between migrants and refugees but also challenged the differences among the multiple legal statuses discussed in the first section of this chapter; in particular the stratified access to rights. For example, people from countries deemed “safe” faced more restrictions on their rights. For example, they could not leave the district in which they lived for the whole duration of their asylum procedure. People who held a temporary ban on deportation

¹⁸¹ Interview with Julia, 19 September 2018.

(*duldung*), did not have the right to work or the right to family reunification and were at risk of deportation.

In interviews, when I enquired about his opinions regarding the asylum system, Guillaume, a man from Cameroon who mobilized with *Corasol*, emphasized: “The system divides us. There are refugees who have the priority, for example those from Iraq, Syria, Iran and Eritrea. When they come to Germany, they get their residence permits while we don’t get it.”¹⁸²

As I discussed, the non-citizen activists who identified themselves as refugees and whom I met in Berlin often had precarious legal statuses. Many of them had very limited access to legal rights because they were either waiting for their asylum application to be examined or they were “tolerated” while waiting to be deported (that is, they held a *duldung*). They rejected the idea that only people who obtained the legal status of refugee should have access to residence rights and to other legal rights. They framed the legal notion of refugee as limited, exclusionary and a tool used by the state to deny residence rights and other legal rights, such as the right to work and the right to family life, which are also human rights. Unequal and stratified access to rights as a function of legal status shaped the activists’ vehement opposition to state nomenclatures and taxonomies, that is, the multiple legal statuses embedded in border regimes.

Some activists, in particular those from West or East Africa like Guillaume, considered Syrians as occupying the upper layer of legal

¹⁸² Interview with Guillaume, 3 July 2018.

hierarchies as they obtained legal refugee status more often than people from West or East African countries. However, as I discussed earlier in this chapter, the stratified access to rights stimulated the mobilization of Syrian activists with *Family Life for All* because they were increasingly experiencing restrictions on family reunification associated with their legal status. German authorities increasingly granted the status of subsidiary protection to Syrians, which restricted their right to family life.¹⁸³

The divisive impact of legal hierarchies, which Guillaume referred to in our interview, also had an effect among Syrians who had obtained different legal statuses. In interview, Mahmid, a Syrian activist who had obtained the status of subsidiary protection and who mobilized with *Family Life for All*, provided an example by recalling an exchange between him and a Syrian acquaintance: “He told me ‘you have subsidiary protection, Germany doesn’t need you, go away’, although he was himself a refugee from Syria.”¹⁸⁴

As I discussed earlier, the non-citizen activists whom I met identified themselves as refugees irrespective of their legal status and shared the negative experiences shaped by border regimes. They all lived or had lived in segregated and often isolated shared accommodation, they waited months or even years for their asylum claims to be assessed, they did not have the right to work and they were often at risk of deportation.

¹⁸³ While 94.7% of Syrians had been granted refugee status in 2015, this rate dropped to 56.2% in 2016 and 34% in 2017. Conversely, the rate of Syrians being granted subsidiary protection rose from 0.1% in 2015 to 41.2% in 2016 and 56% in 2017. Further information is accessible here (in German): <http://dipbt.bundestag.de/dip21/btd/19/013/1901371.pdf>
<http://dipbt.bundestag.de/doc/btd/18/112/1811262.pdf>

¹⁸⁴ Interview with Mahmid, 17 October 2018.

Their precarious legal status had an impact on their collective identity. They enjoyed a limited set of legal rights compared to people who had obtained the legal status of refugee.

Legal categories did not determine the collective identities of non-citizen activists. The refugee* identity, that is the identification of non-citizens as refugees irrespective of their legal status, deconstructs dominant discourses and challenges state-sponsored hierarchies. The unequal access to rights as a function of legal status stimulated the emergence of the refugee* collective identity and the contestation against state taxonomies and nomenclatures.

The activists who mobilized in the GROs in which I participated and who held precarious legal statuses collectively transformed the legal notion of refugee to oppose the state denial of residence rights, employment and family rights. Those legal rights were, however, available to people who had obtained the legal status of refugee. Activists holding precarious legal statuses transformed the exclusive legal notion of refugee in a claim for equal access to rights by identifying themselves as refugees irrespective of legal status and thus embracing what I have referred to as the refugee* collective identity.

5.4 THE INTERPRETATION OF THE NOTION OF REFUGEE BY HUMAN RIGHTS ORGANIZATIONS

In this section, I examine the multiplicity of the understandings of the notion of refugee. The GROs in which I participated contested the legal notion of refugee and the legal hierarchies embedded in the German taxonomies and nomenclatures. In this section I demonstrate that other

social movement organizations, in particular human rights NGOs, did not fundamentally challenge the legal notion of refugee. This analysis is important to understand how the diverse social movement organizations that opposed border regimes conceived legal categories and positioned themselves towards the law. As we shall see, in contrast to GROs, human rights NGOs did not elaborate and make use of notions of human rights that exceeded the law.

Human rights NGOs did not contest the legal notion of refugee and the hierarchy of legal statuses. Rather, they challenged aspects of border regimes that hampered the process of obtaining the legal status of refugee. These included for instance, the lack of access by asylum seekers to independent and qualified counselling free of charge, the rights of asylum seekers living in shared accommodation and the notion of safe countries of origin.¹⁸⁵

For example, the NGO *Pro-Asyl* emphasized in its public communications that asylum seekers had restricted access to free legal aid, which had a negative impact on their right to asylum and the principle of *non-refoulement*.¹⁸⁶ In particular, as counselling was not available in all reception centres, the Federal Office for Migration and Refugees (BAMF) sometimes carried out interviews to determine

¹⁸⁵ Human rights NGOs make use of the term asylum seekers. I thus make use of that term when I provide an account of their claims.

¹⁸⁶ According to the principle of *non-refoulement*, no one shall be returned to any country where their life or freedom would be endangered because of their race, religion, nationality, membership of a particular social group or political opinion or where they would be at risk of being subjected to torture or inhuman or degrading treatment or punishment. See International Review of the Red Cross, Note on migration and the principle of non-refoulement, 2018, <https://www.icrc.org/en/international-review/article/note-migration-and-the-principle-of-non-refoulement>

protection needs before the person concerned could obtain independent legal advice. *Pro-Asyl* underlined in particular that the legal advice provided by the BAMF in the Anker centres¹⁸⁷ was not adequate as it was offered by the same authority responsible for making decisions about asylum claims.¹⁸⁸

Amnesty International expressed concerns about the lack of quality of the process to determine refugee status carried out by the BAMF, which resulted in flawed decisions. In particular, the organization emphasized the lack of training for staff in charge of the process and the lack of qualification and independence of the interpreters.¹⁸⁹

Moreover, human rights organizations opposed the notion of safe countries of origin, which established hierarchies on the basis of nationality. *Amnesty International* strongly criticized the use of the notion of safe country and called for fair asylum procedures for all asylum seekers. *Pro-Asyl* emphasized that the idea of safe countries was based on the assumption that individuals from those countries did not need protection, which was at odds with the principle according to which asylum applications should be assessed on an individual basis.¹⁹⁰ *Pro-Asyl* framed the concept as embedding political arbitrariness rather than human rights.

¹⁸⁷Further information about the Anker centres is available here:

https://www.asylumineurope.org/sites/default/files/anker_centres_report.pdf

¹⁸⁸ Shadow report of *Pro-Asyl* regarding the implementation by Germany of the UN Convention against Torture, March 2019: https://www.proasyl.de/wp-content/uploads/Shadow-report-CAT_PRO-ASYL_March-2019.pdf.

¹⁸⁹ Germany: human rights guarantees undermined. Amnesty International's submission for the Universal Periodic Review, May 2018:

<https://www.amnesty.org/download/Documents/EUR2373752017ENGLISH.pdf>.

¹⁹⁰ <https://www.proasyl.de/thema/von-wegen-sicher/>

In July 2018, *Pro-Asyl* contested a Federal Government bill that aimed to classify Algeria, Morocco and Tunisia as safe countries of origin. In this instance, the organization framed its opposition by drawing on the criteria that the Federal Constitutional Court had established for a country to be classified as safe. In particular, *Pro-Asyl* argued that one of the established criteria for a country to be considered as safe was the absence of risks of being subjected to torture, cruel or inhuman or to inhuman or cruel treatment or punishment, and emphasized that such risks existed for LGBTI people in the countries included in the bill.¹⁹¹

In interviews, the activists who mobilized in the GROs in which I participated pointed out that human rights organizations upheld the legal hierarchies produced by border regimes, notably the legal notion of refugee. As I discussed in this section, NGOs such as *Pro-Asyl* or *Amnesty International* did not oppose in principle the legal notion of refugee and the legal status categories stemming from asylum laws. They rather criticized specific aspects of border regimes that prevented asylum claims being assessed fairly by state authorities.

Human rights NGOs were critical about the current asylum processes; they expressed concerns that specific procedural flaws resulted in the impossibility of a fair assessment of asylum applications. However, they did not contest the foundations of that process; they did not challenge the state prerogative to determine protection needs, nor did they oppose the constitutive elements of the legal notion of refugee. In contrast, self-

¹⁹¹ *Pro-Asyl*, Maghreb countries: still not safe countries of origin, 13 July 2018: <https://www.proasyl.de/news/die-maghreb-laender-noch-immer-keine-sicheren-herkunftsstaaten/&prev=search>

organized groups of refugees and the other GROs in which I participated opposed the restrictive legal notion of refugee by embracing the refugee* collective identity that reconfigured the hierarchy between political persecution and socioeconomic distress and poverty, which was embedded in the legal distinction between a refugee and a migrant. The GROs in which I participated not only contested the law but also extended their criticism to the state prerogative of establishing a hierarchy among legal statuses that resulted in a stratified access to legal rights. I will further explore in the following chapters how GROs approached human rights in view of their standpoint towards the law. Human rights NGOs did not contest legal status categories and opposed only specific aspects of the law that hampered the process of obtaining the refugee legal status.

The differences between the contestation of the legal notion of refugee sustained by the GROs in which I participated and how human rights NGOs approached those legal status categories is crucial for the analysis of the multiple understandings of human rights within the movement opposing border regimes.

CONCLUSIONS

In this chapter I have explored the link between legal status and collective identities. Asylum law and legal status categories shaped the common experiences and the collective identities of non-citizen activists. However, the GROs in which I participated contested and transformed legal status categories and, in particular the legal notion of refugee. Notions of equal rights inspired the contestation and transformation of legal status categories. The GROs in which I participated contested

asylum laws as a component of border regimes that contributed to establishing hierarchies among non-citizens and to controlling them.

The identity of non-citizens was multi-faceted and was not solely premised on legal status. The multi-faceted diversity of non-citizens in terms of, for example, nationality, gender, and legal status implies that multiple collective identity processes occurred in specific social movement organizations and within sub-groups of non-citizens. In my fieldwork, I observed the multiplicity of identity processes and how they inspired the mobilizations of specific groups of non-citizens. For example, women created spaces where they could empower themselves, oppose male domination and challenge the gendered impact of border regimes.

Non-citizens shared, however, some experiences and material conditions in Germany that were shaped by border regimes. In particular, non-citizens who claimed asylum in Germany had to live for several months, sometimes for years, in segregated and often isolated reception centres and shared accommodation without the right to work. Non-citizens whose asylum claim was rejected were constantly fearing deportation. The non-citizen activists I met considered themselves refugees, irrespective of their legal status, as their experiences were shaped by asylum law. Citizen activists who mobilized in the GROs in which I participated also referred to non-citizens as refugees irrespective of their legal status.

The refugee* identity within the GROs in which I participated was associated with the common experiences of non-citizens who had all to

face the negative consequences of border regimes. The refugee* identity contested the legal notion of refugee and the hierarchy among the multiple legal statuses embedded in border regimes. The refugee* identity challenged in particular the unequal access to legal rights among people with different legal statuses. The activists I met were familiar with the legal distinction between a migrant and a refugee. They rejected that distinction and emphasized the complexity of the reasons to migrate and the entanglement between political and economic factors. The activists who mobilized in the GROs in which I participated contested and reshaped the premises on which the legal status of refugee was based, namely the notion of political persecution based on identity characteristics. They challenged the idea that political persecution was a more legitimate ground than poverty for obtaining residency rights and protection.

Non-citizen activists, in particular from West and East Africa, argued that the impoverishment of their countries of origin was partly the consequence of predatory economic policies that Germany and other countries in the global North pursued. As discussed in Chapter 3, the activists who mobilized with self-organized groups of refugees framed border regimes as mechanisms that maintained the structural inequalities produced by colonialism. Their contestation of the legal status of refugee was entangled with their anti-racist identity. They framed the exclusion of economic factors from the grounds to obtain the status of refugee as a component of the mechanisms that preserved global inequalities.

In this chapter I have emphasized that in the context of my fieldwork in Berlin, I mostly met non-citizen activists who had not obtained the legal

status of refugees. They held precarious residence rights as they were either still waiting for the decision on their asylum claim or were at risk of deportation. Moreover, they had limited access to employment and education. Their precarious legal statuses shaped the construction of their refugee* identity, which rejected the divisions and legal hierarchies embedded in the German taxonomies and nomenclatures, including a differentiated access to legal rights. Notions of equal rights inspired their collective identity and their mobilization. Non-citizen activists and the citizen activists with whom they mobilized demanded equal rights for everyone irrespective of legal status.

Moreover, in this chapter I analysed the multiple interpretations of the notion of refugee among the different types of social movement organizations that opposed border regimes. NGOs embrace a different standpoint towards the legal notion of refugee and other legal status categories. In particular, human rights NGOs contested some dimensions of the asylum process but did not oppose legal hierarchies and the legal notion of refugee.

The analysis of the different approaches to the law is crucial to understand if and how the GROs in which I participated elaborate notions of human rights outside the law. In the following chapter, I further analyse the differences between the GROs in which I participated and NGOs with a view to gauging the differences in their interpretations of, and approaches to, human rights.

CHAPTER 6. RIGHTS FRAMES: THE COLLECTIVE IDENTITY BOUNDARY

BETWEEN RADICAL AND REFORMIST SOCIAL MOVEMENT ORGANIZATIONS

Katya loved the Italian restaurant Caligari in the neighbourhood of Neukölln, where I lived during the second half of my stay in Berlin. She suggested having dinner there a couple of times, but I could never make it because my partner was visiting and we always had other plans. She told me that this was her favourite restaurant in Berlin. It was a small and cosy restaurant where I once had dinner with Daphne, a French activist of *Corasol* with whom I became quite close.

Certainly not a posh restaurant, Caligari was still a bit more upscale than the other restaurants nearby. I wonder whether there was any connection between this restaurant and the film *The Cabinet of Doctor Caligari*, which was featured in the permanent exhibition of the *Deutsche Kinemathek* in Potsdamer Platz that I had visited in June.

Katya was a German woman in her early 30s. She liked to speak Italian because she had studied in Italy for an academic semester. One mild evening in May, we cycled back together to Prenzlauer Berg, where we both lived at the time, after a meeting of *Borderline Europe*, which took place in their office in Kreuzberg. It was the first time that Katya attended the fortnightly meetings of *Borderline*. When she introduced herself at the meeting, her face looked familiar to me. I almost instantly recollected that I had indeed noticed her in an ice cream parlour in the Volkspark Friedrichshain, which was very close to where I lived in

Prenzlauer Berg. She had a squabble with the vendor, which attracted my attention. She appeared frail, skinny and pale and her hair was very thin.

On that night, while riding her bike, she spoke to me in Italian about her new flat, her PhD and her job search. She told me that she had initially liaised with *Borderline* while she was working on her thesis, which focused on integration policies. She had recently moved to Prenzlauer Berg after having lived for years in Neukölln. At the time, I lived in a flatshare in Prenzlauer Berg but I wanted to move out as I had some quarrels with my flatmate over visitors.

Katya was the only activist whom I met during my fieldwork who lived in Prenzlauer Berg, the neighbourhood of design boutiques, fancy hair stylist salons and organic shops and markets. Massively gentrified and inhabited by yummy mummies, the neighbourhood still hosted some pockets of counterculture, including the Mensch Meier, a techno music venue that activist groups often used for running solidarity events, and the queer housing project Tuntenhaus.

None of the meetings that I regularly attended took place in Prenzlauer Berg. Since I had purchased a second-hand Raleigh racing bike in March, cycling back and forth from Prenzlauer Berg down south to Kreuzberg or Neukölln became a daily habit. I enjoyed my cycling routine, especially because it involved crossing the Spree river on the bridge close to Ostbahnhof, from which I could admire the TV tower in Alexanderplatz.

After I had left the neighbourhood and moved to Neukölln in August, some of the meetings of the alliance for the protest *Unteilbar*

(Indivisible), which Katya was involved with, were organized in the Haus der Demokratie und Menschenrechte, a space for NGOs in Prenzlauer Berg.

On that night in May, while cycling back home, Katya told me that she was also an activist with the Green party and that she was currently looking for a job. She explained that she had moved out of Neukölln because it had become pricier than Prenzlauer Berg, which really surprised me, as I had not entirely grasped yet the extent of the gentrification of Neukölln. We exchanged phone numbers as Katya promised to give me a heads up if she heard about any available flatshare for me.

In July, Katya started attending the meetings organized by a group of lawyers, the *Republican Lawyers* (Republikanischer Anwältinnen und Anwälteverein, RAV). The lawyers invited many organizations to join a new coalition that organized the protest *Unteilbar*. The protest took place on 13 October 2018 in Berlin and was attended by almost a quarter of a million protesters.¹⁹²

The coalition for the protest *Unteilbar* was composed of many diverse social movement organizations. They included self-organized groups of refugees and other grassroots organizations in which I participated, trade unions, search and rescue non-governmental organizations, and human rights organizations.

¹⁹² Großdemonstration “#Unteilbar” in Berlin gegen Ausgrenzung und Rassismus, Tagesschau, 13 October 2018 (in German): <http://www.tagesschau.de/multimedia/sendung/ts-27983.html>

Heiko, one of the founders of *Borderline*, had been informed about the first meetings of the initiative by a friend of his who was a member of RAV. Katya initially participated in those meetings because no one else was available to attend on behalf of *Borderline*. She told me that she had not been in touch with RAV before. She increasingly got more involved with the coalition for the protest *Unteilbar*, which arose from those initial coordination meetings. She often provided information about the initiative during the meetings of *Borderline* and eagerly spoke about *Unteilbar* several times before we met for an interview in October.

At the time when the coalition emerged, I was already actively participating in several grassroots organizations and my weekly agenda was thus very packed. I attended a few meetings of the coalition and I collected other data through the analysis of their written materials, in particular the manifesto that *Unteilbar* published ahead of the protest in October. Moreover, I discussed the aims of the coalition with several activists I interviewed, including Katya.

In this chapter, I analyse the frames through which social movement organizations formulated their claims against border regimes. The process through which the coalition *Unteilbar* framed the manifesto for the protest, in which the coalition publicized their demands, exemplified the different frames that SMOs elaborated against border regimes. More specifically, *Unteilbar* framed claims against border regimes by making use of the idea of the right to asylum. In contrast, the GROs in which I participated framed their demands through the notion of the right to stay. While both the right to asylum and the right to stay are rights frames,

they underlie a different approach to, and a different understanding of, human rights within the movement that contested border regimes.

Frames are patterns and processes through which social actors identify and interpret the occurrences in their everyday lives. Framing processes are intertwined with collective identities as well as grievances and solutions that social movement organizations elaborate regarding border regimes. The frames through which social movement organizations formulate their claims against border regimes indicate their shared understandings of the problematic aspects of border regimes and the possible solutions, which have been respectively referred to as diagnostic and prognostic frames (Benford & Snow, 2000). The right to asylum and the right to stay are frames that embed a different understanding of the problematic aspects of border regimes and the possible solutions.

As we shall see in this chapter, the right to stay implies that all non-citizens should have equal access to residence rights and to legal rights, such as family life and the right to work which are also human rights. The right to stay encapsulated activists' opposition to the stratified access to rights produced by the multiple legal statuses embedded in border regimes. In contrast, the right to asylum is associated with the idea that non-citizens should have access to fair asylum procedures through which they could obtain the refugee legal status. The activists who mobilized in the grassroots organizations in which I participated considered that the demands framed through the right to asylum were too moderate. Katya for example did not believe that the right to asylum substantially challenged border regimes.

The analysis of rights frames that I conduct in this chapter is crucial to understanding the multiple interpretations of human rights in the movement against border regimes. In this chapter, I examine the connections between collective identities, framing processes and organizational forms. I conceptualize a collective identity boundary regarding framing processes between two types of social movement organizations: radical and reformist. As we shall see, I interpret this collective identity boundary as a flexible and evolving continuum rather than as a rigid separation preventing social movement organizations from establishing ties and forming alliances.

In the first section of this chapter, I examine the process leading to the publication of the manifesto for the protest *Unteilbar*. This process highlights the different interpretations among social movement organizations of the main problematic aspects of border regimes and of the possible solutions. Then, I investigate the differences between the two rights frames that I mention in this introduction: the right to stay and the right to asylum. I conclude by conceptualizing the collective identity boundary between radical and reformist social movement organizations. This collective identity boundary is not only crucial to understand differences regarding framing processes but also to appreciate divergent approaches to human rights in the movement opposing border regimes in Berlin.

6.1 THE RIGHT TO ASYLUM IN THE MANIFESTO FOR THE PROTEST *UNTEILBAR*

On 5 September, I went to Der Meringhof in Kreuzberg, a former squatted building that is nowadays a housing association hosting the offices of several SMOs, including *Borderline Europe*. While in winter the fortnightly meetings of *Borderline* took place indoors, in summer we

used to gather on the pleasant rooftop terrace. In those early September days, a fresh breeze and the twilight accompanied the discussions.

I arrived a bit earlier than 7 pm and joined Katya and Dana, a German activist in her late 40s and one of the founders of *Borderline*, who were discussing the upcoming protest *Unteilbar*, which was scheduled for 13 October. I had read in an email that the organizers aimed to attract 100,000 protesters, which appeared a very ambitious goal considering that many of the protests that I had attended to date were quite small (apart from those of *Seebrücke*).¹⁹³

Katya and Dana were speaking in German and I made an effort to follow them and to ask questions in German. My German had improved substantially as I was following an intensive course. Neither Dana nor Katya were convinced that the protest could attract as many as 100,000 people, for Dana said that it would have been a considerable achievement if 50,000 protesters took to the street on that day.

Slowly other activists came and after ten minutes or so we kicked off the meeting. There were about 15 activists around the table, twice as many as usual. The higher attendance was due to a planned discussion about some internal issues that was scheduled for the second part of the meeting, when an external facilitator moderated the discussion. After a short round of introductions in German, Nadia, who worked part-time in the office of *Borderline*, suggested holding the meeting in English. I was the only one who was not fluent in German and I felt a bit uncomfortable to be the trigger of the language switch.

¹⁹³ See Chapter 4.1.

Katya provided a short update on the protest *Unteilbar*, as she had regularly attended the weekly meetings of the coalition that was planning the event. Katya explained that the manifesto of the coalition, the document where the members agreed on their collective demands, had just been published. In this context Katya referred to the divergences among SMOs within the coalition, which had delayed the publication of the document. More specifically, Katya explained that the draft manifesto had initially referred to the right to stay. However, some organizations had subsequently opposed that reference; for example, *Amnesty International* and *Pro-Asyl* insisted on framing the demands of the coalition against border regimes through the idea of the right to asylum.

Katya's update caught my attention. Despite both being rights frames, the right to stay and the right to asylum must have had very different meanings if they triggered the debate within the coalition to which Katya referred. My interviews with other activists and the discussions about the coalition *Unteilbar* in the meetings of *Borderline Europe* confirmed my initial thoughts. While not all social movement organizations considered them mutually exclusive, human rights organizations such as *Amnesty International* considered the right to asylum as incompatible with the right to stay. As we shall see, I interpret the rights frames that SMOs used to formulate their claims against border regimes as a collective identity boundary in the movement against border regimes regarding the approach to human rights.

The coalition for the protest *Unteilbar* emerged in a context where SMOs were increasingly concerned with the rise of the populist radical right. The emergence of the coalition *Unteilbar* was associated with the importance of an anti-racist collective identity oriented towards opposing the populist radical right.¹⁹⁴ Katya explained to me that the organizers of *Unteilbar* considered the formation of a large coalition of organizations that could mobilize tens of thousands of people as a key strategy to achieve visibility and to launch a strong symbolic message to those political and social actors who supported the populist radical right. As discussed in Chapter 3, the grassroots organizations in which I participated identified the political gains of the party Alternative for Germany (AfD) and the appointment of a Minister of Interior with hawkish views on migration as signalling the success of the racist frames of the populist radical right.

The manifesto for the protest *Unteilbar*, which was published in early September 2018 and which included the common demands of the coalition, referred to a “dramatic political shift”. The manifesto emphasized:

Racism and contempt for humanity are becoming socially acceptable. What was unthinkable yesterday and considered unspeakable is now reality. Humanity and human rights, freedom of religion and the rule of law are openly attacked. It is an attack against all of us.¹⁹⁵

¹⁹⁴ See Chapter 3.4 for an analysis of the multiple anti-racist collective identities within the movement.

¹⁹⁵ Manifesto of the protest *Unteilbar*. For an open and free society: solidarity instead of exclusion, <https://www.unteilbar.org/uber-unteilbar/positionen/aufruf-13-10-2018/>. The original version of the manifesto is in German. The organizers translated it into several languages including English.

The manifesto for the protest framed claims through the language of rights and the motto of the protest, *Unteilbar* [Indivisible], referred to the indivisibility of human rights. The manifesto highlighted: “We stand for an open and caring society, in which human rights are indivisible and in which diverse and self-determined ways of life are undeniably respected.”¹⁹⁶

The coalition opposed the climate of “exclusion and antagonism” promoted by the populist radical right and called for a society where everyone can enjoy human rights. The grievances of *Unteilbar* did not focus only on border regimes. The coalition made wide claims for solidarity, social justice and diversity that contested social and political dynamics beyond border regimes. The coalition claimed equal rights for all the marginalized groups in society.

The coalition formulated grievances and made claims also against border regimes. The SMOs that joined the coalition framed their claims against border regimes through the idea of the right to protection and asylum. Despite emphasizing that “solidarity is beyond borders”, the coalition for the protest *Unteilbar* did not elaborate demands against border regimes through the notion of the right to stay.

When I started attending some of the open meetings of *Unteilbar* in September, the call for the protest had already been published and no further discussion about its content ensued. I decided to meet Katya specifically to discuss the content of the manifesto and the process

¹⁹⁶ Manifesto of the protest *Unteilbar*.

leading to its drafting. Katya had attended all the meetings of the coalition. When I asked Katya for an interview, she told me to attend the press conference organized by *Unteilbar* and other initiatives such as *Welcome United* and *Seebrücke* to launch the “autumn of solidarity”. The press conference publicized a season dotted with several protest events including the anti-racist protest of *Welcome United* in Hamburg scheduled for 30 September and the protest *Unteilbar* in Berlin on 13 October.¹⁹⁷

I attended the event on 24 September 2018 in the theatre Volksbühne. However, I did not have a chance to talk to Katya as she was frantically going back and forth in the room acting as a press officer. Katya suggested to meet the day after in a cafe in Prenzlauer Berg. When we met, after ordering a cappuccino, Katya told me that she had joined the communication working group within the coalition. She explained that the decisions were taken in the open plenary meetings which took place every other week.

I asked several questions about the drafting process of the *Unteilbar* manifesto. Katya explained that a specific working group had drafted the manifesto, which was then discussed and adopted in plenary meetings. Katya explained that the text of the manifesto stirred lengthy debates and hectic negotiations. According to Katya, NGOs and trade unions such as *Amnesty International*, *Pro-Asyl* and the *German Trade Union Confederation* (DGB) insisted on framing their claims through the right to asylum as they were determined to avoid any reference to “open

¹⁹⁷An excerpt of the press conference is available here (in German): <https://www.youtube.com/watch?v=QClrWyg6UjE>.

borders”. Katya emphasized that NGOs interpreted the notion of the right to stay as associated with the idea of open borders, which they disagreed with. As we shall see, my discussion with an employee of *Amnesty International* confirmed Katya’s analysis of the debates regarding the framing of the manifesto within the coalition.

In interview, Katya stressed that many SMOs in the coalition did not use the idea of the right to asylum to frame their struggle against border regimes. She highlighted:

Many of the groups thought that the right to asylum was a 30-year old call.¹⁹⁸ Many of us aimed to be more radical, more on the left...but we needed the big organizations for money, visibility and mobilization. This alliance [*Unteilbar*] is very broad and it cannot fulfil 100% the goals of each partner.¹⁹⁹

Katya embraced the perspective according to which compromises were necessary to stage large protests and to effectively oppose the rise of racism and the populist radical right.²⁰⁰ According to Katya’s views, the manifesto for the protest *Unteilbar* was the “lowest common denominator” among the very diverse SMOs that formed the coalition. Katya referred to her own willingness to compromise by highlighting, for example, that the call did not include any demand to address climate change, which was for her a crucial struggle. However, she explained

¹⁹⁸ Katya referred to the debates in the early 1990s that resulted in the amendment of the German Constitution and the restriction of the asylum law. See Blay, S. and Zimmermans, A. (1994). Recent changes in German asylum law: a critical assessment. *The American Journal of International Law*, Vol. 88, No. 2, pp. 361-378

¹⁹⁹ Interview with Katya, 21 September 2018.

²⁰⁰ See Chapter 4.1 for an analysis of visibility and protests.

that supporting *Unteilbar* did not prevent her from mobilizing on climate change with other SMOs. Some of the GROs in which I participated, for example *Borderline Europe* and *Corasol*, indeed signed the manifesto for the protest *Unteilbar*, despite framing claims against border regimes through the notion of the right to stay.

As Katya highlighted in interview, the standpoint of other SMOs within the coalition, in particular human rights organizations and trade unions, suggested that they viewed the right to stay and the right to asylum as two incompatible frames. When I talked to Sara, an employee of *Amnesty International*, she explained to me that the organization could not support the initial draft of the manifesto for *Unteilbar* because it included claims for the right to stay. She pointed out: “We support the right to asylum but we don't call for open borders or anything like that. I suggested amending the manifesto so that it could be compatible with other calls.” She explained that calling for the right to stay and freedom of movement was not compatible with human rights law:

The right to stay...what is it? The right for those who are rejected to stay here? We cannot support this, we can only support calls falling within human rights law. People who are rejected can be deported, not to Afghanistan, certainly, but this doesn't mean they cannot be deported [...] There is no human right allowing people to choose to go to wherever they want.²⁰¹

For organizations such as *Amnesty International* the right to stay implies residence rights for all and thus open borders, a notion that challenges state sovereignty and exceeds legal notions of human rights. I will further

²⁰¹ Phone conversation with Sara, an employee of *Amnesty International*, 3 October 2018.

explore these views in section 3 of this chapter. It is worth remembering that, as I discussed in Chapter 3, *Amnesty International* was not part of any joint coalition of self-organized groups of refugees and other grassroots organizations in which I participated throughout the year. For example, neither *Amnesty* nor *Pro-Asyl* signed the manifesto for the large anti-racist demonstration organized by the network *Welcome United* on 30 September in Hamburg. In interview, Katya emphasized that those organizations did not join *Welcome United* because the network formulated claims against border regimes by resorting to the notion of the right to stay. In particular, Katya referred to the email correspondence between *Borderline Europe* and *Pro-Asyl* where the latter explained why they had not signed the manifesto for the anti-racist march of *Welcome United*. Heiko, another activist who mobilized with *Borderline Europe*, referred to that correspondence in our interview and confirmed Katya's view.²⁰²

My analysis of the framing processes associated with the manifesto for the protest *Unteilbar* emphasized the tension between different interpretations of the main problematic aspects of border regimes and of possible solutions. The coalition for the protest *Unteilbar* did not make claims only against border regimes. The coalition focused primarily on opposing the populist radical right, which was a prominent goal linked to the anti-racist identity in the movement when I conducted my fieldwork.²⁰³ The coalition for the protest *Unteilbar* framed claims against border regimes through the notion of the right to asylum, which NGOs supported. The activists who mobilized in the GROs in which I

²⁰² Interview with Heiko, 24 August 2018.

²⁰³ See Chapter 3.4

participated considered the demands framed through the right to asylum as too limited. In the next sections, I examine different interpretations of the problematic aspects of border regimes and the proposed solutions associated with the two rights frames that stirred debate within *Unteilbar*.

6.2 THE RIGHT TO STAY: A CALL AGAINST DEPORTATION AND FOR EQUAL RESIDENCE RIGHTS

In contrast with the manifesto for the protest *Unteilbar* that I examined in the previous section, the manifesto for the anti-racist march of *Welcome United*, which took place in Hamburg on 30 September 2018, framed claims against border regimes through the notion of the right to stay. In this section, I examine how the SMOs that used the frame of the right to stay shared the same understanding of the problematic aspects of border regimes and the possible solutions.

In the context of the protests that I observed in 2018, I often heard references to “the right to come, the right to stay and the right to go”. I reflected for the first time about those slogans in my ethnographic notes after I had attended a protest organized by *Women in Exile and friends* in Cottbus (Brandenburg) on 10 March to oppose the rise of the populist radical right in the city.

I marched through Cottbus with some activists of *Corasol* with whom I had travelled from Berlin. The moderators, some of whom were activists with *Women in Exile and friends*, travelling in the truck that was leading the march, repeatedly sang throughout the march: “Freedom of movement, freedom of residence, right to stay, right to come, right to go”. They also repeatedly used another slogan “*Kein Mensch ist illegal*,

bleiberecht überall” (Nobody is illegal, right to stay everywhere), that I had already heard in the context of previous protests.

I wanted to understand how activists interpreted the right to stay, what were the implications of this right frame and whether they conceived it as a legal right. The grassroots organizations in which I participated often framed their demands against border regimes through the idea of the right to stay in public speeches and protests.

The manifesto for the march of *Welcome United* framed the right to stay as necessary to terminate the fear, insecurity and uncertainty experienced by all those individuals waiting for their protection status to be determined in Germany.²⁰⁴ The manifesto called for the end of deportation and the unconditional right to stay for everyone. Moreover, the manifesto conceived the right to stay as a mechanism to counterweight global injustices. The manifesto emphasized:

People escape to Europe because they are left with nothing and want to save their lives. We demand equal rights for all. Everyone has the right to physical integrity, to happiness and a future – everywhere in this world and not only in the West. Nobody wants to have to escape.²⁰⁵

The right to stay was therefore an overarching principle of equality. For the activists who mobilized with self-organized groups of refugees and other GROs in which I participated, framing claims through the right to

²⁰⁴ Manifesto published by the network *Welcome United* ahead of the anti-racist march scheduled for 30 September in Hamburg, <https://www.welcome-united.org/en/charta-2/>.

²⁰⁵ Manifesto of *Welcome United*, <https://www.welcome-united.org/en/charta-2/>.

stay implied opposing the situation where people had different residence rights according to the legal status assigned by the state. For example, Mario, a German activist who coordinated the *Alliance against Deportations*, explained that for him the right to stay was:

A shortcut to say that everyone has free will and this will should be respected, it deals with the idea that every person with a German passport can go everywhere in the world, they take this right for granted, not knowing that this is a privilege. Why doesn't someone with the wrong paper, or without the right stamp, have the right to stay in another piece of land?²⁰⁶

The notion of the right to stay thus contested the unequal access to residence rights as a function of legal status. Conversely, the right to stay implied that no one should be denied residence rights and it thus entailed the opposition to all deportations. The manifesto of *Welcome United* associated the right to stay with the opposition to all deportations.²⁰⁷ Ahead of the march, *Welcome United* published four key demands that included a call on the German federal states (*Länder*) and local authorities to put an end to all deportations by framing them as a mechanism that generated a climate of fear:

Deportations are a brutal mechanism that threatens everyone. The deportation system does not only send people into torture, war and misery. It also spreads fear and terror among all those whose future

²⁰⁶ Interview with Mario, 20 August 2018.

²⁰⁷ Every year, German authorities carry out thousands of deportations, that is, forcibly returning foreigners to their countries of origin or to a third country. In 2018, they forcibly removed more than 21,300 individuals, <http://dipbt.bundestag.de/dip21/btd/19/080/1908021.pdf>.

is uncertain. Only those who have security and their families with them can have a future. We demand an immediate stop of deportations nationwide – for Roma, for Afghan women*, for Dublin deportations and all others! [...] ²⁰⁸

For the self-organized groups of refugees and other grassroots organizations in which I participated, the right to stay embedded the opposition to all deportations, which exposed non-citizens to torture, exclusion and death back in their countries of origin. For example, on 11 February, *Stop Deportation Group* organized a protest against all deportations. Several Pakistani activists were holding a banner which read: “Welcome Refugees, Stop Deportation”. The slogan “Deportation kills, deportation torture, right to stay now” was repeatedly chanted during the march. The press release published shortly before the protest, which was supported by several other GROs in which I participated, including *Corasol*, *International Women Space* and *Borderline Europe*, framed deportation as the most brutal mechanism of exclusion. The press release emphasized that:

While most people are asleep, the German border regime is carrying out its ruthless and violent practice of expulsion. For those affected, this policy has dramatic consequences, because in those places they are threatened with extreme poverty, imprisonment, forced labour, persecution and social exclusion, war, torture or death [...].

Deportations are the most brutal means of state social exclusion.

Legitimized by racism, nationalism and a devaluation of poor

²⁰⁸ Demands of *Welcome United*, point 1, <https://www.welcome-united.org/en/demands/>. Some SMOs including Welcome United and Women in Exile and friends made use of women* to emphasize that they did not conceive women as a binary category including only cisgender women.

people, people are completely subjugated and forcibly taken to countries which they obviously had a reason to leave.²⁰⁹

Self-organized groups of refugees framed deportations as a grave injustice and as a punishment and a pretext to criminalize non-citizens. As I discussed throughout the thesis, some of the activists whom I met during my fieldwork were at risk of deportation and experienced stress and anxiety. The speech of *Corasol* at the anti-racist march in Hamburg framed deportation as a crime:

Many risked their lives to get here, we had to go through terrible experiences and to face multiple traumas during the journey. We have lost some of our fellow travellers and friends. Despite all that, the government doesn't care about our mental health and only aims to deport us towards our countries of origin [...]. It's up to us activists to support all our brothers and sisters who are trapped in this injustice [facing the risk of being deported] and to oppose the criminalization of this human behaviour [migrating]. Migrating is not a crime; deporting people is a crime. Stop, Stop, Stop deportations....²¹⁰

Self-organized groups of refugees and other GROs in which I participated framed their claims through the right to stay. For them, the right to stay implied the opposition to all deportations, which constituted an injustice. The GROs in which I participated framed the differentiated access to legal rights associated with legal status categories, which I

²⁰⁹ The press-release is accessible here (in German): <https://www.africa-live.de/demonstration-gegen-alle-abschiebungen-so-11-02-berlin-wedding/>.

²¹⁰ Ethnographic notes taken on 1 October 2018.

discussed in the previous chapter, and deportations as the most problematic aspects of current border regimes. They framed their claims against those problematic aspects through the right to stay, which implied equal residence rights and enjoyment of human rights irrespective of legal status, and the end of deportation.

The right to stay was premised on a radical critique of the system of categorization of non-citizens stemming from European and German asylum laws. The right to stay implied overcoming the differences – embedded in the law and resulting in the stratified access to rights – among refugees, beneficiaries of international protection, and tolerated people with the *duldung*, which are some of the legal statuses ingrained in asylum laws.²¹¹ One of the four demands of *Welcome United* ahead of the anti-racist march in Hamburg was premised on equal rights irrespective of legal status. The manifesto of *Welcome United* highlighted:

“Germany is a country of immigration. Migration cannot be stopped. We come, we are here, we live here, we work here, we pay taxes. Our children play here. We bake the cake, so we demand our share. Rights must apply to everyone, indiscriminately and without gradation, regardless of passport or status. We demand equal social and political rights, freedom and human rights for all those who are present – indiscriminately and throughout Europe.”²¹²

²¹¹ See Chapter 5.1.

²¹² Demands of *Welcome United*, point 2, <https://www.welcome-united.org/en/demands/>

In the previous chapter I examined how the notion of equal rights inspired the opposition to legal hierarchies, the stratified access to legal rights and the legal notion of refugee. The rights frame that self-organized groups of refugees and other grassroots groups made use of, the right to stay, was premised on their shared interpretations regarding possible alternatives to current border regimes. Framing claims through the right to stay implies opposing the premises of current border regimes, in particular deportations and legal status hierarchies, and suggesting a shared vision where everyone could enjoy residence rights and human rights on an equal footing.

The right to stay encompasses a radical critique of asylum law and of border regimes more generally. Self-organized groups of refugees and other GROs framed the law as a mechanism of exclusion, as a source of inequalities and as a device to categorize non-citizens. However, as we shall see in the next chapter, the opposition to the law did not imply that the GROs in which I participated outrightly rejected legal notions of human rights as tools to contest border regimes.

6.3 The right to asylum: a call for fairer border regimes

In this section, I explore how human rights organizations interpreted the right to asylum. In particular, I examine how the right to asylum is associated with different diagnostic and prognostic frames (Snow & Benford, 2000), that is, different interpretations of the most problematic aspects of border regimes and different solutions, than those elaborated by the GROs in which I participated.

Human rights organizations made specific claims against those aspects of border regimes that undermined the right for everyone to seek and enjoy asylum, which is a legal right. The aspects of border regimes that they contested included the lack of legal and safe routes to reach Europe, the lack of independent and thorough legal counselling for asylum seekers and the notion of safe countries of origin. For the purpose of this section, I explore how two human rights organizations, *Amnesty International* and *Pro-Asyl*, construed those aspects of border regimes as problematic insofar as they jeopardize the right to seek asylum.²¹³ I will subsequently explain why the right to asylum was not associated with the opposition to all deportations and legal status hierarchies, which self-organized groups of refugees and other grassroots organizations embraced.

Human rights organizations framed the lack of safe and legal routes to Europe and the barriers imposed by governments and the European Union on search and rescue at sea as undermining the right to asylum and as a violation of human rights. *Pro-Asyl* for example referred to the Mediterranean Sea as a “mass grave” and pointed to the thousands of people who died while attempting to reach Europe by sea. The organization emphasized that states had the obligation to protect the right to life for everyone and that the European Union’s policies were only paying lip-service to the protection of human rights, human dignity and the rule of law.²¹⁴ *Amnesty International* argued that the responsibility

²¹³ As I explained in Chapter 2, I collected data about the claims made by *Amnesty International* and *Pro-Asyl* through their public written statements as I did not carry out participant observation with those organizations. *Amnesty International* is one of the main human rights organizations worldwide; it has a German national office which was founded in 1961 and has around 150,000 members in Germany. *Pro-Asyl* was founded in 1986 and is one of the main refugee rights organization in Germany.

²¹⁴ Deaths at the European borders, <https://www.proasyl.de/thema/tod-an-den-aussengrenzen/>.

for the rising death toll in the central Mediterranean Sea fell squarely with European authorities and pointed to the increased cooperation between the EU and Libya, which resulted in the upsurge in the number of refugees and migrants detained in Libya and exposed to human rights violations there.²¹⁵

In a joint press release ahead of the national day for refugees (*Tag des Flüchtlings*, 28 September),²¹⁶ *Amnesty International* and *Pro-Asyl* called on EU member states to rescue people in distress in the Mediterranean Sea and to transfer them to safe ports. They criticized the barriers to the right to asylum imposed by the European Union by referring for instance to the situation on the Greek islands, where thousands of individuals did not have access to the right to asylum because of the EU-Turkey statement.²¹⁷

Human rights NGOs framed the restrictions on search and rescue operations and other aspects of border regimes stemming from EU policies as human rights violations. They formulated claims against those aspects of border regimes that they interpreted as being at odds with the rights codified in international law, including the right to seek and enjoy asylum. As I discussed in the previous section, the GROs in which I

²¹⁵ Press release, Spiralling death toll in Central Med a deadly consequence of European policies, 8 August 2018, <https://www.amnesty.org.uk/press-releases/spiralling-death-toll-central-med-deadly-consequence-european-policies-new-report>.

²¹⁶ Press release, Amnesty International und PRO ASYL warnen Europa vor weiterer menschenverachtender Abschottung, 26 September 2018, <https://www.proasyl.de/pressemitteilung/bundesweiter-fluechtlingstag-amnesty-international-und-pro-asyl-warnen-europa-vor-weiterer-menschenverachtender-abschottung/>.

²¹⁷ The EU-Turkey statement or EU-Turkey deal is a statement of cooperation between Turkey and the European Union agreed in March 2016 with the aim of regulating the crossing of migrants and asylum seekers from Turkey to Greek islands. It establishes that every individual who arrives on a Greek island irregularly will be returned to Turkey. For every individual returned to Turkey, EU Member States would resettle one Syrian refugee living in Turkey.

participated did not invoke the frame of the right to asylum to make their claims against border regimes. The differences in the use of rights frames may point to a divergent interpretation of human rights; in particular, self-organized groups of refugees and other grassroots organizations did not interpret human rights exclusively as legal norms, as I further analyse in the next chapter.

Furthermore, human rights organizations made claims against the restrictions experienced by asylum-seekers in the new all-encompassing reception centres, the Anker centres,²¹⁸ to access legal counselling, which they interpreted as undermining the fairness of asylum procedures and the right to seek asylum. For example, in September 2018, *Amnesty International* and *Pro-Asyl* stated in a joint press release:

Asylum seekers are isolated in Anker centres and robbed of their rights. When asylum procedures are rushed, with shorter legal deadlines and without any legal assistance in remote areas, the individual's need for protection is no longer assessed fairly.²¹⁹

Pro-Asyl underlined in particular that the legal advice provided by the Federal Office for Migration and Refugees (BAMF) in the Anker centres was not adequate as it was offered by the same authority responsible for making decisions about asylum claims.²²⁰ *Amnesty International*

²¹⁸ The Anker centres were established as of August 2018 according to the new policies introduced by the Minister of Interior in March 2018, see Chapter 5.1.

²¹⁹ Press release, Amnesty International und PRO ASYL warnen Europa vor weiterer menschenverachtender Abschottung, 26 September 2018, <https://www.proasyl.de/pressemitteilung/bundesweiter-fluechtlingstag-amnesty-international-und-pro-asyl-warnen-europa-vor-weiterer-menschenverachtender-abschottung/>.

²²⁰ Shadow report of *Pro-Asyl* regarding the implementation by Germany of the UN Convention against Torture, March 2019, <https://www.proasyl.de/wp-content/uploads/Shadow-report->

expressed concerns about the lack of quality of the refugee status determination process carried out by the BAMF, which resulted in flawed decisions. In particular, the organization emphasized the lack of training for staff in charge of the process and the lack of qualification and independence of the interpreters.²²¹

The claims made by the two human rights NGOs did not challenge the cornerstone principles of asylum laws and border regimes and did not challenge the premises of the asylum system. In particular, they did not oppose the multiple legal status categories embedded in asylum laws, which were associated with a differentiated access to legal rights and an unequal enjoyment of human rights. Nor did they contest the possibility to deport non-citizens who did not fit the criteria for obtaining refugee status or another protection status. Human rights NGOs limited themselves to opposing those aspects of border regimes that tarnished the fairness of the asylum process managed by the state. They contested the lack of legal and safe routes for individuals to reach Europe and to claim asylum. They also contested the notion of safe countries of origin, and the accelerated asylum procedure for individuals from these countries. *Amnesty International* criticized the idea of safe countries of origin and called for fair asylum procedures for all asylum seekers.²²² *Pro-Asyl* emphasized that the idea of safe countries was based on the assumption that individuals from those countries did not need protection, which was

[CAT PRO-ASYL March-2019.pdf](#)

²²¹ Germany: human rights guarantees undermined. Amnesty International's submission for the Universal Periodic Review, May 2018,

<https://www.amnesty.org/download/Documents/EUR2373752017ENGLISH.pdf>

²²² Germany: human rights guarantees undermined. Amnesty International's submission for the UN Universal Periodic Review, 30th session of the UPR working group, May 2018:

<https://www.amnesty.org/en/documents/eur23/7375/2017/en/>

at odds with the principle according to which asylum applications should be assessed on an individual basis.²²³ *Pro-Asyl* framed the whole concept of safe countries as embedding political arbitrariness rather than human rights.²²⁴

The grassroots organizations in which I participated contested the unequal treatment of non-citizens on the basis of nationality and emphasized the unfairness of the notion of safe countries of origin. While human rights NGOs likewise contested the notion of safe countries, they framed their critique by referring to the unfairness of the asylum process; they did not claim residence rights for everyone, but a thorough, fair and individual assessment of asylum claims for everyone, including those coming from countries that were considered as safe. They did not contest the possibility for asylum claims to be eventually rejected, provided that they had been fairly assessed. They framed the state as legitimately denying residence rights to those individuals who did not fit legal categories.²²⁵ Moreover, human rights NGOs did not object to their deportation, provided that deportees were not subject to grave human rights violations in the countries of origin. For example, in a press statement published on 26 September ahead of the protest *Unteilbar*, *Amnesty International* and *Pro-Asyl* opposed deportations to Afghanistan. They emphasized that “the human rights and security situation in Afghanistan is so bad that any deportation violates international law.”²²⁶

²²³ See the web page dedicated by *Pro-Asyl* to the topic of safe countries of origin: <https://www.proasyl.de/thema/von-wegen-sicher/>.

²²⁴ See Chapter 5.4.

²²⁵ For an overview of the legal categories stemming from asylum law in Germany, see section 5.1.

²²⁶ Bundesweiter Flüchtlingstag: Amnesty International und PRO ASYL warnen Europa vor

In 2017, *Amnesty International* had called on European states to implement a moratorium on deportations to Afghanistan and highlighted that any such return constituted *refoulement* in view of the grave security and human rights situation in the country.²²⁷ Amnesty International opposed those deportations that breached the principle of *non-refoulement*.²²⁸ When I talked to a staff member of Amnesty International, she emphasized: “We [Amnesty] can only support calls falling within human rights law. People whose asylum claim is rejected can be deported, not to Afghanistan, certainly, but this doesn't mean they cannot be deported at all.”²²⁹

As I have shown through the analysis of their written statements, the right to asylum that human rights NGOs used to frame their demands is associated with an interpretation of the problematic aspects of border regimes that substantially diverges from that elaborated by self-organized groups of refugees and other GROs. Both the right to asylum and the right to stay were formulated through the language of rights. However, they embedded different approaches to human rights along a collective identity boundary that I examine in the next section.

weiterer menschenverachtender Abschottung:

<https://www.proasyl.de/pressemitteilung/bundesweiter-fluechtlingstag-amnesty-international-und-pro-asyl-warnen-europa-vor-weiterer-menschenverachtender-abschottung/>.

²²⁷ According to the principle of *non-refoulement*, no one shall be returned to any country where their life or freedom would be endangered because of their race, religion, nationality, membership of a particular social group or political opinion or where they would be at risk of being subjected to torture or inhuman or degrading treatment or punishment. See International Review of the Red Cross, Note on migration and the principle of non-refoulement, 2018, <https://www.icrc.org/en/international-review/article/note-migration-and-the-principle-of-non-refoulement>.

²²⁸ Amnesty International. Forced Back to Danger. Returns of asylum seekers from Europe to Afghanistan, <https://www.amnesty.org/download/Documents/ASA1168662017ENGLISH.PDF>.

²²⁹ Phone conversation with Sara, an employee of *Amnesty International Germany*, 3 October 2018.

6.4 THE IDENTITY BOUNDARY BETWEEN RADICAL AND REFORMIST SOCIAL MOVEMENT ORGANIZATIONS

The analysis of the two rights frames that SMOs used to formulate their claims against border regimes that I carried out in the previous sections highlights a crucial collective identity boundary among social movement organizations that opposed border regimes. More specifically, a collective identity boundary regarding the construction of human rights existed between human rights NGOs and self-organized groups of refugees and other GROs in which I participated.

Collective identity processes are multiple and may occur simultaneously. A collective identity boundary refers to the emergence of different interpretative frameworks that, within a single movement, different groups of social movement organizations embrace. Specific identity characteristics may be deployed strategically by social movement actors or become prominent in conjunction with specific political changes. Therefore, collective identity boundaries may coexist with other collective identities that favour alliances among social movement organizations across the boundary.

The anti-racist identity premised on the urge to combat the populist radical right and their racist frames was prominent among social movement organizations that oppose border regimes in 2018 when I conducted my fieldwork. This anti-racist identity stimulated the alliance for the protest *Unteilbar* between multiple and very diverse social movement organizations, including the GROs in which I participated but also human rights NGOs and trade unions.

Before the coalition for the protest *Unteilbar* had emerged, the ties and alliances among social movement organizations characterized by a different organizational form, in particular self-organized groups of refugees and human rights NGOs, were very rare.²³⁰ In 2018, the urge to combat populist radical right parties and groups, in a period where they had electoral successes and where new restrictive asylum policies were adopted, inspired the formation of the coalition for the protest *Unteilbar*, as I discussed earlier in this chapter.

The anti-racist identity premised on the opposition to the populist radical right coexisted with different interpretations regarding the problematic aspects of border regimes and the possible alternatives. Human rights NGOs such as *Amnesty International* and *Pro-Asyl* framed as problematic all those aspects of border regimes that prevented non-citizens from receiving a fair assessment of their asylum claim. They demanded legal and safe routes for non-citizens to reach Europe, as this was essential for them to claim asylum. Human rights NGOs also demanded independent legal counsel and a fair and individualized assessment of asylum claims.

The GROs in which I participated framed legal hierarchies, differentiated access to legal rights and deportations as the main problematic aspects of border regimes. They formulated their demands through the right to stay, which implied equal residence rights and human rights for everyone and the end of all deportations.

²³⁰ See Chapter 3.5 for an analysis of the ties and alliances among different types of social movement organizations.

Human rights NGOs aimed to reform border regimes, in particular those aspects of border regimes that jeopardized the right to seek asylum. I thus refer to these organizations as social movement organizations embracing a reformist identity. Self-organized groups of refugees and other GROs conceived their collective actions towards the radical transformation of border regimes. I thus consider those organizations as embracing a radical identity.²³¹

The activists I interviewed and who mobilized with self-organized groups of refugees and other GROs framed the right to asylum as too limited. For instance, in interview I asked Ester, a German activist who participated in the coordination meeting of *Welcome United*, why the manifesto for the anti-racist march did not claim the right to asylum. She told me:

We don't formulate our claims around the right to asylum because it implies that the nation state is allowed to decide if people can be here or not. It's a form of migration control and *Welcome United* is asking for more radical calls [that everyone who is here can stay here].²³²

Some activists who mobilized in GROs were unsure as to whether human rights NGOs were part of the same movement contesting border regimes. For example, when I asked Sabrina, an activist with *Borderline Europe*,

²³¹ My categories draw on the distinction between radical and moderate SMOs as conceptualized by Fitzgerald and Rodgers (Fitzgerald & Rodgers, 2000), which I discussed in Chapter 1. Human rights NGOs that mobilize against border regimes are moderate SMOs; however, I prefer to call them reformist NGOs to highlight that they aim to reform specific aspects of border regimes.

²³² Interview with Ester, 11 September 2018.

if she considered human rights NGOs as part of the social movement opposing border regimes, she answered negatively. She emphasized:

They are strictly attached to this concept of human rights and nation states. I think they don't challenge the idea of the Geneva convention [1951 Refugee Convention] at all and the right to asylum...No, I wouldn't include them in the movement I am part of.²³³

Other activists who mobilized with self-organized groups of refugees and other GROs considered human rights NGOs to be on the fringes of the movement opposing border regimes.

The frame analysis that I conducted in this chapter indicates an identity boundary between human rights NGOs and self-organized groups of refugees and other GROs. I consider both radical and reformist social movement organizations as part of the movement contesting border regimes despite their different diagnostic and prognostic frames, that is the interpretations of the main problematic aspects of border regimes and the possible solutions. They both contest border regimes in spite of the different grievances, frames and interpretations of human rights that they elaborated.

My analysis of the collective identity boundary between reformist and radical social movement organizations shows an association between collective identities and organizational form. In Chapter 3, I analysed the multiple organizational forms that characterized the social movement organizations that I observed or liaised with and I explained that some

²³³ Interview with Sabrina, 18 July 2018.

organizational dimensions, such as horizontal decision-making, constituted a collective identity characteristic at the group level. In particular, self-organized groups of refugees and other GROs which were characterized by a horizontal decision-making process, less reliance on external funding, and an organizational structure mainly relying on the non-professional contribution of activists tended to embrace a radical identity.

Activists who mobilized with GROs characterized by a radical identity interpreted their light organizational structure as associated with fewer constraints than those faced by NGOs, including in the process of claim-making. As I pointed out in Chapter 2, claim-making within human rights NGOs is a much more structured and centralized activity that often resulted in the production of policy documents reflecting their positions. The less rigid structure of self-organized groups of refugees and other GROs may explain their flexibility in joining the coalition for the protest *Unteilbar* even though they interpreted the right to asylum as too limited.

As I discussed in Chapter 1, collective identities are not rigid but rather evolving and fuzzy and social movements are characterized by multiple collective identities. It follows that any collective identity boundary at the movement level is not a discrete edge but rather a porous area. While human rights NGOs embraced a reformist identity and formulated their claims through the right to asylum, I situate other non-governmental organizations and networks, including for instance search and rescue NGOs as well as networks such as *Seebrücke*, in the fuzzy space between reformist and radical groups.

Search and rescue NGOs made claims for safe and legal routes for refugees to reach Europe and framed the hindrances imposed on NGOs as an attempt to criminalize search and rescue operations. For example, *Sea-Watch*, a search and rescue NGO based in Berlin, claimed that the lack of safe and legal ways for refugees to reach Europe undermined their right to asylum. Carmen and Robert, who worked at *Sea-Watch*, emphasized that: “Everyone should have the right to asylum. But because there are no legal ways to get to Europe, every person becomes an illegal migrant if they try to make use of that right.”²³⁴

The claim to safe and legal ways to reach Europe was construed as a precondition to enjoy the right to seek asylum. Carmen and Robert considered that the collective identity of *Sea-Watch* was premised on the claims for safe routes and the right to asylum although some *Sea-Watch* activists supported the claims made by radical SMOs framed through the right to stay. As Carmen and Robert emphasized, the predominant humanitarian focus of *Sea-Watch*, which involved the coordination and management of search and rescue operations carried out by its vessels, entailed less attention to the formulation of specific claims, which was a core task for organizations, such as human rights NGOs, predominantly oriented towards advocacy work.

In sum, the collective identity boundary that I analysed in this section did not imply two homogeneous categories of social movement organizations that did not establish any ties and connections. The collective identity boundary between radical and reformist SMOs overlapped with other collective identities that facilitated alliances across the identity boundary.

²³⁴ Interviews with two staff members of *Sea-Watch*, 7 August 2018.

For example, the anti-racist collective identity premised on the opposition to the populist radical right partly explained the emergence of the alliance for the protest *Unteilbar*, in which reformist and radical SMOs coalesced.

The collective identity boundary between radical and reformist social movement organizations was premised on different diagnostic and prognostic frames, that is a different interpretation of the problematic aspects of border regimes and of possible solutions. Moreover, it was associated with different organizational forms. As we shall see in the next chapter, it also implied different constructions of human rights in relation to the state and human rights law.

CONCLUSIONS

In this chapter, I have examined the rights frames through which social movement organizations formulate their claims against border regimes. I have emphasized that the grassroots organizations in which I participated frame their demands through the idea of the right to stay. In contrast, human rights NGOs frame their claims through the idea of the right to asylum. I have explained that the right to stay and the right to asylum imply different diagnostic and prognostic frames. The GROs in which I participated identified legal status hierarchies and deportations as their main grievances. They demanded equal access to legal rights and equal enjoyment of human rights for all as well as an end of deportation. Framing their claims through the idea of the right to stay implied a radical transformation of border regimes. The right to stay challenges the process put in place by the state to assess protection needs and to assign legal status categories to non-citizens.

Human rights NGOs framed certain aspects of border regimes as problematic. They demanded a fair process through which non-citizens could obtain the legal status of refugee or other legal statuses. However, they did not challenge the legal notion of refugee and the other legal protection statuses and they did not oppose the possibility for the state to deport non-citizens who did not fit legal status categories. Human rights organizations demanded the reform of certain aspects of border regimes that impinged on the right to seek and to enjoy asylum.

I have conceptualized the differences in framing processes among social movement organizations as a collective identity boundary. Human rights NGOs embraced a reformist approach with regard to border regimes, while the GROs in which I participated called for radical reforms. While reformist organizations did not contest legal status categories and the legal notion of refugee, radical SMOs opposed them and challenged the state prerogative to control borders. While radical SMOs opposed all deportations and framed them as an injustice and a crime, human rights NGOs opposed deportations only in instances in which non-citizens would suffer grave human rights violations if deported. Moreover, the radical and reformist SMOs that I studied are characterized by a different organizational form. Radical SMOs are horizontal and mostly composed of volunteers, reformist SMOs are more hierarchical and professionalized.²³⁵

²³⁵ See Chapter 2.3 for more information about the organizational forms of the SMOs under the focus of my participant observation and the scholarly debates regarding the different organizational forms between NGOs and GROs.

This chapter emphasized that collective identity processes are multi-layered, fuzzy and non-linear. The identity boundary between reformist and radical social movement organizations is a continuum rather than a dichotomy. Some of the social movement organizations that I liaised with, for example search and rescue NGOs, positioned themselves somewhere in the middle of the continuum between radical and reformist SMOs.

Moreover, the collective identity boundary that I have identified in this chapter coexisted with other multiple identity processes. In particular, despite the collective identity boundary between radical and reformist SMOs, the prominence of the anti-racist collective identity oriented towards opposing the populist radical right enabled different social movement organizations to form the alliance for the protest *Unteilbar*. The manifesto for this protest framed claims against border regimes through the idea of the right to asylum. The activists who mobilized with radical SMOs considered the right to asylum as too limited. However, radical SMOs chose to join the alliance for the protest *Unteilbar* with a view to opposing the populist radical right. The lighter, more horizontal organizational form of radical SMOs also enabled them to make compromises and to join *Unteilbar*. Their participation in the coalition *Unteilbar* did not prevent them from framing claims against border regimes through the right to stay when they organized other collective actions.

In this chapter I have emphasized that the identity boundary between radical and reformist SMOs involved the use of different frames to formulate claims against border regimes. Examining the collective

identity boundary within the movement is also crucial to understand the different approaches to human rights that reformist and radical organizations embraced. In the next chapter, I will investigate how radical activists construct human rights in relation to the state and to human rights law.

CHAPTER 7. THE COEXISTENCE OF MULTIPLE APPROACHES TO HUMAN RIGHTS

Carmela lived in a housing project in the neighbourhood of Friedrichshain. On a warm afternoon in June, she welcomed me into her spacious living room on the upper floor of a building, which used to be squatted in the 1990s. She was the first activist whom I interviewed. She was passionately committed to the struggle against border regimes and her devotion inspired me.

She showed me around and told me more about the flatshare. Carmela's friendly attitudes and smile softened her face's angular features. She lived with an international bunch of people. It was about 2.30 pm when she started cooking lunch. Despite living in Berlin for several years, she had not given up Spanish mealtimes. After a while, Samira, her Syrian flatmate, joined us in the kitchen. I spoke English to her until she asked me to switch to German because she wanted to practise for an exam. Speaking German with non-native speakers was definitely easier and

often a useful exercise. When Samira left, Carmela served me a vegetarian meal accompanied with a glass of wine. She told me that she got along better with her non-German flatmates. She did not like planning much ahead and she had a natural laid-back attitude which, according to her, did not always fly well in Berlin.

When one of her German flatmates came to the kitchen to carry out her weekly cleaning duties, we moved to the terrace on the other side of the flat. We talked extensively about Carmela's past and present experiences of activism. Carmela emphasized that the Zapatista movement had inspired her, back when she lived in Madrid, to build up horizontal networks of activists who challenged hierarchies and top-down approaches. We spoke at length about Carmela's engagement with *Women in Exile and friends*, a self-organized group of refugees. A mix between professional and activist engagement, Carmela worked part-time in the office of *Women in Exile* in Potsdam but topped up her paid hours with many hours of volunteering.

I felt connected to Carmela on that afternoon. We spoke for five hours, much longer than I had foreseen. I did not want to break the flow of the discussion and so I refrained from interrupting Carmela and from being too directive while conducting the interview. At the end of the interview, almost at dusk, Carmela told me that my questions triggered interesting reflections and that the interview contributed to developing her reflections on the struggle against border regimes. After that day, we started seeing each other quite regularly outside the meetings that we attended together.

I had met Carmela for the first time in February at the weekly meetings of *Lager Mobilization Network Berlin*, a social movement organization that opposed *Lager* (camps), that is, shared accommodation for refugees, and called for access to adequate housing for all. Carmela moderated the first meeting of *Lager Mobi* in which I participated at the House on the Lake, a community venue in the neighbourhood of Wedding. On that day the lake Schäfer, a small lake where families with children indulged in pushing pedalos in summer, was completely frozen. Carmela came across as a zealous timekeeper on that day. She cut off Sveva, another activist who mobilized with *Lager Mobi*, a couple of times while she was speaking at length about the specific problems that a family of refugees whom she had recently met was grappling with. We closed the meeting with a quick round of feedback in the context of which Sveva expressed frustration for the restrictions on her speaking time. Carmela and other activists pushed back Sveva's comments. They highlighted that they had all previously agreed to keep each intervention within two minutes to avoid very lengthy meetings.

Carmela became the middle woman between *Women in Exile and friends* and me. The meetings of *Women in Exile* were a non-mixed space for women and so were the workshops that they organized in refugee shared accommodation.²³⁶ When we met for the interview, Carmela told me about the upcoming bus tour, "Women breaking borders", a two-week journey across Germany in the context of which refugee women would raise awareness regarding their struggle against border regimes. Carmela

²³⁶ As I explained in Chapter 2, I had no access to the meetings and workshops of *Women in Exile and friends* as they were conceived as non-mixed spaces for women. Carmela was my main connection to the group, which enabled my participation as a volunteer on their bus tour on which I met other activists involved with the group.

explained that they were seeking volunteer drivers for at least some parts of the tour and that they would welcome the support of male drivers. I expressed my interest in participating and so Carmela put me in touch with the person responsible for organizing the driving shifts.

I drove one of the minibuses for four days during the Bavarian leg of the tour where I accompanied some of the most energetic and inspiring activists whom I met during my fieldwork. On 26 July, I flew to Nuremberg and I joined the activists of *Women in Exile and friends* in Bamberg after they had visited a shared accommodation. A former US military compound, the accommodation was fenced off and guarded by private security. A few days later, on 1 August, the accommodation became an Anker centre, one of the new all-encompassing reception centres in which non-citizens had to live for up to 24 months while waiting for their application to be assessed.²³⁷ *Women in Exile and friends* opposed shared accommodation for refugees, in particular for refugee women, and called for their abolition.²³⁸

I reached the entrance of the camp but, as I had left my passport in a locker in the train station, the security guards did not allow me in. I produced my driver's licence but the security guards told me that it was not a valid identity document for visiting the camp. Carmela came to pick me up at the entrance with a man who lived there. The security

²³⁷ The establishment of Anker centres was one of the measures foreseen by the new coalition government which was appointed in March 2018. Further information about the Anker centres is available here: https://www.asylumineurope.org/sites/default/files/anker_centres_report.pdf.

²³⁸ Self-organized groups of refugees and other GROs contested shared accommodation in which refugees shared rooms and lived in isolation from the rest of society. They referred to shared accommodation as camps or *Lager* (in German).

guards reiterated that all visitors had to carry an official identification document. I found that standpoint a futile exercise of control. Carmela suggested waiting outside together with Alice, another volunteer driver who had likewise forgotten her ID.

Carmela and the other women joined us about one hour later when they left the camp. She asked me with a teasing smirk: “How can you come to visit a Lager without your passport?”. I said that I had previously been able to visit camps by producing my driving licence. Then, in an attempt to shrug off my discomfort, I emphasized that Alice had also forgotten her passport. Carmela replied: “Yes, but we are in Bavaria now and Alice is not really involved in the movement, so she doesn’t know these things well.”²³⁹

I felt flattered by her comment because it clearly indicated that she did not consider me as an outsider to the movement. My efforts to actively participate in the movement were paying off.²⁴⁰

Later that afternoon, I strolled around Bamberg with Carmela while refugee women were attending a workshop in a community centre. We sat in an outdoor cafe and Carmela told me about the morning visit to the camp. She described it as a “non-space” wrapped in a gloomy vibe. Her comment reminded me of the vibe that I had perceived when I approached the gated entrance in the morning. I noticed the vastness of the complex and its emptiness; no one populated the alleys that separated the multiple barracks, and it looked like a ghost city.

²³⁹ Ethnographic notes taken on 26 July 2018.

²⁴⁰ As discussed in Chapter 2, I strived to actively participate in the SMOs under the focus of my participant observation and in the activities of the other SMOs.

A couple of women who lived in the camp joined the bus tour after the visit of *Women in Exile* and their participation in the afternoon workshop. The day after, Jade, a woman from Nigeria who lived in the camp and who joined the bus tour, made a public speech in the context of a protest in front of the Federal Office for Migration and Refugees (BAMF) in Nuremberg. She denounced the living conditions in the camp. She emphasized:

We are living as prisoners or we are prisoners already... we are suffering in that camp, honestly we are suffering, look at our kids, our families...the women have no privacy...16 people...one toilet one bedroom...we are going nowhere [...] we need help, we have come here and we go nowhere. Say “noooooo!!!” We are going to stay!”²⁴¹

I participated in many protests and public events during the four days of the bus tour that I joined. I felt inspired. Refugee women showed a relentless determination to contest and transform border regimes. They emphasized the gendered impact of border regimes and called for an end to deportations and for the abolition of *Lager*. *Women in Exile and friends* concluded the bus tour with a press conference in Berlin in mid-August. At the press conference Julia, who was one of the spokespeople, asserted that Europe was perpetrating a genocide against refugees. In their press release, *Women in Exile and friends* asserted that they referred to the impact of border regimes as a genocide because: “Europe is consciously allowing the systematic killing of refugees [...] these deaths

²⁴¹ Ethnographic notes taken on 27 July 2018.

are caused by conscious decisions made by Germany and the European Union.”²⁴²

Genocide is a legal notion defined in international law as one or multiple acts committed with the intent to destroy, in whole or in part, a national, ethnical, racial or religious group.²⁴³ When I noticed the use of the notion of genocide to describe the consequences of border regimes, I interpreted it as an ethical warning about the gravity of the consequences of border regimes. The idea of genocide bears a powerful and alarming undertone. The use of the notion of genocide in the context of the press conference exceeded the legal notion of genocide.

In June 2019, shortly before I drafted this chapter, a group of lawyers filed a complaint to the International Criminal Court against the European Union for crimes against humanity for its border regime policies that resulted in the drowning of thousands of people in the Mediterranean Sea.²⁴⁴ Despite the legal difference between the notions of genocide and of crimes against humanity,²⁴⁵ this initiative made me ponder whether the use of the notion of genocide by *Women in Exile and friends* could contribute to developing novel interpretations of the law.

²⁴² “Presse-Tribunal, Final Charges from *Women in Exile*”: <https://www.women-in-exile.net/en/presse-tribunal-finale-anklagepunkte-von-women-in-exile-and-friends/>

²⁴³ Article 6 of the Rome Statute of the International Criminal Court, <https://www.icc-cpi.int/resource-library/documents/rs-eng.pdf>. The same definition is included in the 1948 United Nations Convention on the Prevention and Punishment of the Crime of Genocide.

²⁴⁴ “ICC submission calls for prosecution of EU over migrant deaths”: <https://www.theguardian.com/law/2019/jun/03/icc-submission-calls-for-prosecution-of-eu-over-migrant-deaths>

²⁴⁵ For definitions of genocide and of crimes against humanity see Articles 6 and 7 respectively of the Rome Statute of the International Criminal Court.

In this chapter, I analyse how radical social movement organizations approached human rights and how they crafted novel interpretations of human rights outside or beyond the law. Legal notions of human rights have limitations and fall short of contesting some aspects of border regimes that radical social movement organizations framed as problematic. These aspects of border regimes include, for example, deportation and shared accommodation for refugees (camps). However, despite the limited potential of legal notions of human rights, radical social movement organizations may expand them in the context of their mobilization. They may indeed construct notions of human rights from below that challenge the oppression that non-citizens experienced.

In the previous chapter, I outlined a collective identity boundary regarding the frames that social movement organizations invoked to formulate claims against border regimes. Radical social movement organizations, which included the grassroots organizations in which I participated, framed their claims through the notion of the right to stay. The claim for the right to stay implied equal rights for all irrespective of legal status and the end of deportations. Reformist social movement organizations, which included human rights NGOs, framed their claims through the right to asylum, which was associated with a criticism of certain aspects of border regimes.

In this chapter, I analyse the different interpretations of human rights associated with the collective identity boundary between radical and reformist organizations. First, I examine whether radical SMOs interpret freedom of movement and the right to stay as human rights. Then I investigate how radical activists conceive of human rights, whether they

interpret them as legal norms and if they make use of legal notions of human rights to formulate their claims against some dimensions of border regimes. Finally, I analyse the approaches of radical activists towards human rights in view of their standpoint regarding the state and the law. As we shall see, radical activists made claims against border regimes by using some legal notions of human rights. Their claims embed notions of human rights that exceed international human rights law. As we shall see, while in the short term radical activists make claims towards the state, in the long term they aspire to a radical transformation of the sovereign prerogative of nation states to control their borders.

7.1 FREEDOM OF MOVEMENT: A HUMAN ENTITLEMENT AND AN ASPIRATION FOR SOCIAL JUSTICE

In this section, I investigate how radical activists interpret the idea of freedom of movement. For them the idea of freedom of movement accessible to everyone unconditionally, in other words universal and unrestricted freedom of movement, is closely associated with the notion of the right to stay, which radical social movement organizations invoke to frame their demands against border regimes. Moreover, in this section I examine how the radical activists' interpretations of freedom of movement exceeded the legal meaning of freedom of movement as it stems from international human rights law. Freedom of movement in international law does not challenge state sovereignty and border controls because it mainly refers to freedom of movement within a country and the right to leave any country. As we shall see, universal freedom of movement as conceived by radical activists also implied the possibility for everyone to enter any country. Radical activists conceived the right to stay as implying equal and unrestricted residence rights for everyone. Activists and SMOs can indeed craft notions of human rights that are

significantly different from their legal codification. They can, for instance, frame human rights as aspirations for social justice, as human entitlements and/or, more critically, as discourses that governments and other powerful actors make use of to perpetrate injustices (Dembour, 2011).

The multiplicity of borders, and the impact of border regimes on many aspects of the lives of non-citizens, entailed multiple understandings of freedom of movement among activists. Border regimes implied restrictions on international mobility and the lack of legal and safe routes for non-citizens to reach Europe. Moreover, the mobility of non-citizens in Germany was restricted when they claimed asylum, as they could not move outside the district in which their first reception centre was located for 3 months.²⁴⁶

Women in Exile and friends made reference to the restrictions on international mobility in the press conference after the bus tour “Women breaking borders”. As I mentioned in the introduction to this chapter, they emphasized the dangerous journeys on which non-citizens had to embark to reach Europe, which often resulted in deaths. *Women in Exile* emphasized that the deaths of thousands of people resulted from restrictions on international mobility that Germany and the European Union put in place.²⁴⁷

²⁴⁶ See Chapter 5.1 for further information on the restrictions on freedom of movement of non-citizens in Germany, which include the *Residenzpflicht*.

²⁴⁷ “Presse-Tribunal, Final Charges from *Women in Exile*”: <https://www.women-in-exile.net/en/presse-tribunal-finale-anlagepunkte-von-women-in-exile-and-friends/>

When I met Carmela for an interview, I asked whether the right to stay was a frame through which *Women in Exile and friends* formulated their claims for freedom of movement. I had indeed observed that activists who mobilized with *Women in Exile* often framed their claims against border regimes through the right to stay. In protests, they often chanted the slogan “Freedom of movement, freedom of residence, right to come, right to stay, right to go”. Carmela told me:

This notion [the right to come, the right to stay and the right to go] is more articulated than freedom of movement and covers what that freedom means. You can leave the place where you live, you can come back or you can stay in another place where you feel safe, if you feel comfortable and you want to be there during your whole life. Freedom of movement refers to border crossings. What it evokes is that you have the right to cross a border to go to another country but the language we use refers also to a sedentary component [right to stay] apart from going forward [right to come] or backward [right to go].²⁴⁸

For Carmela, freedom of movement included not only crossing international borders but also the possibility to obtain residence rights in Germany. As discussed in the previous chapter, the right to stay implied the contestation of legal status hierarchies and the link between legal status and access to residence rights.

Moreover, radical activists interpreted freedom of movement as associated with the freedom from restrictions on movement and

²⁴⁸ Interview with Carmela, 11 June 2018.

residence in Germany (*Residenzpflicht*). One of the common experiences that non-citizen activists shared was the compulsory period that they had to spend in reception centres and shared accommodation and the restrictions on freedom of movement that they faced.²⁴⁹ Radical activists framed the restrictions on their freedom of movement in Germany as a mechanism to exercise control over them. The contestation of the *Residenzpflicht* was crucial in the mobilization of *O-platz* and continued to be framed by radical activists as a grievance in 2018. When I asked Joanne, an activist from Kenya who mobilized with *International Women Space*, to explain why refugees should have freedom of movement in Germany, she emphasized:

When the colonizers came to our countries, no one controlled them. When we come here, why do they try to control us? And we didn't even come to do what they did [in our countries]! When Europeans go to Africa, they are called expats. Why imposing restrictions on freedom of movement while we are here?! We have not committed any crime!²⁵⁰

Joanne framed the restrictions on the freedom of movement of refugees by emphasizing the racializing impact of border regimes and their contribution to maintaining structural global inequalities. Non-citizens in Germany lived in often isolated shared accommodation, under the control of security guards who scrutinized their movements and imposed restrictions on visitors similar to the ones that I experienced in Bamberg and that I mentioned in the introduction to this chapter. During the bus

²⁴⁹ See Chapter 5.1 for further information.

²⁵⁰ Interview with Joanne, 20 September 2018.

tour of *Women in Exile and friends*, activists often made claims against the restrictions of freedom of movement that refugees living in camps suffered. The tour comprised indeed several protests in front of shared accommodation.

On the second day of my participation as a volunteer driver in the tour, I drove one of the vans from Nuremberg to Regensburg. Mir, Merhab and Kawkab, three Afghani children who had joined the bus tour with their mothers, travelled with me on that day. They repeatedly mocked my driving style and urged me to speed up. When we reached Lize, a community and resource centre for social movements in Regensburg, the three children jokingly told me that they had fallen asleep as I was driving too slowly.

We had lunch in the community centre and one local German activist told me about the march planned for the afternoon which aimed at staging protests in front of five camps which were located in the neighbourhood. When the plans for the upcoming three-kilometre march were announced, some women complained about the distance they had to cover. When we left around 4 pm, some women did not look very enthusiastic and they started marching very slowly towards the first camp.

The vibe flipped as soon as we reached the first location. All women started chanting slogans, thus attracting the attention of the people who were living in the camp, which was surrounded by a high fence, and which had an entrance patrolled by security guards. A couple of men who lived in the camp joined us outside. When other people approached

the fence from the inside, the security guards told them to take a step back. Julia, a woman from Kenya in her early 30s, one of the activists who made the most striking impression on me during the bus tour of *Women in Exile and friends* because of the energy and anger that her public speeches exuded, shouted to the security guards:

They [those living in the centre] are human beings, they deserve human rights. Stop keeping them like prisoners, they know their rights, they have the freedom to move... shame on you for treating them like criminals, they are innocent!.²⁵¹

Julia framed the living conditions in which non-citizens were living as a denial of their human rights, and she construed freedom of movement as a human right. In this specific instance she referred to the restrictions on freedom of movement that non-citizens faced in camps where their movements were scrutinized by security guards. In this instance, Julia framed freedom of movement as a principle the awareness of which was crucial for non-citizens to oppose the negative consequences of border regimes.²⁵²

Freedom of movement is a legal right codified in international law. For example, the UN International Covenant on Civil and Political Rights establishes that everyone is free to leave any country, including their own.²⁵³ A state must not restrict the possibility for anyone, whether nationals or non-nationals, under its jurisdiction to leave the country,

²⁵¹ Ethnographic notes taken on 27 July 2018.

²⁵² See Chapter 4 for the analysis of the interplay between rights awareness and the submerged mobilization against border regimes.

²⁵³ Article 12.2 of the ICCPR, <https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>.

including for the purposes of migration, unless very specific circumstances arise, such as the necessity to protect national security, public order or public health.²⁵⁴ However, the right to leave one's country is not associated with the right to travel to another country, neither for the short term nor for residence purposes.²⁵⁵

The legal codification of freedom of movement also comprises a domestic component which implies the right for citizens to move freely within a country and to freely establish their place of residence. While in Germany people who have obtained the legal status of refugees can enjoy this right, people who have claimed asylum and who are still waiting for a decision on their application do not enjoy it. Thus, the legal notion of freedom of movement does not challenge the restriction on freedom of movement imposed on non-citizens who live in camps.²⁵⁶

In interviews, I explored whether activists who mobilized with radical human rights organizations interpreted freedom of movement as a human right. When I asked Carmela to explain how she conceived freedom of movement, she said:

²⁵⁴ UN Human Rights Committee, General Comment 27: Article 12 (Freedom of movement), paras. 8 and 11, <https://www.refworld.org/docid/45139c394.html>.

²⁵⁵ UN Human Rights Committee, General Comment 27: Article 12 (Freedom of movement), <https://www.refworld.org/docid/45139c394.html>.

²⁵⁶ Article 12.1 of the ICCPR and General Comment 27, paras. 4-7; Protocol 4, article 2 of the European Convention of Human Rights; Article 26 of the 1951 Convention Relating to the Status of Refugees. Regrettably, the European Court of Human Rights ruled that the right to freedom of movement can be enjoyed only by those "lawfully" residing in the country, a category that the Court interpreted as excluding asylum seekers waiting for their status to be determined. See Decision as to the admissibility of the case *Omwenyeke v Germany*, 20 November 2007, [https://www.refworld.org/cases.ECHR,487f0e612.html](https://www.refworld.org/cases/ECHR,487f0e612.html)

Freedom of movement is such a basic thing that everybody should have! For me it's not even a right but something that people are going to make use of anyway. That's why all policies [that restrict] freedom of movement get stuck...because you're not going to stop it, it's not because thousands of people die at once...the next will try again, it's a need like animals or insects have. It's there and it's part of our essence as humans to move freely, to decide where we want to go and to do it.²⁵⁷

Carmela framed the idea of freedom of movement as a natural entitlement that everyone possesses irrespective of state recognition. When I prompted Carmela's thinking by asking her if she also considered freedom of movement as a legal human right, she pointed out: "It's in the Universal Declaration. I think it's a basic human right that should be recognized by every country, by governments. It's a bit what rights are about, they are recognized by institutions."

Carmela interpreted freedom of movement as both a natural entitlement and a legal right. She considered that freedom of movement should be a legal right, that is, in her view it should be a right recognized by states, precisely because it was a basic human entitlement.

Although Carmela mentioned the Universal Declaration of Human Rights adopted by the UN General Assembly in 1948, she interpreted freedom of movement in a way that exceeded its legal formulation. In particular, Carmela's idea of freedom of movement as a human entitlement that should entail the possibility to move to, and reside in,

²⁵⁷ Interview with Carmela, 11 June 2018.

other countries freely was more far reaching than the right to leave any country as set out by the Universal Declaration.²⁵⁸

In my interviews with activists who mobilized with radical social movement organizations, I observed that radical activists embraced multiple interpretations of freedom of movement as a human right. When I met Julia in September in the cafe Südblock in Berlin, I asked her how she interpreted freedom of movement. She explained to me that she perceived freedom of movement as a claim to oppose an overarching system of inequalities that was interwoven with colonialism and exploitation. Julia emphasized:

[Freedom of movement] is a demand for those people who have less privileges. There are people with privileges who can go everywhere with their passport without fighting, they can get the visa in the country where they are going [to reside] or travel worldwide.

[Freedom of movement] is a demand from certain groups and communities; I am especially talking from the African perspective as we have this problem with freedom of movement because of the status of our passports...Asian also... Everybody should be allowed to move because people move for different reasons, not only for political reasons... They move because of social issues, climate change and so on.²⁵⁹

²⁵⁸ Article 13 of the Universal Declaration of Human Rights establishes that everyone has the right to freedom of movement within the borders of each state and that everyone has the right to leave a country, including their own, and to return to their own country. The Declaration is not a formally legally binding treaty, see <https://opil.ouplaw.com/view/10.1093/law:epil/9780199231690/law-9780199231690-e887>.

²⁵⁹ Interview with Julia, 19 September 2018.

Julia conceived freedom of movement as a principle to counterbalance structural and historical inequalities which result in restrictions on mobility and contributes to racializing people from the global South. Julia's interpretation of universal freedom of movement embedded the anti-racist identity that conceives border regimes as devices aimed to maintain global inequalities along the lines of race and citizenship.²⁶⁰ Julia rejected the idea that the enjoyment of freedom of movement should be restricted to people who migrated for political reasons, and she challenged the legal notion of refugee and legal status hierarchies.

Julia framed freedom of movement as a human right. This was evident in the speech that she made in the context of the march in Regensburg that I mentioned earlier. However, her understanding of the idea of freedom of movement did not coincide with the legal codification of that freedom in international law. Julia referred to freedom of movement as a principle that could challenge the status quo, which she viewed as rife with inequalities because states restricted mobility in a way that overlapped with and reinforced global inequalities and power structures. The legal notion of freedom of movement did not contest restrictions on international mobility; it rather provided justifications for them. Julia conceived of the notion of freedom of movement as an aspiration for a fairer world, in which freedom of movement was not a privilege enjoyed only by citizens of countries of the global North, who could afford to travel internationally for leisure or for work.

²⁶⁰ See Chapter 3.4 for the analysis of anti-racism as a collective identity in the movement opposing border regimes.

In this section I emphasized the multiple understandings of freedom of movement that radical activists embraced. In particular, activists who mobilized with radical SMOs framed freedom of movement as including both unrestricted international mobility and the lack of restrictions on movement for non-citizens in Germany. Radical activists conceived freedom of movement as a human entitlement and an aspiration for social justice. They considered freedom of movement as a human right. Interestingly, their interpretations of freedom of movement exceeded its limited legal codification. As I have explained in this chapter, the legal codification of freedom of movement is limited as it only implies the right to leave a country, but not the right to enter any country other than one's own and to reside there. Moreover, under German law only non-citizens who have already obtained the legal status of refugee or another protection status can enjoy freedom of movement within German territory. The anti-racist collective identity of self-organized groups of refugees and other GROs, which framed border regimes as devices that maintain global inequalities, shaped radical activists' interpretations of freedom of movement. For example, Julia conceived freedom of movement as an aspiration for social justice that contests the racializing impact of border regimes. I will further explore in the next section how radical activists interpreted human rights with a view to investigating the potential for notions of human rights crafted by radical social movement organizations to challenge border regimes.

7.2 THE COEXISTENCE OF LEGAL AND NON-LEGAL NOTIONS OF HUMAN RIGHTS IN THE MOBILIZATION OF RADICAL SMOS AGAINST BORDER REGIMES

In interviews, when I asked if freedom of movement was a legal human right some radical activists made references to international human rights tools, such as the Universal Declaration of Human Rights. However, as discussed in the

previous section, radical activists framed freedom of movement as unrestricted international mobility, which exceeds the legal codification of freedom of movement. Moreover, radical activists conceived freedom of movement as a principle that opposes restrictions on the mobility of non-citizens in Germany. Activists who mobilized with radical social movement organizations framed freedom of movement through the notion of the right to stay, which implied more specifically equal residence rights for all, irrespective of legal status.

In this section, I investigate how activists who mobilized with radical SMOs interpreted human rights. In particular, I analyse if radical activists rejected legal notions of human rights or if they also made use of legal notions of human rights when they collectively opposed border regimes. This analysis is crucial to understanding whether radical social movement organizations craft notions of human rights that challenge the oppression of border regimes, given the limited potential of legal notions of human rights. For example, as discussed in the previous section, the legal notion of freedom of movement does not challenge restrictions imposed by states on international mobility. Nor do legal notions of human rights oppose all deportations, as I examined in the previous chapter when I discussed how human rights organizations framed their claims against border regimes through the notion of the right to asylum.

Human rights can be interpreted according to a multiplicity of perspectives beyond their legal codification in international law. Human rights can be human entitlements that every human being should possess or aspirations and ideals for social justice. Human rights can also be framed as political values that societies choose to adopt and to embed in their constitutions, or as discourses that powerful actors can use to pursue their interests (Dembour, 2011). In this section, I analyse how these multiple interpretations of human rights overlapped in the movement that contested border regimes. While radical activists interpreted human rights

according to a variety of perspectives and also relied on legal notions of human rights to make their claims against border regimes, reformist SMOs (as we have seen in Chapter 6) stayed within the letter of human rights law while formulating their demands against border regimes.

As I explored in the previous chapter, reformist SMOs, including human rights NGOs, framed their claims against border regimes through the right to seek and to enjoy asylum, which is as a legally codified human right. However, human rights NGOs are not the only social movement organizations that make use of legal notions of human rights. Grassroots organizations that I consider as placed in the continuum between reformist and radical SMOs also made use of legal notions of human rights as the case of *Family Life for All* shows.²⁶¹

Family Life for All mobilized against the restrictions on family reunification for non-citizens who obtained the legal status of subsidiary protection.²⁶² *Family Life for All* was a GRO as it was composed of volunteers, had a horizontal structure and did not receive any regular funding. Similarly to radical SMOs, *Family Life for All* contested the hierarchies among different legal status categories. However, *Family Life for All* was not fully a radical SMO as they did not frame their claims against border regimes through the notion of the right to stay and did not call for universal freedom of movement. None of the written materials that *Family Life for All* published or the speeches made in the context of demonstrations that I attended referred to universal freedom of movement. I place *Family Life for All* in the continuum between radical and reformist SMOs.

When I enquired about her opinion on freedom of movement, Daniela, one of the

²⁶¹ See Chapter 6.4 for the analysis of the identity boundaries between reformist and radical SMOs.

²⁶² See Chapter 5.2 for more information about the mobilization against the restrictions on family reunification.

founders of *Family Life for All*, explained that their grievances focused on restrictions on family reunification, which was a mechanism for controlling migration rather than a device ensuring freedom of movement for all.²⁶³ Daniela explained that *Family Life for All* supported the claim for legal and safe routes to be available for refugees to reach Europe; family reunification constituted one such safe and legal route. However, similarly to radical SMOs, they contested legal hierarchies and the stratified access to legal rights as a function of legal status. However, they did not claim universal freedom of movement but called for legal and safe routes, which is a precondition for the right to seek asylum, a frame that reformist SMOs upheld.

The activists who mobilized with *Family Life for All* made use of legal notions of human rights in their mobilization for equal access to family reunification. In particular, they referred to the right to family life as it is protected by the German Constitution. On 1 February 2018, I participated in one of the protests organized by *Family Life for All* outside the Federal Parliament. Activists distributed a flyer that made several references to the German Constitution. More precisely, the flyer stated:

We learned about the Constitution. We do not understand how a law is now being discussed that is clearly contrary to Article 6 [of the Constitution], [which sets out] the fundamental right to marriage and family life.²⁶⁴

In the context of that protest, I met Daniela for the first time. When I asked her to explain the reasons why she opposed the restrictions on family reunification, she promptly mentioned the German Constitution. She emphasized:

²⁶³ Interview with Daniela, 17 August 2018.

²⁶⁴ Ethnographic notes taken on 1 February 2018.

I am against the restrictions basically because they are against the German Constitution and its Article 6, which states that the right to family life and marriage are under the protection of the German state. The restrictions are also against human rights [...] It's the right to choose with whom to form a family and where to live [...]. I am thinking about human rights conventions, but I don't remember which article.²⁶⁵

A few months later, Daniela attended a workshop that I organized towards the end of my fieldwork.²⁶⁶ While we were discussing about the multiple interpretations of human rights, Daniela emphasized that she had hesitated to draw on the German Constitution to build the arguments against the restrictions on family reunification. She explained:

When I first met refugee activists, they quoted the German Constitution on the special protection of the family by the state. It sounded strange to me... That wouldn't be my argument, because from a feminist perspective I doubt very much that marriage should have a special protection. However, this was a very strong argument for the refugee activists because they all went to German classes and integration courses and they all learned about the Constitution. So, it seemed that they were more integrated in the German society than me because they had a more positive view of the Constitution than I did. It is a very good argument to refer to the German Constitution and to human rights. For me as a German citizen, it is very easy to criticize those human rights that are in the Constitution because I enjoy them. But in our movement for family life for all it was important to say that these

²⁶⁵ Interview with Daniela, 17 August 2018.

²⁶⁶ For more information about the workshop, see Chapter 2.5.

fundamental rights should apply to everyone living in Germany [including non-citizens] because they were in the Constitution.²⁶⁷

Despite her initial hesitation, Daniela acknowledged that framing the claims for family reunification by resorting to legal notions of human rights embedded in the Constitution was effective to urge others to mobilize. She stressed that the Constitution included principles, in particular the protection of the right to family life, that were shared by the majority of the population.²⁶⁸ Moreover, Daniela pointed out that framing claims against the restrictions on family reunification through legal notions of human rights was useful for establishing ties and connections with human rights organizations. Human rights organizations such as *Pro-Asyl* framed their concerns about the restrictions on family reunification for non-citizens who obtained the legal status of subsidiary protection by referring to the protection of family enshrined in the German Constitution and upheld by the Federal Constitutional Court. They also drew on the right to family life protected in international and European human rights law.²⁶⁹

Daniela considered the right to family life as a value that society decided to uphold and to protect in the Constitution. The constitutional protection of that value made the right to family life also a legal right. Daniela and *Family Life for All* drew on the right to family life and emphasized that it was a constitutional right as a strategy to build alliances and to receive support in the struggle against the limitations on family reunification. Legal notions of human rights were thus not exclusively deployed by reformist SMOs such as human rights organizations

²⁶⁷ Notes from the workshop organized in the context of the Conference of the Network for Critical Research on Migration and Border Regimes (Kritnet), which took place on 3 November 2018 in Berlin. See Chapter 2.4.2

²⁶⁸ In other words, it was an effective motivational frame (Bendford & Snow, 2000).

²⁶⁹ See *Pro-Asyl, Familiennachzug* (Family Reunification), <https://www.proasyl.de/thema/familiennachzug/>.

but also by GROs that are placed in the continuum between radical and reformist SMOs, such as *Family Life for All*.

While conducting interviews, I realized that activists who mobilized with radical social movement organizations also made use of legal notions of human rights to support some aspects of their claims for freedom of movement. In August I interviewed Khaled and Laura, an Egyptian and a German activist respectively, who mobilized with *Alarmphone*, an emergency line which started its operations in 2014 to support people in distress at sea. *Alarmphone* had close ties with search and rescue organizations and with *Borderline Europe*, in which I actively participated. Similarly to other radical social movement organizations, *Alarmphone* supported the claim for unrestricted freedom of movement.²⁷⁰ During the interview, Khaled and Laura explained to me that they conceived freedom of movement as a human right.

In the context of our discussion, similarly to other radical activists, Khaled and Laura expressed criticism of the legal notion of refugee and the hierarchies among legal status categories. Khaled and Laura emphasized that legal notions of human rights fell short of guaranteeing unrestricted freedom of movement. However, they explained that some legal notions of human rights could be used to challenge how states make residence rights dependent on specific legal status categories. Laura referred in particular to the principle of *non-refoulement*, which could be used to challenge the fact that, as discussed in the previous section, the legal codification of freedom of movement included the possibility to leave any country but not to enter any country. Laura emphasized:

²⁷⁰*Alarmphone* was not a SMO under the focus of my participant observation. Maurice Stierl, a scholar who is a member of, and conducted research with, the *Alarmphone*, argued that the organization supports the idea of freedom of movement for all (Stierl, 2015).

The [1951] Geneva Convention talks about refugees but also about *non-refoulement*. It says that somebody who is seeking safety and trying to cross borders should not be pushed back. Nobody can check [the asylum claim] in that situation; if someone is knocking at the door, saying they need safety, they need to enter. We can be critical of the distinction between migrants and refugees but still using the Geneva Convention.²⁷¹

In their analysis, Khaled and Laura combined the criticism towards legal status categories embedded in asylum laws with the idea that some legal principles could be used strategically to challenge border regimes. International law set out both the legal definition of refugee that radical activists contested and the principle of *non-refoulement*, which could be used to expand the legal notion of freedom of movement. Khaled and Laura interpreted international law as the source both of contested legal status categories and of some principles that can be used to challenge the oppression of border regimes.

Similarly to Khaled and Laura, other activists who mobilized with radical social movement organizations framed legal notions of human rights as useful to formulate claims to unrestricted freedom of movement. When I discussed with Heiko, one of the founders of *Borderline Europe*, he pointed out that unrestricted freedom of movement could be framed through legal principles. Heiko told me:

Our main demand is freedom of movement for everybody [...]. You can connect freedom of movement with human rights standards [legal codification of human rights]; for example, we are Europeans, we enjoy the right to freedom of movement but at the same time we decide that others [non-Europeans] have less rights [i.e. do not enjoy freedom of movement].

²⁷¹ Interview with Khaled and Laura, 17 August 2018.

This isn't our understanding of equality. That's why everyone should enjoy freedom of movement.²⁷²

Heiko suggested making use of legal principles, such as freedom of movement available to EU citizens in the European Union and the prohibition of discrimination, to oppose restrictions on mobility. Freedom of movement is a cornerstone principle of EU law²⁷³ and the prohibition of discrimination is enshrined in both international and European law.²⁷⁴

Heiko emphasized that legal notions of human rights as set out by human rights conventions could be used to oppose restrictions on international mobility. At this point of our discussion, I said that human rights law was compatible with the notion of state sovereignty and hence with the state prerogative to control borders. Heiko stressed that:

Perhaps there are gaps in these human rights conventions; for example in some of them there is this idea of the right to leave your own country...it's a human right but it's half of the thing because if you leave a country you should also have the right to enter another country but this is not established by these conventions... the question is how you use these tools.²⁷⁵

Heiko suggested that legal notions of human rights could be expanded and used as a basis to formulate demands that ultimately exceeded legal notions of human

²⁷² Interview with Heiko, 24 August 2018.

²⁷³ Article 21 of the Treaty on the Functioning of the European Union (TFEU).

²⁷⁴ See for example article 14 of the European Convention on Human Rights. The prohibition of discrimination is also enshrined in all the major international human rights treaties, including the International Covenant on Civil and Political Rights (ICCPR), articles 2 and 26 and the International Covenant on Economic, Social and Cultural Rights (ICESCR), article 2.

²⁷⁵ Interview with Heiko, 24 August 2018.

rights. Heiko conceived legal notions of human rights as possible building blocks for crafting claims that embedded non-legal notions of rights. Heiko, Khaled and Laura were aware of the limited potential of legal notions of human rights. Their idea for unrestricted freedom of movement exceeded the legal codification of that freedom. However, they believed that legal notions of human rights could support their claims for unrestricted and universal freedom of movement.

The radical activists who referred to the Universal Declaration of Human Rights in the context of interviews were aware that the right to stay was not a legal human right. For example, when I talked to Frederike, an activist who mobilized with *Borderline Europe*, she referred to the tactical use of notions of human rights to make claims against border regimes. As she told me that she did not consider the right to stay as a legal right, I asked her why in her view the idea of residence rights for all was formulated through the language of rights, namely through the idea of the right to stay. She pointed out:

Probably because so much is [already] framed through this rights discourse...“you have the right to do this or the obligation to do that”...it’s more assertive, more powerful, [to say that] this is our right and not simply what we want. [Those who claim it] try to establish it as a human right although it’s not...it’s not established in human rights charters, legally. Maybe this is a part of life that is so elementary that everyone on the planet should be able to enjoy it.²⁷⁶

In interviews, other activists who mobilized with radical SMOs did not refer to legal notions of human rights when we discussed their interpretations of human rights. Some activists, in particular non-activists who mobilized with self-

²⁷⁶ Interview with Fiona, 6 August 2018.

organized groups of refugees, interpreted human rights as aspirations for social justice, as tools that could transform their oppression. In the previous section, I referred to Julia's understanding of freedom of movement as a principle to counterbalance the structural inequalities inherited from colonialism. In interview, Julia associated human rights with the idea of freedom and emancipation. She emphasized:

Human rights make a person feel free without constraints. If everybody had dignity and human rights, everybody would feel free and people would do right. People do wrong not because they can't do right but because their dignity is not there any more and people do crazy things.²⁷⁷

In this section, I have analysed the multiple interpretations of human rights that radical activists embraced. These interpretations include considering human rights as human entitlements, shared social values or aspirations for social justice. Despite their different opinions and their different understandings of the usefulness of legal notions of human rights to frame demands against border regimes, Daniela, Khaled, Laura and Julia did not express negative views about human rights.

Other radical activists whom I met were more sceptical about the potential of human rights to challenge border regimes. For example, Mario stressed the ambivalence of human rights and the fact that governments were using human rights discourses to pursue their foreign policy interests. I met Mario in March, on my way back from Cottbus, where I had attended a protest organized by *Women in Exile and Friends* on the occasion of International Women's Day. I subsequently met him quite regularly as he coordinated the meetings of the

²⁷⁷ Interview with Julia, 19 September 2018.

Alliance against Deportations in which I participated. A flamboyant, funny activist with eclectic interests, Mario often recounted, before or after the meetings of the *Alliance*, his stunts as an industrial window cleaner, or his quarrels with police in demonstrations. I expected Mario, as a self-defined Marxist, to be critical about the transformative and emancipatory potential of human rights. Mario was indeed sceptical about human rights. In interviews, he referred to their ambivalence and, more specifically, to the fact that human rights could be used by states to pursue oppressive policies. Mario emphasized: “Western states use human rights as judgments and for example go to war against states [using the pretext] that human rights are violated.”²⁷⁸

I was intrigued by the name of the *Alliance for the Unconditional Right to Stay*, the social movement organization in which Mario mainly mobilized outside the *Alliance against Deportations*. He often loudly emphasized in meetings that everyone should know by heart the German translation for “unconditional right to stay”, which was “*Bedingungslosen Bleiberecht*”. Non-German native speaking activists, including myself, often found it hard to remember the German name of the social movement organization in which Mario mobilized. He was adamant that the notion of unconditional right to stay was crucial. In interview I explored the idea of unconditionality with him. Mario argued that human rights should be unconditionally enjoyed by everyone. He opposed the idea of making residence rights conditional on certain requirements, including legal status categories. Mario emphasized:

We don't want to cluster people into useful and not useful. That is what capitalism does [...] When you talk about rights and human rights, they have to be unconditional. Human rights should be for everybody. There is no

²⁷⁸ Interview with Mario, 20 August 2019.

discussion. They should be unconditional for everyone.²⁷⁹

For Mario, the idea of unconditionality contested the stratified access to residence rights and human rights as a function of legal status categories. As discussed, framing demands against border regimes through the idea of the right to stay contested the association between legal status categories and residence rights.

Nazir, a man of Iranian origin who fled to Germany with his family when he was a teenager, considered human rights as mere discourses that had a very limited potential for challenging border regimes. Nazir was one of the founders of *Lager Mobilization Network Berlin*, a radical social movement organization in which I participated. In April 2018, the activists of *Lager Mobi Berlin* decided to hold a strategy meeting to evaluate and reassess their strategy for reaching out to refugees living in camps. In particular, they had been pursuing their outreach efforts by participating in language cafes (*Sprachcafés*), which were informal spaces where refugees could learn and practise German.

On the day of the strategy meeting, the activists also discussed the main aims of *Lager Mobi*. All activists opposed camps and called for their abolition. At some point the facilitator summed up the main points of the discussion and highlighted that: “*Lager Mobi* called for the abolishment of the *Lager* [camps] and the achievement of equal access to rights for all”.²⁸⁰

Nazir promptly opposed the language of rights. He insisted: “The rights discourse is not effective. We should ask for access to citizenship. People who already have the right to stay [residence rights] do not necessarily have the same access to

²⁷⁹ Interview with Mario, 20 August 2019

²⁸⁰ Ethnographic notes taken on 21 April 2018.

rights.”

Nazir opposed the stratified access to rights as a function of legal status that other radical SMOs and activists contested. However, as he explained when we met for an interview in October, he believed that citizenship was a more effective device for ensuring equal rights and that the idea of equality and human rights lacked any effective implementation in practice.²⁸¹

The analysis of the activists’ understandings of human rights that I have conducted in this section emphasizes a multifaceted, overlapping and complex set of interpretations of human rights. The activists who mobilized with radical SMOs interpreted human rights as human entitlements, shared social values or aspirations for social justice. Some radical activists were more critical of human rights than others. They highlighted their ambiguity and their ineffectiveness for challenging border regimes.

As I emphasized in this section, radical SMOs did not interpret and use human rights as legal norms in the same way that reformist SMOs did. However, radical activists did not reject outright the use of some legal notions of human rights. They made use of some legal notions of human rights to frame some of their claims against border regimes, including the claim for unrestricted and universal freedom of movement. Radical activists were aware that legal notions of human rights were limited, and that their claims against border regimes often exceeded legal definitions of human rights. However, they used some legal notions of rights – such as the principle of freedom of movement set out by international and EU law, the principle of *non-refoulement* and the prohibition of discrimination – to craft their claims in ways that radically contested border regimes.

²⁸¹ Interview with Nazir, 2 October 2018.

7.3 PRAGMATISM AND IDEALISM: DIFFERENT TEMPORAL PERSPECTIVES FOR THE STRUGGLE AGAINST BORDER REGIMES

In the previous sections, I explored how radical activists interpreted the idea of universal freedom of movement. Universal freedom of movement challenged the state prerogative to control borders. However, radical SMOs targeted the state by formulating claims in protests and thus recognized the state as recipient of their grievances against border regimes.²⁸²

As we discuss in the previous section, radical SMOs elaborated notions of human rights outside the law, for their notion of universal freedom of movement exceeded the legal codification of freedom of movement. In this section I examine a crucial tension in the mobilization against border regimes. More specifically, I explore why radical social movement organizations targeted the state in view of their support for universal freedom of movement, which challenges state sovereignty. This analysis is crucial to understand the approach of radical social movement organizations towards the state and their construction of human rights. In particular, I explore if radical SMOs construct human rights within the state, that is, if they conceive the state as a guarantor of human rights and if they invoke this function while formulating their demands against border regimes.

Despite their general support for universal freedom of movement, I encountered some differences in the activists' views on the state and its prerogative to control borders. In interviews, not all activists directly challenged that state prerogative. The activists who defined themselves as espousing Marxist or anarchist ideas opposed the state as an institution more vocally, and made use of additional frames to those that other radical activists invoked to oppose border regimes. For

²⁸² See Chapter 4 for the analysis of the multiple forms of mobilization which SMOs engage in to oppose border regimes.

example, Tamara, an Austrian activist who mobilized with several SMOs against deportations, told me that she considered herself an anarchist and she viewed the state as an institution exercising control over people. For example, when we discussed how she framed her opposition to deportations, she emphasized the link that existed between border regimes and capitalism. Tamara emphasized:

Deportations are really harsh measures of state violence to exclude people from society and from [access to] rights, to keep them deportable [...] Deportations also keep people exploitable, they would accept lower wages...and the argument of integration through work is quite strong. For me contesting deportations means also contesting the idea that people have value only when they are useful for the economy. Not everyone [opposing deportations] would agree that this is an issue. I am trying to connect the critique of the capitalist society with the migration regime. I think they are connected because the purpose of migration policies is also to regulate the needs for the economy, in terms of workforce.²⁸³

Radical activists framed deportations as an injustice and as a form of state violence.²⁸⁴ In addition, radical activists who self-defined as Marxist or anarchists, including Tamara, framed deportation as a mechanism to perpetuate labour exploitation.

Likewise, while radical activists framed the claims for freedom of movement and the right to stay as a critique to legal hierarchies and asylum law, radical activists who self-defined as Marxist or anarchist associated those claims with a more fundamental critique of the state. For example, when I asked Mario, who self-

²⁸³ Interview with Tamara, 27 August 2018.

²⁸⁴ See section 6.2 for more details about how radical SMOs framed deportation.

identified as Marxist, about the claims of the *Alliance for the Unconditional Right to Stay*, he emphasized:

We think that everyone on this planet has the right to stay wherever he or she wants to be. This is one of the things we demand. We don't want to make demands to a state that we don't want anyway. At the end we want no border no nations, we want to get rid of states and everything [...] We are dealing in a way with ideas of communalism, organizing ourselves in smaller communities, organizing in confederations of communities. You organize yourself in a neighbourhood and you connect to another neighbourhood, and you organize without a state.²⁸⁵

In contrast, other activists had less critical views on the state prerogative to control borders. Guillaume, a Cameroonian activist who mobilized with *Corasol*, a self-organized group of refugees, explained to me that he oriented his struggle towards achieving a world in which everyone could enjoy unrestricted international mobility. However, he did not fundamentally challenge borders but rather opposed their current enforcement. He emphasized:

States should control their borders but not in a repressive way. These controls should just stop those who violate freedoms, for example terrorists [...] We can control borders to prevent those who want to harm others. The problem nowadays is that borders are too rigid.²⁸⁶

Activists who interpreted unrestricted freedom of movement as a direct challenge to the state prerogative to control borders tended to be more sceptical about

²⁸⁵ Interview with Mario, 20 August 2018.

²⁸⁶ Interview with Guillaume, 10 September 2018.

human rights. For instance, in the previous section I explored the views of Nazir and Mario on human rights. They both highlighted the ambivalent and discursive aspect of human rights, that is, that human rights are tools that can be used by powerful actors with little potential to challenge oppression. However, Mario was not outright against the use of notions of human rights, for example the idea of non-discrimination, to challenge border regimes.

In interview, I enquired about Tamara's views on human rights and their potential to challenge border regimes. As she self-identified as anarchist, I expected her to conceive human rights as tools with little emancipatory potential. Tamara's views surprised me and explained some of the tensions that I had identified; in particular the coexistence between state-oriented mobilization and the formulation of claims against border regimes that challenged the very foundations of the state, including its prerogative to control borders. Tamara emphasized:

I interpret human rights as it suits me...If I think it's useful to use human rights as legal principles to convince people of an argument. I use them like that. When I think they are a useful label to convince people, I use them as a label. Sometimes I use them in a very vague way, sometimes in a very specific way [...]. I am not against them. Even if I am against the state as an institution of control, it can still be a step that states acknowledge human rights for improving the living conditions of people in the mid-term... I am flexible about that. It doesn't make sense to be too dogmatic.²⁸⁷

Tamara's views pointed to an open and flexible interpretation and use of human rights. Other activists who mobilized with radical social movement organizations and who were fundamentally critical of the state prerogative to control borders

²⁸⁷ Interview with Tamara, 27 August 2018.

likewise acknowledged the potential of resorting to human rights to challenge border regimes. For example, when I asked Anne, a German activist who mobilized with the group *Corasol*, why SMOs that oppose border regimes framed their claims through the language of human rights, she emphasized:

I think the language of rights is well understood in the society. I don't think that talking about rights or demanding rights is the best way because you're always demanding rights from someone, someone needs to grant a right and it's not my utopian ideal of how to live together. It's just a language that is well understood and that's why people use it.²⁸⁸

Activists, including those who mobilized in radical SMOs but also other activists, shared the belief regarding the resonance of human rights, in other words their effectiveness (Snow & Bendford, 2000). For example, Frederich, a German activist who mobilized with the network *Seebrücke*, which I do not consider as a radical SMO,²⁸⁹ explained in the context of our interview that legal notions of rights embedded values that could inspire people to engage in collective actions. He argued that the right to life, for example, embedded a shared moral imperative that fostered search and rescue operations, which he conceived as collective actions carried out by private actors. He emphasized:

When Italy closed down [the search and rescue operation] Mare Nostrum, it was not a court that decided who should pursue those operations. Regardless of the law, people continued rescuing people at sea because they felt it was right [to save their lives].²⁹⁰

²⁸⁸ Interview with Anne, 29 August 2018.

²⁸⁹ As I explained in Chapter 6, I did not consider *Seebrücke* as a radical group but as a network situated between reformist and radical social movement organizations.

²⁹⁰ Interview with Frederich, 2 October 2018. Mare Nostrum was a naval and air search and rescue operation run by the Italian government between 18 October 2013 and 30 October 2014. Frederich

The activists who mobilized with radical social movement organizations embraced different views regarding the state prerogative to control borders and the state as an institution. However, they oriented some components of their mobilization towards the state and framed their claims by resorting to notions of human rights. I have thus identified in this chapter two tensions in radical activism against border regimes. The first one is the tension between the radical criticism of the state and the choice to address the demands against border regimes to the state. The second one is the tension between the use of legal notions of human rights and the elaboration of demands that exceeded those legal notions.

In interviews, radical activists emphasized the different temporal orientations of their collective action, which explains those tensions. In particular, radical activists conceived their claims and targets as associated with specific timeframes. They chose to use legal notions of human rights and to address their claims to the state as short- or medium-term strategies while conceiving unrestricted freedom of movement as an objective in the longer term. For example, as previously discussed, radical activists opposed the legal notion of refugee and the mechanisms put in place by the state to assess asylum claims. Radical SMOs did not frame their claims against border regimes through the right to asylum, as they contested legal status categories and considered the right to asylum too moderate. However, radical SMOs joined the coalition for the protest *Unteilbar*, which made use of the frame of the right to asylum. Radical SMOs did not call for the abolition of the asylum system, despite their criticism of the state prerogative to grant legal status categories.

referred to the search and rescue operations carried out by civil society organizations such as *Sea-Watch*, *Jugend Rettet* and *Mission Lifeline* after the decision of the Italian government to end the operation Mare Nostrum.

In interview, after discussing with Tamara about her views on freedom of movement, I enquired about her opinions regarding the right to asylum and the asylum system. She emphasized: “At the moment, it [the asylum procedure] makes sense, but the goal should be freedom of movement for everyone with a real possibility to migrate wherever and whenever people want. I know it’s a utopian idea”²⁹¹

Tamara did not argue for abolishing the right to asylum in the short term as she pointed out that “the asylum procedure can save lives”. She highlighted:

[Claiming asylum] still gives many people the only opportunity to come to Europe and it benefits many people right now... They should use that opportunity. It’s about finding the gaps and loopholes in the laws. We shouldn’t exclude asylum as an idea right now but I wouldn’t keep it in the utopian society that I have in mind.²⁹²

In the long term, in the context of the utopian vision that Tamara evoked, the idea of claiming asylum would be substituted by universal and unrestricted freedom of movement. Everyone would be able to move without providing any justification to states, and without undergoing an assessment of the reasons behind their decision to move. However, in the view of radical activists, in the short term the right to asylum had to be protected, particularly in view of the rise of the populist radical right that aimed to chip it away. Indeed, the anti-racist collective identity oriented towards opposing the populist radical right facilitated the formation of *Unteilbar*, a broad alliance among very different SMOs.

²⁹¹ Interview with Tamara, 27 August 2018.

²⁹² Interview with Tamara, 27 August 2018.

In interviews, other radical activists made the same temporal distinction to explain their demands and the targets of their collective actions. Despite their criticism of the right to seek asylum and the legal notion of refugee radical activists did not argue for the abolition of the asylum system in the short term. Indeed, in the short term, they made use of all the available avenues to contest border regimes, including invoking the right to seek asylum, in particular in a context where that right was under attack. For the same reasons, radical activists and SMOs participated in protests and alliances, such as *Unteilbar*, that framed claims which fell short of unrestricted freedom of movement.

Radical activists resorted to human rights to contest border regimes. They also used legal notions of human rights despite their criticism of the state and the law, in particular asylum laws. In some instances, legal notions of human rights provided them with tools to confront the state directly. In other instances, human rights had the potential to stimulate the activists' mobilization against border regimes and to support their demand for unrestricted freedom of movement that exceeded legal notions of human rights.

CONCLUSIONS

The analysis that I have conducted in this chapter shows the multiple interpretations and uses of human rights within radical social movement organizations. Radical social movement organizations frame their demands against border regimes through the idea of the right to stay, which they conceive as a component of unrestricted freedom of movement. They interpret unrestricted freedom of movement as a challenge to the state prerogative to control borders, the asylum system put in place by the state, and deportations.

Radical activists conceive freedom of movement as a human right. However, they do not consider freedom of movement as a legally codified human right, but rather as an entitlement that every human being should possess, or as an aspiration for social justice. The interpretation of freedom of movement shared by radical activists exceeds the legal meaning of freedom of movement, which in international human rights law does not imply unrestricted mobility.

Radical activists are aware of the limitations of legal notions of human rights. However, they make use of some legal notions to support claims for unrestricted freedom of movement. For example, they refer to the notions of non-discrimination or *non-refoulement* to explain how legal notions of human rights could strengthen the call for unrestricted freedom of movement. Activists who mobilize with radical social movement organizations frame legal notions of human rights as building blocks to craft their claim for unrestricted freedom of movement, which exceeds the meaning of freedom of movement in international human rights law. Their understanding of human rights is crucially different from that of human rights NGOs. Human rights NGOs, which embrace a reformist approach towards border regimes, make claims that remain within the boundaries of legal notions of human rights as they are codified in international law.

Radical SMOs target the state with their demands against border regimes, and make use of legal notions of human rights to build those demands. However, radical activists consider human rights as ambivalent. Some radical activists, in particular those who identify themselves as anarchist or Marxist, are critical of the state and of its prerogative to enforce border controls. However, radical activists conceive their collective actions as comprising different temporal orientations. In the short term, they make use of all the available weapons to contest border regimes. This orientation explains for example why radical social movement

organizations join coalitions, such as *Unteilbar*, that make reformist claims against border regimes, which do not go as far as demanding unrestricted freedom of movement. As we shall see in the concluding chapter, the alliance between radical and reformist social movement organizations points to the mingling of approaches to human rights that have often been conceptualized as opposite and discrete.

Some radical activists believe in a world without border controls and without nation states. However, in the short term, particularly in a period where they perceive the populist radical right on the rise, they pursue every possible avenue to chip away at border regimes. These avenues include the use of legal notions of human rights to make their demands more persuasive, to emphasize inconsistencies in the legal codification of freedom of movement and to highlight the global inequalities that border regimes help to maintain.

The mobilization of radical social movement organizations against border regimes shows that human rights can be deployed tactically according to specific contexts and for specific purposes. Radical activists do not hold rigid views of human rights. They do not interpret human rights exclusively as natural entitlements, aspirations for social justice or mere discourse with limited emancipatory potential. Nor do they necessarily oppose the use of legal notions of human rights in view of their ambivalence or limited potential. In some instances, multiple interpretations of human rights overlap; legal notions of human rights are used to formulate demands against border regimes that ultimately exceed legal notions of human rights. This flexible and open interpretation of human rights explains why activists make rights claims against border regimes despite their criticism of the state and of the law.

Radical social movement organizations elaborate notions of human rights that challenge the status quo and structural inequalities. More specifically, they frame their demands through the idea of the right to stay, which is a component of unrestricted freedom of movement. The right to stay and unrestricted freedom of movement are associated with an anti-racist identity that conceives border regimes as devices that maintain global inequalities. Unrestricted freedom of movement challenges global inequalities, including different mobility opportunities, along the lines of race, nationality and socioeconomic status. The right to stay opposes the categorization of non-citizens applied by the state that results in a stratified access to legal rights, including residence rights, as a function of legal status.

CHAPTER 8: THE CONSTRUCTION OF EMANCIPATORY NOTIONS OF HUMAN RIGHTS

My thesis has investigated whether the construction of human rights in the social movement opposing against border regimes is a mode through which non-citizens challenge the oppression that they experience because of border regimes. My thesis shows not only the exclusionary processes produced by border regimes, but also how the activists' shared interpretation of those processes is at the core of the construction of emancipatory notions of human rights.

Despite their multi-faceted diversity in terms of race, nationality, citizenship status and gender, all non-citizens experience to some extent the exclusion and racialization produced by border regimes. The state categorization of non-citizens, their stratified access to legal rights according to their legal status and their isolated lives in reception centres and shared accommodation are associated with the emergence of the refugee* identity within grassroots organizations (GROs). The refugee* identity entails radical solutions to current border regimes and the

elaboration of emancipatory notions of human rights; these notions include universal and unrestricted freedom of movement and the right to stay, which implies equal residence rights for everyone irrespective of legal status.

At the beginning of my fieldwork in Berlin, I aspired to achieve in-depth knowledge of the mobilization against border regimes and, more generally, of the numerous forms of resistance nestled in the city that could constitute alternatives to individualized and un-politicized lives. I oriented my researcher gaze towards understanding dynamics that were not visible and my ethnography indeed enabled me to study everyday, submerged forms of mobilization against border regimes. However, my knowledge of many other aspects remained limited. In particular, the daily lives of activists outside meetings and protests, their intimacies, the coping mechanisms of non-citizen activists to get by in their daily lives remained largely unexplored.

Despite those limitations, in what follows, I present my overall conclusions by highlighting three areas to which my thesis brings a significant contribution: 1) legal status and the mobilization of non-citizens in the social movement opposing border regimes; 2) the construction of human rights from below; and 3) anti-racism and the construction of human rights.

After addressing my contribution to the three areas that I have outlined above, I will discuss some reflections regarding my role in the movement as a white researcher with residence rights.

8.1 LEGAL STATUS AND THE MOBILIZATION OF NON-CITIZENS

My thesis contributes to the debates regarding the role of legal status in collective action and the association between legal status and collective identity formation processes. More specifically, it shows how legal statuses with precarious residence rights are associated with the emergence of a collective identity, the refugee* identity, that contests legal hierarchies and stimulates the elaboration of novel notions of human rights. My thesis contributes to scholarly debates on migrant mobilization, acts of citizenship, critical perspectives on legal status and multiple interpretations of legal status categories within social movements.

Migrant mobilization

The literature on migrant mobilization has highlighted how legal status can become a collective identity fostering the participation of non-citizens in collective action. Scholars have focused in particular on the mobilization of undocumented migrants. They have emphasized how the lack of documents and of residence rights became a shared collective identity and the basis for formulating regularization claims in the context of collective action (McNevin, 2006; Monforte & Dufour, 2013; Però & Solomos, 2010).

My thesis contributes to explaining the interplay between collective identities emerging in the context of collective action and legal status categories embedded in border regimes. Non-citizens are not a homogeneous group; border regimes classify non-citizens through a system that results in a multiplication of legal statuses. The intersection between citizenship and legal and de facto possibilities to enjoy human

rights generates different categories of non-citizens, in particular sub-citizens, which include for example asylum seekers, and un-citizens, such as undocumented migrants (Nash, 2009).

In my thesis, I show that the German border regime embeds categories of sub-citizens and un-citizens other than undocumented migrants. These categories include in particular people who claim asylum and who often wait years before the completion of their asylum procedure as well as people who hold a *duldung*; these non-citizens are not undocumented but they are “tolerated” and are thus, similarly to undocumented migrants, deportable (De Genova, 2002, 2005). Sub-citizens and un-citizens do not have access to the right to family reunification, freedom of movement or the right to work in Germany. Only those non-citizens whom the state recognizes as refugees have access to those legal rights. Non-citizen activists interpret the barriers to accessing legal rights and to enjoying human rights as embedded in legal status hierarchies and this interpretation is crucial to understand their standpoint towards the legal notion of refugee and other legal status categories.

My thesis shows how the precarious legal statuses of sub-citizens and un-citizens play a crucial role in their mobilization against border regimes. The collective identity that emerges in conjunction with those precarious legal statuses is not only associated with claims against deportation. This collective identity, which I refer to as the refugee* identity, contests legal hierarchies and transgresses the legal notion of refugee. Indeed, my thesis brings a significant contribution by explaining the transgressive aspects of the refugee* identity, which promotes understandings of who is a refugee beyond the definitions set out in law.

The scholarship focusing on mobilization of undocumented migrants emphasizes the symbolic transformation of the notion of “illegality” as undocumented migrants draw on their “illegality” to formulate claims in protests and other forms of collective action. My thesis shows that the refugee* identity and its contestation of precarious legal statuses results in opposition to the overall system of classification of non-citizens that is embedded in border regimes and the stratified access to rights associated therewith.

Acts of citizenship

The literature focusing on the mobilization of undocumented migrants has often analysed the participation of non-citizens in collective action through the prism of acts of citizenship. According to Isin, non-citizens transform exclusionary notions of citizenship by performing acts of citizenship which include the mobilization in collective action through which they claim rights (Isin, 2008).

I argue that the collective identity that emerges in the movement opposing border regimes, the refugee* identity, similarly contests exclusionary legal notions, in particular the legal notion of refugee. The emergence of this collective identity is however associated with a process of political activation through which non-citizens become aware of, and construct, notions of rights. Rather than being ready-made concepts that activists use to formulate their claims, these notions of rights are constructed in the context of their mobilization.

Rygiel, who analysed migrant mobilization through the notion of acts of

citizenship, has emphasized that migrants transgress the logic of modern citizenship, conceived as an exclusionary category administered by the state (Rygiel, 2016, p. 547).

I argue that the non-citizens who mobilize in radical SMOs within the movement opposing border regimes similarly transgress the exclusionary legal notion of refugee. By identifying as refugees irrespective of whether they have obtained the legal status of refugee, they aim at transforming legal status categories and legal hierarchies. The refugee* identity is a demand for equal rights, including residence rights and freedom of movement, irrespective of legal status.

Nyers has emphasized that in some instances acts of citizenship have a paradoxical relationship with the law. Undocumented migrants for example ground their claims for regularization in the law but at the same time question the law (Nyers, 2010). Similarly, the refugee* identity has a paradoxical relationship with the law; it challenges the asylum system put in place by states as well as domestic and international asylum law. However, self-organized groups of refugees and other radical SMOs that embrace the refugee* identity demand equal access to legal rights for non-citizens. Understanding this complex relationship with the law is crucial as it inspires the approach that radical SMOs embrace towards human rights (see 8.2).

The transgression of the boundaries of citizenship that has been conceived by the scholarship on acts of citizenship mirrors the transgression of the boundaries of the legal notion of refugee that I have observed in the mobilization of radical SMOs within the movement

contesting border regimes. However, some of my findings point to differences regarding claim-making processes and, in particular, rights claiming as they have been theorized within the scholarship on acts of citizenship. More specifically, the scholarship on acts of citizenship has not fully investigated the submerged and invisible processes through which non-citizens become aware of their rights and are thus enabled to perform acts of citizenship involving rights claiming.

Non-citizens do not become rights claimants overnight. My thesis contributes to explaining some of the processes through which refugees* can become aware of their rights and can thus participate in collective actions that contest legal status categories and other aspects of border regimes. Following Melucci, I argue that the mobilization of non-citizens in collective action relies on the engagement of social movement actors in invisible, submerged networks (Melucci, 1989). More specifically, I show that submerged forms of mobilization are crucial for raising awareness of human rights and for sustaining the participation of non-citizens in social movements, which is fraught with difficulties because of the impact that border regimes have on them. Non-citizens often live in segregated and isolated shared accommodation and, if at risk of deportation, the participation in visible collective actions can further expose them to that risk.

My thesis shows that two specific forms of submerged mobilization are critical to enable the participation of non-citizens in collective action through which they contest legal status categories and demand equal access to legal rights as well as the enjoyment of human rights irrespective of legal status and nationality. The analysis of these forms of

mobilization is also crucial to interpret the findings regarding the approach of GROs to human rights (see 8.2).

Non-citizen activists are enabled to participate in collective action because of the ties of solidarity that they have established with citizen activists in the context of the SMOs in which they mobilize and because they have undergone a process of political activation in which they become aware of their rights. These forms of mobilization contribute to weaving social relations that break the isolation that border regimes impose on non-citizens and to enabling non-citizens to formulate claims, including to the state and society at large. The participation of non-citizens in the social movement opposing border regimes is grounded in these everyday activities occurring in submerged networks (see 8.2).

Critical perspectives on legal status

Scholars within the scholarships of Critical Border Studies and social constructivist perspectives on legal status have argued that border regimes produce a complex and bureaucratic system of categorization of migrants. They have problematized legal status categories as they often reflect relations of power and domination and they have highlighted that the legal distinction between migrants and refugees is often blurred and imbricated with policy considerations (Castles, 2003; Crawley & Skleparis, 2018; Karakayalı & Rigo, 2010; Scalettaris, 2007). Mezzadra refers to the bureaucratic system that categorizes non-citizens as state taxonomies and nomenclatures (Mezzadra, 2015).

Non-citizen and citizen activists who mobilize in radical social movement organizations oppose the legal distinction between migrant

and refugee as they conceive asylum laws and the asylum system through which the state assigns legal category statuses as producing exclusion and otherness. My thesis brings a significant contribution to critical legal status perspectives by identifying the grounds for the contestation and transformation of the legal notion of refugee and of hierarchies among legal status categories.

Radical SMOs contest the narrow legal definition of refugee, which is based on the notion of identity-based persecution. The contestation of the legal notion of refugee is grounded in the interpretation of the stratified access to rights embedded in the hierarchies of legal status categories, as well as in the anti-racist identity of radical SMOs (see 8.3). In particular, non-citizen activists emphasize the historical responsibility of former colonial powers for the impoverishment of their countries of origin. They reject the hierarchy of legal status categories and argue that they all had good reasons to leave their countries. Non-citizen activists with precarious legal statuses contest the attempts of the state to label them as undeserving or economic migrants; they do so by linking their reasons for migrating with global inequalities and by contesting the idea that only those non-citizens who faced political persecution in their countries of origin were constrained to flee and thus have the right to enjoy asylum in Germany.

Border regimes rely on human rights, in particular the right to seek and enjoy asylum, which is codified in international law, to classify non-citizens in multiple groups, who have a stratified access to rights. The opposition to legal status categories is inspired by notions of equal rights, which many non-citizen activists who mobilize with radical SMOs do not

have access to. The refugee* identity thus draws on the notion of equal access to legal rights and of equal enjoyment of human rights to contest state taxonomies and nomenclatures, which embed the legal notion of refugee.

Multiple interpretations of legal status categories

Monforte's study of the asylum movement in Germany highlights the different interpretations of legal status categories within the movement. Monforte argues that migrant and refugee-led organizations embrace oppositional identities, which are associated with an autonomous understanding of the notion of refugee which radically opposes its legal definition (Monforte, 2014, p. 70).

Similarly to Monforte, I have highlighted that the interpretation of the legal notion of refugee and of other legal status categories varies among the SMOs that oppose border regimes. Self-organized groups of refugees and other radical SMOs embrace the refugee* identity, which is associated with the transgression of the legal notion of refugee and of legal status hierarchies. Other SMOs, in particular human rights NGOs, contest those aspects of the asylum procedure that hamper the possibility of obtaining refugee status. These aspects include the idea of safe countries of origin, which implies slim chances for people coming from those countries to obtain any legal protection status. However, human rights NGOs do not contest the legal notion of refugee.

Following Fitzgerald and Rodgers, I have identified grassroots social movement organizations that transgress the legal notion of refugee and contest legal status hierarchies as radical social movement organizations.

(Fitzgerald & Rodgers, 2000). In contrast, I consider the SMOs that do not oppose the legal meaning of the notion of refugee and legal status categories, which include human rights NGOs, as reformist social movement organizations. Reformist SMOs do not embrace the refugee* identity.

My thesis brings a significant contribution to understanding the different interpretations of legal status categories by contextualizing them within the multiple and divergent approaches to human rights in the movement opposing border regimes (see 8.2), which is a crucial aspect that Monforte's analysis does not reflect. As Monforte argues, the divergent interpretations of legal status categories within the movement are associated with different frames, organizational forms and repertoires of contention. However, my thesis shows that understanding the different interpretations of legal status categories is also associated with a complex relationship between radical SMOs and the law. Indeed, the contestation of legal status categories, and in particular the legal notion of refugee, is associated with the construction of notions of human rights that exceed the law.

My thesis highlights that in contrast with Monforte's analysis of the interpretation of legal status categories of self-organized groups of refugees, the refugee* identity within radical SMOs is associated with an understanding of the notion of refugee that is not autonomous because it emerges in relation to state-sponsored legal status categories. The refugee* identity, and the transgression of the legal notion of refugee and other legal status categories, takes shape in conjunction with the interplay between collective identities and legal status categories embedded in

border regimes.

I discuss in the next section what the different interpretations of legal status categories by radical and reformist SMOs imply regarding their different approaches to human rights.

8.2 THE CONSTRUCTION OF HUMAN RIGHTS FROM BELOW

My thesis focuses on how grassroots social movement organizations (GROs) construct human rights. In the social movement that I have studied, non-citizens mostly mobilize in GROs, particularly in self-organized groups of refugees. I focus on GROs because I am interested in the construction of human rights by non-citizens as a subaltern group. My thesis brings a significant contribution to the political sociology of human rights in particular by addressing the emancipatory potential of non-legal notions of human rights and the complexities regarding the construction of non-legal notions of human rights from below.

The emancipatory potential of non-legal notions of human rights

Scholars have emphasized the ambivalence of human rights, more specifically that human rights can be used both by powerful actors to justify domination and by subaltern groups to oppose it (Nash, 2015; Perugini & Gordon, 2015; Stammers, 2009). In the area of migration, scholars have explored the ambivalence of human rights and the barriers that migrants face to access human rights (Dembour & Kelly, 2011; Mezzadra 2015).

My thesis contributes to studying the construction of emancipatory, non-legal notions of human rights by non-citizens who mobilize in grassroots social movement organizations. I argue that activists who mobilize in

GROs are aware of the ambivalence of human rights and, in particular, of the limited potential of legal notions of human rights. They construct notions of human rights that exceed the law by, at the same time, incorporating legal concepts.

By drawing on the distinction between radical and reformist social movement organizations which I have outlined in the previous section, I argue that the self-organized groups of refugees and the other GROs in which I participated elaborate common radical solutions and alternatives to current border regimes, that is, prognostic frames (Benford & Snow, 2000). Radical SMOs elaborate prognostic frames that embed the ideas of universal and unrestricted freedom of movement and the right to stay. These rights frames contest restrictions that states impose on international mobility, the association between residence rights and legal status, and all deportations.

In contrast, human rights NGOs elaborate prognostic frames that aim to reform border regimes. In particular, they invoke the right to seek and enjoy asylum, which is a human right codified in international law, and oppose those aspects of border regimes that impinge on that right. These aspects include for example the lack of independent legal counselling in refugee shared accommodation, the notion of safe countries of origin, as well as deportations of people to countries where they could face serious human rights violations. These SMOs promote a reformist agenda towards border regimes that falls short of challenging their foundations, that is, state sovereignty and the prerogative to control borders.

The frames that radical SMOs invoke against border regimes stem from

an approach to human rights that goes beyond their legal codification. The activists who mobilize with radical SMOs interpret unrestricted and universal freedom of movement and the right to stay as human rights. These notions of human rights go beyond legally codified human rights. Radical SMOs construct notions of human rights that are emancipatory precisely because they go beyond legal notions of human rights. The scholarly debate on the ambivalence of human rights, including in the area of migration, has primarily focused on the ambivalence of legal notions of human rights. My thesis shows that social actors who oppose border regimes tackle the ambivalence of legal notions of human rights by crafting emancipatory, non-legal notions of human rights that oppose the impact that border regimes have on the daily lives of non-citizens.

In contrast, the idea of freedom of movement codified in international law does not challenge the possibility for states to restrict international mobility. The right to stay is not a right codified in international human rights law. Nor is the prohibition of all deportations that is embedded in the notion of the right to stay a legal principle. Under international human rights law, deportations are prohibited only if they violate the principle of *non-refoulement*, that is, if they expose people to grave violations of human rights in the country of destination. These notions of human rights codified in international law do not challenge the oppression that non-citizens face because of border regimes.

Radical activists interpret human rights, more specifically freedom of movement and the right to stay, as non-legal principles, as aspirations to social justice, as principles that challenge global inequalities that border regimes contribute to maintaining. This interpretation of human rights is

close to Dembour's protest school of rights (Dembour, 2010). The protest school of rights conceives human rights as ideals for social justice and puts the emphasis on social struggles through which human rights emerge. This interpretation of human rights is also associated with one of the anti-racist collective identities that radical social movement organizations embrace (see 8.3).

Moreover, radical activists espouse other interpretations of human rights. For example, some activists interpret freedom of movement as a basic human entitlement that transcends legal codification, which is close to the natural school of rights. Some of the activists who self-identify as anarchist or Marxist are more critical of human rights and in some instances interpret human rights according to Dembour's discourse school as they do not consider human rights as conducive to a broad project of emancipation (Dembour, 2010). My thesis contributes thus to showing how different schools of rights, that Dembour has conceptualized as ideal types, play out and coexist in the collective construction of human rights as non-legal notions within the mobilization against border regimes.

Dembour argues that the protest and the discursive schools of human rights are usually associated with scepticism towards human rights law (Dembour, 2010). I show that activists who mobilize with radical SMOs who interpret human rights according to the discursive and, more often, the protest schools do not outright discard legal notions of human rights. This is a significant contribution that my thesis brings to the understanding of the multiplicity of approaches to human rights followed by grassroots social movement actors who construct human rights from

below.

Activists who mobilize with radical SMOs make references to international human rights instruments. They also refer to freedom of movement as a legal right set out in international human rights law and invoke some ideas that are also codified in international law, such as the prohibition of discrimination and the principle of *non-refoulement*, to explain how legal notions of human rights could support their claim for unrestricted and universal freedom of movement. Activists who mobilize with radical SMOs frame legal notions of human rights as building blocks to craft their claim for unrestricted freedom of movement, which exceeds the meaning of freedom of movement in international human rights law.

The complexities of constructing human rights from below

The predominant focus of the study of human rights to date has mostly concentrated on the use of legal notions of rights by NGOs and international advocacy networks (Nash, 2012, 2015). I bring a significant contribution by investigating how non-citizens who experience oppression and racialization because of border regimes and who mobilize in grassroots organizations construct and use human rights.

My thesis contributes to the debate regarding different approaches to human rights, in particular global constitutionalism and subaltern cosmopolitan legality. In my thesis, I have analysed how different SMOs in the movement that opposes border regimes, including radical and reformist SMOs, construct human rights. My findings show that, in the case of the contestation of border regimes in Germany, human rights

NGOs approach human rights through the perspective of global constitutionalism; human rights are universally accepted principles codified in treaties that have been widely ratified and states have the obligation to respect those treaties (Nash, 2015). This finding is not surprising in view of the existing scholarly literature in the sociology of human rights.

More surprisingly, and indeed a significant contribution of my thesis, is that the approach of radical SMOs to human rights does not fully follow subaltern cosmopolitan legality, for which human rights are emancipatory tools constructed through bottom-up approaches that are autonomous from the state (De Sousa Santos & Rodriguez-Garavito, 2005). My thesis shows that the approach to human rights that radical SMOs embrace is hybrid and includes elements of global constitutionalism and of subaltern cosmopolitan legality.

The approach towards human rights of radical SMOs includes several elements of subaltern cosmopolitan legality. Radical SMOs elaborate notions of human rights outside legal hegemonies, in particular by opposing limited legal notions of human rights, such as freedom of movement, as they are codified in international law. They propose radical alternatives to current border regimes that are grounded in the experiences of racialized non-citizens as a subaltern group. Radical social movement organizations elaborate notions of human rights outside the law because legal notions of human rights are indeed associated with a limited potential to challenge the domination of border regimes. Indeed, in the view of radical SMOs and activists, the law facilitates the control and categorization of non-citizens and establishes hierarchies among

different legal status categories. For instance, the right to seek and enjoy asylum, which is a human right codified in international law, is the premise through which states put in place a system to determine legal protection statuses through which non-citizens are categorized.

Radical SMOs construct non-legal notions of human rights that are emancipatory because they can be used by subaltern groups, in particular non-citizens, as tools to oppose the domination of border regimes. In the process of constructing emancipatory, non-legal notions of human rights, however, GROS in which non-citizens mobilize do not reject the use of legal notions of human rights that can be tactically useful in their struggle.

My findings show that in other respects the approach of radical SMOs to human rights differ from subaltern cosmopolitan legality. More specifically, radical SMOs do not elaborate notions of rights completely outside or beyond the state, which is a crucial premise of subaltern cosmopolitan legality (De Sousa Santos & Rodriguez-Garavito, 2005; Nash, 2012). This is a significant contribution that my thesis brings to the study of bottom-up approaches to human rights.

By analysing both visible and submerged layers of mobilization against border regimes, I conclude that the mobilization against border regimes is certainly not oriented only towards the state. However, novel and emancipatory notions of rights, such as the right to stay, that challenge the domination that border regimes exercise on non-citizens, are not formulated outside the state. In the international human rights system, states have a primary role in upholding human rights. Radical social

movement organizations address their rights claims to state institutions. They thus recognize the role of the state in guaranteeing human rights. Radical social movement organizations frame visibility as a crucial strategy and seek to organize visible collective actions that can attract the attention of state institutions, the media and society at large.

My thesis analyses mobilization in submerged networks to understand whether notions of human rights are constructed autonomously from the state. Autonomous forms of mobilization have been conceived as spaces where the control of dominant forces cannot reach and which can facilitate the emancipation of marginalized groups (Zibechi, 2012). The study of both visible and submerged layers of mobilization contributes to a comprehensive study of the movement against border regimes and an in-depth understanding of the processes through which human rights are not simply invoked but are also actively constructed.

Submerged layers of mobilization are replete with notions of human rights. My thesis indeed highlights the importance of these layers of mobilization for the construction of human rights, which are not only frames that SMOs invoke to formulate their demands against border regimes but also notions that inspire the mobilization of non-citizens to oppose the oppression that they face.

However, I show that these forms of submerged mobilization are not fully autonomous from the state. Despite their contribution to reconfiguring social ties and breaking the isolation in which non-citizens live, they are oriented towards enhancing the contestation of border regimes, which focuses also on contesting the role that the state has in

shaping border regimes. Radical SMOs engage in submerged forms of mobilization by entering spaces of isolation, in particular refugee reception centres and shared accommodation, that are shaped by state policies and institutions. Rather than creating spaces that are completely autonomous from the state, submerged forms of mobilization enable the resistance of non-citizens against their exclusion and living conditions that are shaped by the state.

My thesis contributes to explaining the complexity of the approach of radical SMOs towards human rights. On one hand, radical activists are sceptical of the limited potential of legal notions of human rights; on the other hand, they draw on some legal notions to elaborate their claims that ultimately exceed the legal codification of human rights.

Moreover, radical activists formulate claims that challenge nation states but, at the same time, they address some of their demands to state institutions. Although not all the radical activists challenge the nation state in principle, they all frame their demands against border regimes through the idea of unrestricted and universal freedom of movement. However, when they target state institutions, radical SMOs recognize the function of the state in upholding human rights, which is a key aspect of top-down approaches to human rights, in particular global constitutionalism.

My findings emphasize the different temporal dimensions through which radical activists conceive their mobilization, which explains some of the complexities regarding their approach to human rights. Their short-term strategic choices make use of all the available resources against border regimes. This explains for example why radical SMOs joined coalitions,

such as *Unteilbar*, that made reformist claims. Some radical activists believe in a world without border controls and without nation states. However, in the short term, particularly in a period in which the populist radical right is on the rise, radical SMOs pursue every possible avenue to chip away at border regimes, including by addressing rights claims to the state. They interpret human rights as resources for their collective action and as ideas that are well understood by the majority and could be used tactically to strengthen claims against border regimes.

Non-citizens and citizen activists who mobilize in radical social movement organizations do not hold rigid views on human rights; for them, human rights are not either legal notions codified by the law or non-legal notions that they construct outside the state. Moreover, the activists' interpretations of human rights as non-legal notions are diverse and overlap. They construct human rights that exceed legal notions of human rights but at the same time they use some legal principles as building blocks to craft their emancipatory notions of human rights that challenge the domination that border regimes exercise on non-citizens. They construct notions of human rights through mixed approaches that draw on many elements of subaltern cosmopolitan legality without dismissing legal notions of human rights and the role of the state in upholding human rights, especially in the short term.

My thesis shows how non-citizens can elaborate new notions of human rights that are emancipatory. The construction of emancipatory notions of human rights through mobilization that is not fully autonomous from the state is indeed a modality through which non-citizens can challenge their oppression.

8.3 ANTI-RACISM AND THE CONSTRUCTION OF HUMAN RIGHTS

My thesis contributes to understanding the multiple forms of anti-racism in the movement opposing border regimes and their association with the construction of human rights. My findings show that the anti-racist collective identity that frames border regimes as racializing mechanisms that exclude and control non-citizens is associated with the construction of emancipatory notions of human rights. More specifically, my thesis brings a contribution to the debates regarding the multiplicity of anti-racist identities and the imbalances along the lines of race and citizenship in the movement opposing border regimes.

The multiplicity of anti-racist identities

Lentin has argued that anti-racism is heterogeneous and can be conceived in different forms; it can for example be oriented towards identifying and combating all the instances in which racism permeates state institutions and practices, or can be focused on opposing specific actors that promote racist frames, such as populist radical right parties and movements (Lentin, 2008).

My findings indicate that different forms of anti-racism can coexist at the movement level. Goldberg has highlighted how racism can be embedded in the state and in state institutions (Goldberg, 2002). Following Erel, Murji and Nahaboo, border regimes can be seen as mechanisms that maintain the system of racial inequalities embedded in colonialism (Erel, Murji & Nahaboo, 2016). My thesis shows that GROs embrace a collective interpretation of border regimes that conceive them as racializing devices that preserve global inequalities along the lines of

race and citizenship. This anti-racist identity, that acknowledges the imbrication of racism, border regimes and the state, is associated with the construction of emancipatory notions of human rights that exceed their legal codification.

The ideas of unrestricted and universal freedom of movement and the right to stay, through which GROs frame their claims against border regimes, contest global inequalities, including the unequal possibilities that racialized non-citizens have to enjoy international mobility, and the differentiated access to legal rights for racialized non-citizens in Germany. I argue that GROs identify restrictions on international mobility and differentiated access to rights as two major modes through which border regimes racialize non-citizens.

Human rights NGOs embrace a different anti-racist identity from the one that GROs embrace. Indeed, as I mentioned at the beginning of this section, my thesis contributes to exploring the overlapping of different anti-racist identities. NGOs are concerned with the rise of populist radical right parties and movements and the success of their racist frames. I have shown that in 2018 the preoccupation with the populist radical right became more prominent within the movement against border regimes and inspired the formation of new alliances and collective actions, in particular the coalition for the protest *Unteilbar*.

NGOs and the coalition *Unteilbar* embrace an anti-racist collective identity which conceives racism as the primary enterprise of populist radical right parties and groups. The coalition *Unteilbar* formulated claims framed through the right to seek and enjoy asylum, which is a

human right codified by international law. The idea of the right to asylum does not have the same emancipatory potential as the non-legal notions of human rights elaborated by radical social movement organizations.

Human rights NGOs do not consider border regimes as racializing devices that contribute to maintaining global inequalities. The coalition *Unteilbar* brought more visibility to reformist frames against border regimes. The coalition did not promote emancipatory notions of human rights or make claims that could fundamentally contest the oppression that border regimes impose on racialized non-citizens. Following Battacharya et al., my thesis shows that the antifascism of NGOs, which can be conceived as oriented towards opposing the populist radical right does not fully take into account the connection between racism, the state and border regimes (Battacharya et al., 2020).

In contrast, the anti-racism of GROs is associated with the elaboration of notions of human rights that are emancipatory. Lentin has warned that an anti-racism that is close to the public political culture supported by the state, and which underestimates the connection between racism and the state, is more likely to promote discourses about equality and human rights and less likely to emphasize emancipation (Lentin, 2004, 2008). I argue that a form of anti-racism that acknowledges the connection between racism, the state and border regimes can be associated with notions of human rights that challenge the oppression of racialized non-citizen and thus emphasizes emancipation.

The different understanding of anti-racism that I have outlined is not a dichotomy. GROs are also concerned with the rise of radical right

populism and they are convinced about the need to oppose it. They joined *Unteilbar* with human rights NGOs and other NGOs. Despite the limited potential of the rights frames formulated by *Unteilbar*, GROs did not interpret the visibility of reformist claims associated with *Unteilbar* as detrimental to their struggle. This is a crucial finding pointing to the fact that collective identities are not rigid and can be deployed by movements tactically. My thesis shows that GROs chose to join the coalition as they tactically made use of all the available tools and opportunities to contest border regimes, especially in the short term, as I discussed in section 8.2.

The roles of white citizens and racialized non-citizens in the movement

My thesis contributes to the debate regarding the role of racialized non-citizens in the struggle against border regimes and the dynamics between them and white citizen activists. Scholars have emphasized that the struggle against border regimes associated with the *Oranienplatz* protest camp was grounded in the experiences of refugees. Refugees formulated claims against border regimes on the basis of their lived experiences and had a frontline role in the mobilization (Bhimji, 2016; Langa, 2015; Ünsal, 2015).

My thesis highlights some aspects of continuity between *O-platz* and the mobilization against border regimes post *O-platz*. I have emphasized that activists who mobilize after *O-platz*, in particular with self-organized groups of refugees and other GROs, continue to believe that the experiences of racialized non-citizens should ground the claims that they are collectively making against border regimes. However, they emphasize that the role of racialized non-citizens is less prominent than

in *O-platz*, in particular because of the emergence of large networks and coalitions which citizen activists have launched and sustained.

I argue that the preoccupation of the activists who mobilized with GROs regarding the frontline role of racialized non-citizens in the struggle is associated not only with their anti-racist identity but also with their vision of political mobilization as a mode through which racialized non-citizens can have a voice and become political actors. Their concern reflects the lack of attention that the mobilization of non-citizens in social movements received, including in Germany as Bojadžijev and Karakayali pointed out (Bojadžijev, 2012; Karakayali, 2008).

Scholars have highlighted the importance of analysing whiteness within the context of racist systems; whiteness is indeed a system of privilege that manifests not only through supremacist attitudes but also through unconscious and unwitting daily occurrences (Back, 2010; Nayak, 2007; Ware & Back, 2001). Ware and Back have argued that anti-racist mobilizations can be opportunities in which white activists critically approach their whiteness with a view to challenging and, ultimately, abolishing it (Ware & Back, 2001).

If activists who mobilize in GROs often conceive non-citizen activists as having a frontline role, they often refer to white citizen activists as being supporters in the struggle against border regimes. My findings indicate that the interpretation of the division of roles between racialized non-citizens and white citizen activists along the dichotomy refugee/supporter is contested within the movement. This division, which is present in the activists' narratives and plays out in the daily activities of GROs, does

not in practice provide effective opportunities for challenging dominant positions and privilege associated with whiteness.

My study of the daily activities of GROs in Berlin highlights that citizen and non-citizen activists indeed have different roles in the mobilization against border regimes. White citizen activists do not usually engage in frontline activities, such as reading a speech in the context of a protest. However, some white citizens have an influential role and significantly contribute to orienting the strategic decisions of the grassroots organizations in which they participate. Moreover, white citizen activists often provide individual support to non-citizen activists with whom they mobilize. This individual support is associated with expectations and imbalances as it not only sustains the mobilization of racialized non-citizens but may also alleviate the hurdles that border regimes impose on their daily lives.

My thesis shows that the supporting role that white citizens activists are often expected to take on in the struggle against border regimes does not always challenge and deconstruct the system of privilege that they are benefiting from in society. White citizens could continue to have an influential, at times dominant, position in the movement despite them refraining from assuming a frontline role in the mobilization.

Some white citizen activists contest the supporting role precisely because they consider it as a label that allows them to avoid reflections on wider patterns of domination associated with their whiteness. The awareness of the concerns regarding the supporting role shows that some activists reflect on wider issues of privilege. Moreover, some GROs put in place

mechanisms to critically address the imbalances between white citizens and racialized non-citizens. For example, *Women in Exile and friends* provide separate spaces for white citizen activists to reflect on their role in the struggle against border regimes and for racialized non-citizen activists to share experiences associated with the negative impact that border regimes have on them. However, despite these initiatives within some GROs and the critical reflections about the supporting role that some white citizen activists embrace, my findings show that imbalanced dynamics along the lines of race and citizenship persist in the movement opposing border regimes. The anti-racist collective identity of the movement is associated with a reflection regarding the need to ground claims against border regimes in the experiences of racialized non-citizens who are those facing the racializing impact of border regimes. White citizen activists are often aware of power dynamics associated with their whiteness. However, activists do not replace the construction of their role around the dichotomy refugee/supporter with other mechanisms that could challenge the privilege associated with their whiteness.

8.4 REFLECTIONS ON MY ROLE IN THE MOVEMENT AS WHITE RESEARCHER

My ethnography has been a process of self-reflection through which I have addressed questions regarding my role as a researcher and my personal stake in opposing border regimes. When I met Joanne, an activist from Kenya, in the first week of my fieldwork, she asked me the cause that I was committed to struggle for.²⁹³ In other conversations that ensued, she emphasized that political mobilization and personal experiences were intertwined and that the struggle against border regimes

²⁹³ See Chapter 2 where I discuss my first encounter with Joanne.

had to be grounded in the experiences of refugees. For example, Joanne explained that in her view other refugees were better placed than she was to struggle against deportations because she had obtained residence status and thus she was not threatened with deportation any longer. Her views raised questions about the role of citizen activists, including my own role, in the struggle against border regimes.

In the course of my fieldwork, I have become more aware of my own motivation to oppose border regimes. In particular, I have become more adamant that the entrenchment of Fortress Europe be opposed, as it is based on narratives that turn a blind eye to the global context rife with inequalities and systems of domination based on the stereotyping and othering of non-citizens.

From time to time, I found it hard to negotiate my involvement with racialized non-citizen activists in some of the GROs under the focus of my participant observation. I have become more aware after my fieldwork that these concerns were partly shaped by my own whiteness, a system of privilege that put me in a position of relative domination towards the racialized non-citizen activists whom I met. For example, I sometimes felt uncomfortable, in particular when I was unable to provide individual support to some of the non-citizen activists who sought it in meetings or in private discussions.

My daily interaction with non-citizen activists and my research framework provided me with an opportunity to reflect about the inevitable imbalances associated with my presence in the GROs in which I participated. My discomfort, and the choices that I put in place to deal

with it, took at times quite a central role in my reflection. I often questioned the choice of distancing myself from the non-citizen activists who sought my support. In particular, I mentioned the discussion that I had with Bastian, who questioned my role and my commitment in the struggle against border regimes as I was unable help him.²⁹⁴ The discomfort that I felt in the aftermath of that discussion required some self-reflection. But the prominence that those feelings took in the days after the discussion was partly an expression of my whiteness, which as Sullivan argues is also associated with feelings of discomfort (Sullivan, 2014). The deconstruction of whiteness requires a continuous effort, at both the individual and collective levels, and my fieldwork has been an experience that equipped me a bit more towards the achievement of that goal.

Moreover, my fieldwork stirred some overall reflections regarding my presence in the field and my role as a researcher in the movement. My methodology was associated with many strengths. In particular, the active participation that I offered to several social movement organizations facilitated my access to the field. However, despite my active participation and my attempts to provide some spaces in which I could share some of my reflections with activists, I accessed my fieldwork with a set of ideas for my research that did not necessarily coincide with the interests or the needs of the activists who mobilized in the struggle against border regimes. As I discussed in the methodology chapter, some activists showed interest in my research project and my reflections on the connection between collective action and the

²⁹⁴ See chapter 2.2 where I discuss the conversation that I had with Bastian.

construction of human rights. They effectively became key informants. However, many other activists did not consider academic research particularly useful to advance their struggle and did not show particular interest in my research project; these activists often perceived me as a citizen activist who was mobilizing with them to oppose border regimes and who enjoyed the privilege associated with whiteness and citizenship.

CONCLUSIONS

To conclude, scholars have conceptualized different modalities through which non-citizens become political subjects and escape the risks of bare life (Agamben, 1998). According to critical citizenship perspectives, non-citizens transform exclusionary notions of citizenship by participating in collective actions through which they claim rights. Autonomists have conceived migration as a force that transcends any state's efforts to control their borders; non-citizens defy states' sovereignty and border controls by exercising freedom of movement and crossing borders.

My thesis shows that non-citizens collectively craft emancipatory notions of human rights that are more far-reaching than human rights as they are codified in international law. In this respect my thesis contributes to the debates regarding the construction of human rights by subaltern groups through subaltern cosmopolitan legality. However, it also shows how grassroots organizations approach human rights in ways that differ from the approach conceptualized by subaltern cosmopolitan legality. Non-citizens and other social actors who mobilize with GROs use all opportunities and avenues to crack border regimes including using legal notions of human rights to make their claims more convincing or joining alliances that contest only some aspects of border regimes. These tactical choices point to the ability of non-citizens to use all the available cracks to contest border regimes even in an inhospitable environment where they hold precarious legal

statuses and have restricted access to legal rights.

ANNEX 1. THEMES FOR SEMI-STRUCTURED INTERVIEWS

Introduction

Can you talk a bit about yourself?

Who you are? Where you are from? What defines you? Since when have you lived in Germany?

Personal experiences of mobilization

Can you tell me a bit about your activism in Berlin in the present but also in the past? Which organizations/movements do you feel you belong to? How do you see/consider/describe your participation in the struggle against border regimes? Why do you participate? Since when? What is your specific contribution? Do you feel supported in the organization in which you mobilize? Do you feel comfortable in sharing your problems? Do other members show solidarity/support you?

Perceptions of SMOs

How would you describe the organization(s) in which you mobilize?

Do you consider your organization as a group led by refugees? What is the role of citizen activists within your organization? Is there a person or a group of people who are responsible for taking decisions or to ensure the leadership of the organization? Are decisions taken collectively? Are there tensions within your

organization? In your opinion, what does your organization aim at doing/achieving?

Use and constructions of frames to oppose border regimes

How would you describe the current situation for non-citizens in Germany?

Why do you think Germany wants to control its borders? What are, in your opinion, the consequences of those border controls?

In your opinion, what are the main calls of your organization regarding asylum and migration in Germany/Europe? Do you agree with them? Does your organization oppose all deportations? Why? Does your organization shared accommodation for refugees? Why? What does the right to stay mean to you? Does your organization demand it? What are the arguments in favour of it?

What are the main arguments in favour of those demands? Do you see those demands in terms of rights? Does your group collectively resort to the ideas of human rights to formulate those demands? Whom are those demands addressed to?

Who is a refugee in your opinion? What do you think of the definition of refugee used by authority? Why do you think some refugees are not recognized as such by the state?

What are the main challenges, in your opinion, that your organization is facing in the context of its mobilization against border regimes?

Protests and submerged forms of mobilization

What are the main activities (repertoires) organized by your organization (s) to achieve their demands? When and how does your organization organize or take part in protests? Is the participation in protests associated with particular difficulties for some members? How are decisions taken regarding organizing or taking part in protests? What does your group demand in demonstrations? Can you give some recent examples? What do protests, in your opinion, seek to change/transform/achieve?

Do you usually go to protests? Which ones? Why? How do you define your experience in participating in those protests? How do you feel when you participate in protests? What do you think protests seek to achieve?

Does your organization organize workshops for refugees living camps? What are the difficulties reaching out to them? Are those workshops important, if yes why? What do they aim to achieve? Does your organization aim to support refugees in their everyday life? If yes, why is that important?

How do refugees avoid deportations? What do they do individually or in groups to stay in Germany? Have you been involved in any of those initiatives/strategies?

Perceptions of the movement opposing border regimes

What do you think about the struggle against border regimes in Berlin?

Has activism changed in recent years? If yes, how? What are the main organizations that mobilize against border regimes? What, in your opinion, do these organizations have in common in terms of their calls/purposes/shared objectives? What are the main ties/connections that these organizations have with other organizations that are not specifically focusing on opposing border regimes?

Are these connections/ties also established at a larger geographical scale than Berlin?

ANNEX 2: LIST OF INTERVIEWEES

N=37 interviews, 39 individuals

Interviews with activists of social movement organizations under the focus of my participant observation			
Robert	Male	Cameroon	Corasol
Guillaume	Male	Cameroon	Corasol
Bastian	Male	Cameroon	Corasol, Alliance against Deportations
Charles	Male	Cameroon	Corasol
Paul	Male	Cameroon	Corasol
Anne	Female	Germany	Corasol
Sabrina	Female	Germany	Borderline Europe
Frederike	Female	Germany	Borderline Europe
Dana	Female	Germany	Borderline Europe, Welcome United Berlin
Heiko	Male	Germany	Borderline Europe
Cristina	Female	Germany	Borderline Europe
Mario	Male	Germany	Alliance for the Unconditional Right to Stay, Alliance against Deportations
Tamara	Female	Austria	Citizen Asylum, Alliance against Deportations to Afghanistan, Alliance against Deportations, Stop Deportation Group

Joanne	Female	Kenya	International Women Space, Alliance against Deportations
Javier	Male	Germany	Welcome United Berlin
Ester	Female	Germany	Welcome United Berlin
Ramona	Female	Italy	Welcome United Berlin
Carmela	Female	Spain	Lager Mobilization Group Berlin, Women in Exile and friends
Jarek	Male	Slovenia	Lager Mobilization Group Berlin
Nazir	Male	Germany/Iran	Lager Mobilization Group Berlin
Hamd	Male	Pakistan	Stop Deportation Group
Lina	Female	Germany	Stop Deportation Group
Interviews with activists of social movement organizations which were not under the focus of my participant observation			
Brice	Male	Benin	Family Life for All
Daniela	Female	Germany	Family Life for All
Mahmid	Male	Syria	Family Life for All
Pamela	Female	Germany	Women in Exile and friends
Julia	Female	Kenya	Women in Exile and friends
Carmen and Robert	Female and Male	Germany	Sea-Watch
Laura and Khaled	Female and Male	Germany and Egypt	Alarmphone
Donald	Male	USA	Solidarity City Berlin
Jacob	Male	Germany	Citizen Asylum, Sleeping Place Organization

Damian	Male	The Gambia	Refugee Initiative in Donaworth
Rita	Female	Germany	Refugee Council Berlin
Katya	Female	Germany	Unteilbar, Borderline Europe
Frederich	Male	Germany	Seebrücke
Giacomo	Male	Italy	Berlin Migrant Strikers
Sara	Female	Germany	Amnesty International

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