


Navigating Patchwork Governance: Somalis in Kenya, National Security, and Refugee Resettlement

Sophia Balakian

Abstract: Refugee resettlement is accomplished through the intersecting administration of state and non-state actors with competing claims and interests. These competing claims are caught between humanitarian imperatives to rescue the most vulnerable refugees on one hand and security demands to protect national borders from those deemed undesirable and undeserving on the other. Based on ethnographic research with Somali refugees in Nairobi from 2013 to 2015, Balakian examines the ways in which refugees maneuver through an unsynchronized assemblage of institutions to which they are subject; she brings this assemblage into relief through ethnographic accounts of Somali refugees as they attempt to navigate the resettlement system and are simultaneously caught in Kenya's 2014 anti-refugee security operations. Based on this case, the research demonstrates that being subject to multiple, competing governing bodies is central to the condition of statelessness in twenty-first century Africa.

Résumé: la réinstallation des réfugiés est réalisée par une administration entrecroisée composée d'acteurs étatiques et non étatiques ayant des revendications et des intérêts contradictoires. Ces revendications concurrentes sont prises entre des impératifs humanitaires de secours aux réfugiés les plus vulnérables d'une part et aux exigences de sécurité visant à protéger les frontières nationales contre ceux qui sont jugés indésirables et non méritoires de l'autre. Basé sur des recherches ethnographiques à long terme menées auprès de réfugiés somaliens à Nairobi de 2013 à 2015, Balakian examine comment les réfugiés manœuvrent à travers un ensemble d'institutions disparates auxquelles ils sont soumis ; elle met en relief cette structure

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par le biais de récits ethnographiques de réfugiés somaliens alors qu'ils tentent de naviguer le système de réinstallation et les opérations de sécurité anti-réfugiés du Kenya en 2014. Basé sur ces cas, cette recherche démontre que le fait d'être soumis à de multiples organes directeurs concurrents est au cœur de la condition d'apatridie dans L'Afrique du XXI^e siècle.

Resumo: O realojamento de refugiados é levado a cabo através da intervenção simultânea de agentes estatais e não-estatais, como interesses e reivindicações concorrentes. Estas reivindicações concorrentes situam-se entre a exigência humanitária de socorrer os refugiados mais vulneráveis, por um lado, e as necessidades securitárias para proteger as fronteiras nacionais daqueles que são considerados indesejáveis ou indignos, por outro. Partindo de uma investigação etnográfica de longo termo realizada junto dos refugiados somalis em Nairobi entre 2013 e 2015, Balakian analisa os modos segundo os quais os refugiados lidam com um conjunto desarticulado de instituições a que estão sujeitos; a autora evidencia este conjunto de instituições através dos testemunhos etnográficos de refugiados somalis que tinham simultaneamente de lidar com o sistema de realojamento e com as operações de segurança antirrefugiados levadas a cabo no Quênia em 2014. Com base neste caso, a investigação demonstra que a sujeição a organismos reguladores múltiplos e concorrentes é central para a condição apátrida na África do século XXI.

Keywords: refugees; resettlement; bureaucracy; humanitarianism; security; Kenya; Somalia

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Introduction

A cousin of Jibriil's called. He told me it was the one who was going to Australia, but now she's facing a problem. She's gone for medical [screening], and they told her to pick up her visa. She has six months to do it. But to pick up the visa, she needs the Good Conduct report from the CID [Kenyan Criminal Investigation Department] headquarters. You're supposed to wait one month after you make the request, and if you're in Dadaab, it takes two months. But now they're telling her there's nothing there for her. She's practically crying, he tells me. She's afraid her visa will expire. They're calling her asking why she hasn't picked it. She says she's having problems getting the Good Conduct [report], and they just say, "Bring it." You know, the medical [report] has an expiration—so if [it] expires, then she has to apply for another appointment and have it done again... By that time the visa may be expired. (Field notes, Nairobi, February 3, 2014)

Throughout the course of my research in Nairobi, Kenya, from 2013 to 2015, frustrations like this one were a common topic of my conversations with Somali refugees. In the above excerpt from my field notes, Jibriil depicts what I term the "patchwork governance of non-citizenship" in this

article—a feature of refugee governance that is both highlighted by and heightened in legal refugee resettlement programs. In discussions such as this one, refugees' narratives emphasize the complex assemblage of governing institutions to which they are subject. Here, Jibril describes the experience of being in between uncoordinated governing institutions that have competing priorities and aims. In both casual conversations and formal interviews, refugees often critiqued the fact that no governing body had the exclusive authority to protect their rights, leaving them vulnerable to changing and competing policies and priorities of NGOs and governments.

Over the last two decades, non-governmental organizations (NGOs) and humanitarianism have become important topics of study in anthropology and related fields (Bornstein & Redfield 2010; Fassin 2012; Harrell-Bond 1986; James 2010). Scholars have focused on non-governmental organizations as forging alternative extensions of post-colonial power (Hardt & Negri 2000) and have highlighted the rise of NGOs in an age of neoliberal privatization (Kaag 2008; Piot 2010). Researchers writing about refugees and asylum have foregrounded the UN and NGOs (Cabot 2014; Thomson 2012; Sandvik 2011) as well as government asylum policies (Fassin 2012; Ticktin 2011). In this article, I take as my main focus the interdigitation of state and non-governmental agencies that form the refugee resettlement apparatus in a transnational African context—part of what I term the patchwork governance of refugee subjects.

Political and legal anthropologists have discussed the complex interaction between national and international laws, often in relation to human rights (Merry 2006; Wilson 2011). James Holston and Arjun Appadurai have described a “legal cocktail” and “a honeycomb of jurisdiction” in modern nation states as they deal with competing claims of national sovereignty and a global economy (1996:199). Meanwhile, scholars writing on refugees have critiqued the implementation of international law, pointing out the ways in which it has often failed to protect refugees' rights (Voutira & Harrell-Bond 1995; Verdirame & Harrell-Bond 2005). Others have discussed the ways in which refugee resettlement has been plagued by a lack of transparency, particularly in the UN (Jansen 2008; Thomson 2012). Writing about the Office of the United Nations High Commissioner for Refugees (UNHCR) and refugee resettlement in Uganda, Kristin Sandvik (2011:26) has detailed the ways in which formally nonbinding “soft law instruments” at UNHCR such as bureaucratic guidelines and administrative handbooks “allow for novel ways of perpetuating exploitative exchanges” with refugees, which are “intrinsic to soft-law governance” (2011:12).

This article builds upon anthropological insights into bureaucracy and legal pluralism, and upon critical insights into the UNHCR, to examine the patchwork of refugee governance through the complex refugee resettlement process. Beth Elise Whitaker's (2020) work in this forum has already highlighted the differentiated and highly targeted nature of Kenyan immigration policy toward Somalis; building on her insights, the focus of my

work is to highlight the ways in which this policy in combination with foreign resettlement programs shapes the lived experience of Somali refugees in Kenya as they navigate the resettlement system. Attending to multiple governmental and non-governmental agencies, the article captures the refugee resettlement process not as a single system, as official representations may purport, but rather as unsystematic, uncoordinated, halting, and arbitrary. While important work on resettlement has often focused on the UNHCR (Jansen 2008; Sandvik 2011; Thomson 2012), this article expands the viewfinder beyond a single institution, asking: what does it look like to be subject to many governing bodies but citizen of none? What does it mean for over 25 million refugees and asylum seekers worldwide to live amid a patchwork of bureaucratic agencies that can claim only partial authority and grant only partial rights? By directing attention to the many, uncoordinated governing institutions that preside over refugees in Kenya, I argue that being subject to a patchwork of governing bodies is constitutive of refugee subjectivity in Africa, particularly in East Africa where resettlement compels many refugees (far more than will ever be resettled) to be documented by, and to interact with, many domestic and international institutions on a regular basis.

Following anthropologists who have called for an ethnographic investigation of bureaucracies (Gupta 2014) and humanitarian institutions (Fassin 2012), this work is interested not only in refugees' exclusion from rights bestowed by citizenship, but also in what exists in their absence. What constitutes the governance of non-citizens, and how is it experienced? The Oxford English Dictionary defines "patchwork" as "something composed of many different pieces or elements, esp. when put together in a makeshift or incongruous way." The physical metaphor of a patchwork highlights not only "many different pieces" and their incongruity, but also metaphorical spaces or seams between governing institutions. The concept of a patchwork and its seams helps to illustrate the moments in which refugees become stuck, and the ways in which contradictions between bureaucratic institutions immobilize or disrupt plans and expectations. This is not only the case for refugees with resettlement cases, or even those attempting to gain a resettlement case. However, the bureaucratic complexity of resettlement, in particular, highlights the instability of refugees' legal status, and often of their day-to-day experience as well.

Refugees became objects of systematized global humanitarian policy during World War I, with greater institutional structures created after World War II, and again during the Cold War (Loescher et al. 2008). Within this global regime, refugees are not only excluded from the nation-state, but are also subject to a particular regime of governance that includes the United Nations, NGOs, and government agencies of multiple countries. At the UNHCR, at NGO offices, and in government interviews, refugees must prove themselves through their narratives, as well as their speech, dress, and comportment, to be neither war criminals and perpetrators, nor fraudsters trying to garner benefits meant for those deemed more deserving

(Malkki 1996; Sandvik 2011; Thomson 2012). Although they are at times objects of humanitarian care, refugees also come under suspicion as unauthorized border crossers (Abdi 2005; Besteman 2016; Daniel & Knudsen 1995; Fassin 2012; Feldman 2007; Ticktin 2011; Troeller 2008). Following terrorist events such as the 9/11 attacks and the 2015 Paris attack, which coincided with the so-called European migrant crisis, refugees have increasingly come to represent a dangerous specter and an object of anxiety for governments and citizens alike. For Somali refugees in Kenya this is true both in the country in which they live and the countries to which they seek to emigrate. Historically, Somalis have represented a significant population in the U.S. refugee resettlement program. From 2003 to 2015, an average of 6,910 individuals of Somali national origin arrived each year through the U.S. refugee admissions program (Refugee Processing Center 2019).¹ In the era of the Trump administration's ban on refugees and immigrants from Muslim-majority countries, including Somalia, this number dropped to a mere 23 individuals in 2018 (UNHCR 2019). Yet even in the years in which Somali arrivals to the United States were high, security concerns related to Somali refugees caused massive backlogs and long delays (Refugee Consortium of Kenya 2012:84–85). As Muslim refugees become increasingly linked with terrorism in the public imagination in Kenya, Europe, and North America, Somalis' experiences are instructive for understanding the intersection of bureaucracy and national security in an age of Islamophobia and War on Terror.

In his writing on bureaucracy and structural violence, Akhil Gupta (2014:33) argues that we must disrupt the idea of the state as a unified entity, as “the constant reference made to the state as a single, cohesive apparatus makes it impossible to understand the production of arbitrariness vis-à-vis the poor.” Gupta writes that structural violence is unintentionally but systematically produced “by the friction between agendas, bureaus, levels, and spaces that make up the state” (2014:46). Similarly, in the patchwork of governing institutions to which refugees are subject, competing priorities, protocols, and requirements create gridlocks, gaps, and cracks between ill-fitting pieces—myriad spaces in which refugees can become trapped. Somali refugees are not unique in their position vis-à-vis these governing bodies, yet ethnographic research with this community provides a useful window into this matrix of governance. Now nearly thirty years since the beginning of Somalia's Civil War, many Somalis in Kenya are deeply acquainted with the resettlement process and how it works.

Resettlement opportunities are highly sought after by many Somali refugees living in Kenya, as Kenyan citizenship is not available to them, and repatriation to Somalia has been impossible in most cases. Resettlement to a third country such as the U.S. or Canada, therefore, has often been seen as a golden ticket to security and opportunity (see also Horst 2006). By attending to Somali refugees' own narratives about resettlement and the governing structures that enfold them, one can envision an unstable,

shifting assemblage with multiple parts blinking and fading in and out. This assemblage poses challenges for writing. The multi-institutional nature of refugee resettlement, the consistently shifting nature of policies and rules responding to various pressures and events—from the advent of al-Shabaab in Somalia to changing security practices after events such as 9/11, terror attacks in Kenya and beyond, or the election of politicians such as Donald Trump who have instituted anti-resettlement policies—creates a moving target. Secrecy surrounding practices within both governments and UNHCR creates blank spots in my own knowledge and in the knowledge that refugees possess. This is also true for resettlement staff, many of whom articulated that they had limited knowledge of certain parts of the process, especially those that involve U.S. Homeland Security and other government agencies. Yet, by following refugees as they navigate the resettlement process, one sees periods of stagnation and interruption, sometimes whole lives lived, whole generations born and raised in the “temporary” world of refugee camps. One sees people living in protracted anticipation for resettlement—a goal that will be successful for only a small minority, fewer than one percent of refugees worldwide (UNHCR 2018a).

In the pages that follow, this article examines the political context that surrounds hundreds of thousands of Somali refugees living in Kenya.² It then explicates the resettlement process itself, tracing bureaucratic coordination among several institutions. With these contexts in mind, the research turns to Somali refugees’ experiences of resettlement bureaucracy. Lived experience illuminates the patchwork, disjointed, and contradictory nature of the aims and practices of the institutions to which refugees are subject.³ The stories of two young Somali men—the quintessential refugee-cum-terror suspect in early twenty-first-century imaginaries in Kenya and beyond—bring into relief the patchwork of governing institutions to which refugees are subject. Simultaneously, the cases show that refugees’ variable social networks impact the ways in which they are able to navigate the political realities in which they are embedded.

Kenya as an Uncertain Refuge

Since the post-independence period, and increasingly since the 1980s and 1990s, Kenya has hosted refugees fleeing civil and international conflicts throughout East Africa and the Horn of Africa. As a signatory to the United Nations and African Union Conventions on refugees, Kenya is obligated to register asylum seekers and to provide authorized refugee documentation. According to international law, no country is obligated to accept a refugee who has already been documented by a country of first asylum. Because most refugee-sending countries are in the global South, the global South bears responsibility for the majority of refugees worldwide. According to UNHCR, “developing regions” host 84 percent of the world’s refugees (see UNHCR 2016a). In 2014, in the middle of my fieldwork, Kenya was the seventh-largest refugee hosting

country worldwide, with approximately 600,000 refugees residing within its borders (UNHCR 2015:32–35), around 400,000 of whom came from Somalia.

Map 1. UNHCR map of important refugee and UNHCR locations in Kenya. Reproduced with permission.



In a global security regime that mistrusts Muslim refugees in particular, Somalis are a case in point. In Kenya, a majority-Christian country, mistrust of Somalis should be understood not only in this contemporary context, but also through the lens of a longer legacy of colonial and post-colonial relations between the neighboring countries, as well as between Kenya and its ethnic Somali population (Weitzberg 2017). British colonists depicted Somalis as “racially distinct” from their “Bantu” neighbors (Thompson 1995:17). Somalis in the Kenya colony lobbied for and gained a privileged “non-native” status through the Somali Exemption Ordinance of 1919, though they later lost many of the attendant privileges (Turton 1972).⁴ Anxiety about Somali loyalty to the nation was stoked during the 1960s *Shifita* War, in which guerilla tactics of the Somali Northern Frontier District Liberation Army were met with violence and forced villagization or encampment of the Somali population. These tactics were meant to halt mobility and enable surveillance of purportedly seditious activities, including movement across the Somali border (Mburu 2005; Turton 1972; Whittaker 2008). Emma Lochery (2012) writes about a screening exercise conducted in 1989 in order to distinguish Somali citizens of Kenya from Somalis who had illicitly crossed the border—part of generations-old migration patterns. In sum, Somali movement across the border was seen as producing insecurity long before the current period (see also Weitzberg 2017).

In October 2011, motivated by concerns about regional instability wrought by the Somali militant group al-Shabaab, the Kenyan army occupied southern Somalia in Operation *Linda Nchi* (Protect the Country) and soon joined the African Union’s peacekeeping forces there. A backlash of violence in Kenya—allegedly perpetrated by al-Shabaab or its Kenyan affiliate, al-Hijra—became commonplace in the primarily Muslim and ethnically Somali northeast, including the Dadaab refugee camps, in Mombasa and along the coast, and in Nairobi. By June 2014, conservative estimates reported 80 grenade and improvised explosive device (IED) attacks in Kenya since the beginning of the invasion less than three years prior (Anderson & McKnight 2014:15).

In August 2013, I came to Nairobi to conduct long-term fieldwork for nineteen months after two shorter research trips over the previous two years. Soon after arriving in 2013, I went to the Kenyan National Museum to attend the Story Moja Hay Festival—a literary event that brings African writers from around the world for a week of readings and workshops. The day began normally; it was a festive atmosphere with tents and food and music. But by the conclusion of a reading by the writer Teju Cole that afternoon, the room buzzed about something unfolding at the Westgate Shopping Mall, an establishment well known to the festival’s mostly upper-class Kenyan and foreign attendees. Soon, we were hearing reports of shoppers and diners gunned down or held hostage. In a taxi heading home, the driver tried to reach a regular passenger whom he had dropped at the mall earlier in the day. We later learned that the young man—a friend of the friends with whom I was temporarily staying at the time—was dead, along with sixty-six other people, Kenyans as well as foreign nationals.

The months following the Westgate attack saw racial profiling, abuse, and extortion of Somalis, as well as deportation of Somali residents to refugee camps. In April 2014, the Kenyan Ministry of Interior launched Operation *Usalama* (Security) Watch—a police and military crackdown on Eastleigh, Nairobi’s well-known Somali neighborhood, and later on other Somali and refugee neighborhoods. As has been noted elsewhere, Kenya’s Secretary for Interior Joseph Ole Lenku stated that the relocation directive aimed

‘to address the increasing threat of terrorism in the country,’ because ‘refugees could be behind the terror attacks.’ President Kenyatta announced that ‘Kenya will not continue hosting refugees at the expense of peace and suffering of its citizens.’ (Balakian 2016:91)

The backlash against Somali refugees in the aftermath of the Westgate attack was an extension of dynamics that had their roots in the colonial period, and that had intensified since the beginning of the Somali civil war, with increasing vigor since Kenya’s 2011 military intervention in Somalia. Jennifer Hyndman and Bo Viktor Nylund (1998) have documented raids on refugee neighborhoods as early as 1991, and throughout the 1990s. In 2012, the government of Kenya began a relocation directive, shutting down the Department of Refugee Affairs office in Nairobi in order to prevent refugees from registering and residing in the capital. Operation Usalama Watch built on these longer histories of recurring violence against Somali-Kenyan citizens and Somali refugees and more recent histories of attempting to push refugees out of urban areas.⁵ Security operations and policies developed to tighten the government’s grip on refugees, and on the Somali population in particular, shaped refugee resettlement efforts in ways that highlight the patchwork of bureaucratic institutions in which refugees have become entangled.

The Refugee Resettlement Pipeline

Within the U.S. government and in many international NGOs, the highly complex resettlement system is referred to as a “pipeline.” The metaphor refers both to the refugees themselves, moving from one step to the next; and to an apparatus, imagined as a “a continuous line of joined pipes” (Oxford English Dictionary), through which they pass. Government and NGO staff spoke to me about how refugees “get into the pipeline” (personal communication, March 11, 2014); or about “getting people through the pipeline,” (personal communication, August 3, 2014); “expediting the pipeline” to resettle refugees faster (personal communication, April 28, 2014); and about how different NGOs have different refugee “clients” “in their pipeline” (personal communication, September 13, 2013). The term has also been used in infrastructure and energy sectors, and may have been borrowed from those lexicons (U.S. Government 2017), but has been used in U.S. government-funded development and humanitarian projects since

at least the 1960s, and in the refugee resettlement arena for several decades (personal communication, February 10, 2019). Refugees' experiences of this system contrast with the pipeline image, however, and their depictions evoke many uncoordinated parts that create a patchwork of bureaucratic systems and processes.

Nevertheless, outlining the ideal typical structure of resettlement—the way it is supposed to work—shows the basic relationships between various state and non-governmental agencies involved: the Kenyan Department of Refugee Affairs, multiple units within UNHCR, several Kenyan and international NGOs, foreign embassies, the U.S. Resettlement Support Center contracted by the State Department, U.S. Citizenship and Immigration Services under Homeland Security, the International Organization for Migration, and Kenyan Immigration. The following idealized outline is a scaffold upon which to explore refugee resettlement as it is lived and experienced.

Asylum seekers arriving in Kenya from Somalia often locate a relative who can help them to register at the Department of Refugee Affairs (DRA) and at UNHCR, which is the first step necessary for legal documentation. Kenyan government and UNHCR documents afford refugees access to some resources, including, theoretically, the possibility for future resettlement (UNHCR 2018a). Refugees receive a “waiting paper” at the DRA and an asylum seeker’s pass at UNHCR that authorizes them to stay until they have an appointment for an interview. Somalis in Kenya are *prima facie* refugees, which means that they are not required by UNHCR to prove refugee status on an individual basis but must prove the country and region in Somalia from which they fled. Although asylum seekers typically must wait months and often a couple of years to receive these documents, the multitude seeking resettlement have waited many more years and even decades. The vast majority of these individuals will ultimately wait in vain. Some may be identified as eligible for resettlement on account of special vulnerabilities or protection needs in their initial refugee status determination interview with UNHCR. Others may be identified for a resettlement case through their contact with NGOs that aid refugees in the city. Many refugees in Nairobi wait for years trying to obtain a resettlement case, often spending time and resources visiting UNHCR and NGO offices to advocate for themselves. Some are resettled through family sponsorship programs, such as the young men whose stories are chronicled below. In those cases, no referral from UNHCR or an NGO is needed. Instead, the family or individual is interviewed directly by the relevant government officials.

Refugees with a UNHCR resettlement case are interviewed at least twice. If the initial interviews are deemed successful, these individuals will be forwarded to an embassy or the U.S. Resettlement Support Center—the organization contracted to perform first-round interviews by the U.S. government—where they will again be interviewed multiple times. In the meantime, the proposed host country government conducts security checks. Because of large caseloads, interviews do not take place in fast succession, but are often spread out over months and even years. It is

imperative, however, that information given in each interview is consistent over time. Case notes are forwarded from one agency to the next, and inconsistent biographical information or details about one's flight from one interview to the next is a common reason for rejection. A person who is ultimately approved for resettlement undergoes medical screening and a cultural orientation prior to departing. Even for the tiny minority who will ultimately be resettled, any one of these stages can be held up for months or years. Between registering, being identified for resettlement, giving multiple interviews to UNHCR or an NGO, and finally being referred to a foreign government which conducts further interviews, the whole process takes years. Refugees from Somalia are seen by foreign governments such as the U.S. as requiring especially extensive security vetting, and thus their cases typically take longer than others.

Although this is an outline of how things are meant to work in theory, the bureaucratic requirements of the various institutions involved in refugee resettlement often butt up against one another. Requirements for medical and security checks to be up-to-date at the time of departure, for example, mean that checks must often be conducted and re-conducted when one certification expires while awaiting another. Problems obtaining and renewing documents in a timely manner cause frustration and delays.

As David Martin writes in his report on the U.S. resettlement program, "The refugee resettlement machinery is highly complex, and dozens of pieces must line up successfully before resettlement takes place" (2005:7). Many refugees in Nairobi have stories about how the requirements of one institution conflicted with the demands of another; how their inability to access a needed document prevented their case from moving forward or from beginning at all; how their claim to meriting resettlement conflicted with rules and priorities, despite their opinion that they merited resettlement as much as others who had already received it; or how their family situation clashed with policies surrounding family composition.

With Operation Usalama Watch, and the relocation directives of 2012 and 2014 that ordered refugees out of urban areas, the Kenyan Department of Refugee Affairs closed its registration centers. UNHCR, in compliance with the government, initially did the same. While foreign governments typically used the UNHCR identity document as verification of refugee status, this changed when the Kenyan government instituted an exit permit requirement.⁶ Prior to leaving the country for resettlement, and regardless of permission from a foreign government to enter their country, refugees could no longer leave Kenya without a permit, which would be issued only if the applicant could prove legal residence in Kenya, as evinced by a Kenyan government refugee ID.

NGOs and UNHCR stopped processing cases of refugees lacking the Kenyan "alien card," referred to by many refugees simply as "the alien." And with registration closed in Nairobi, the card became exceedingly difficult to obtain. In 2014, people began making uncertain journeys to refugee camps where they would attempt to register and return to the city. The cost

of travel, the insecurity of traveling without the document, and the predicament of a bus ride of one or more days, particularly for the sick and elderly, created further obstacles. Conflicting identification requirements were only the beginning of the problems that arose from the relocation directives. In addition, the U.S. Resettlement Support Center (RSC) halted interviews in Nairobi in compliance with the Kenyan government's new policy. Several NGOs went underground, removing their logos from their buildings and vehicles, and halting much of their community-based work, particularly after several NGO workers were arrested (*Daily Nation* 2014; interview, Nairobi, August 13, 2014).⁷ Competing priorities, protocols, and requirements among the institutions involved in managing and resettling refugees created gridlocks and gaps wherein refugees with resettlement cases were prevented from moving forward. This resulted in further uncertainty and insecurity pervading daily life in the liminal, supposedly temporary state of non-citizenship. Perhaps ironically, this was true in a unique way for those who had a path out of their liminal status which was suddenly pulled out of reach.⁸

The following vignettes describe intersections between the bureaucratic assemblage of the resettlement process and the security context in Kenya. These vignettes trace the experiences of Somali refugee youth who are increasingly at the forefront of not only Kenyan but also global anxieties that join the figure of the migrant and the terrorist (de Genova 2007; Fassin 2011; Medovoï 2007; Rana 2011), and more recently the refugee with the terrorist. The research highlights the ways in which two young Somali men navigated the so-called resettlement pipeline, in this case, through family sponsorship cases. In doing so, this work aims to bring into relief the patchwork governance of non-citizenship—an unsynchronized assemblage of institutions that maintain only partial and at times conflicting control over refugees' legal and political status. The majority of Somali refugees in Nairobi experienced life in Kenya, including in the years following the Westgate attack, both similarly to and differently from the young men with family sponsorship cases whose stories I recount below. During this period, Kenyan security forces arrested, extorted, interned, and deported ethnic Somalis while NGOs and Kenyan government agencies that once served refugees were obstructed by the new government dictum. Experiences of those with resettlement cases bring into relief the complex web of governing institutions and the multiplicity of transnational layers in the patchwork governance of non-citizenship.

Somali Youth between Governing Institutions

When I returned to Nairobi for long-term fieldwork in 2013, my Somali language tutor had recently left Kenya for the United States. I messaged her to ask if she could recommend a replacement, and she sent me Mohammed's phone number. Mohammed became a somewhat reluctant language teacher but a fast friend. He had a pending family sponsorship case through

his uncle in Canada, and so our frequent conversations often instructed me about the resettlement process. Mohammed's Canadian uncle and his uncle's wife were sponsoring him, along with his cousin, Ahmed, and his uncle's wife's brother, Issa. His family had been trying to make plans for him and his cousin to leave East Africa for many years. When we met in 2013, his uncle had initiated his sponsorship case a couple of years previously.

In early 2014, Mohammed was finally called for an interview with the Canadian embassy. This news was met with enormous excitement, but also with considerable anxiety. He knew from friends that there could be misunderstandings; sometimes questions might feel intrusive or offensive. Most importantly, he knew that he had to answer all the questions consistently with the information he had given when he registered with UNHCR in 2007, with the information given by his uncle when he filed the paperwork in 2011, and with the responses that his relatives, Ahmed and Issa, would give in their interviews.

After three separate days spent at the Embassy and two interviews, Mohammed finally had good news. While the first interview had been long and grueling—Mohammed described being scrutinized about his religious beliefs and political sympathies, as well as being asked for his Facebook username and password—the second interview was a mere half-hour and had a more congenial tone (personal communication, Nairobi, February 19, 2014). The final interview concluded with Mohammed signing the official documents attesting to the truth of his statements and accepting a loan from the Canadian government that would pay for his airline ticket.⁹ Only one obstacle remained. Mohammed had to renew his UNHCR mandate, and, more dauntingly, obtain the Kenyan government-issued alien card in order to be granted an exit permit from the Kenyan Department of Immigration. While people with resettlement cases at the UNHCR stage were not even being forwarded to embassies until they obtained the card, Mohammed's family sponsorship case had continued without the document. However, without it now, no document from the Canadian government could get him out of Kenya (personal communication, Nairobi, April 16, 2014).

Mohammed told me that he had had a card that was issued in the Dadaab camps where he had at one time resided, but that it had been lost when his wallet was stolen in 2012. At that point, he had gone to the Department of Refugee Affairs (DRA) office in Nairobi—not far from his home in Eastleigh—and was told to return for the card in three months. At the time, Mohammed was deep in the rhythms of his senior year of high school and intently studying for his final high school exams. He delayed returning when the three months were up, and by December, in the midst of the first relocation directive in 2012, the government had shut down the DRA office. No one was able to register or obtain the IDs for which they had already applied. He had a waiting slip—a paper that showed he had applied for the ID—but the Canadian official told him he would need to have the

document itself. Now, two years after submitting his application to the Canadian government, and a decade or more after other, more speculative ideas about going to a country that would grant him a path to citizenship, he needed a solution to this new obstacle to his long-in-the-making plans (personal communication, Nairobi, April 16, 2014).

While renewing the UNHCR ID went smoothly, getting the government alien card was another matter. Since the DRA office had closed in 2012, it had only re-opened for a matter of weeks before shutting down yet again in the wake of the Kenyan Ministry of Interior's 2014 relocation directive and Operation Usalama Watch. Mohammed called Amina, a friend who had recently been resettled in the U.S. Because she had worked at UNHCR, she had contacts in both the NGO and the government sectors in Nairobi. She sent Mohammed the phone number of a friend who she hoped would be able to help him. The contact told Mohammed to call again the next day, and I accompanied him downtown where we waited for most of the afternoon as he tried calling the number. We ate lunch slowly at one of downtown's Somali restaurants, as Mohammed anxiously watched his phone. After lunch, we had all but given up. We headed to the *matatu* (micro-bus) stage; Mohammed seemed depressed and tense, and I felt the weight of his bureaucratic quagmire. I had decided to purchase a pair of electric blue shoes from the rows of cheap footwear that flanked the matatu stage when the contact finally called. We took off across the city again, down Kenyatta Avenue and up to the Upper Hill area that is home to several government buildings, overlooking Uhuru Park and downtown.

The contact, a youngish man in a suit, met us outside at some distance from his office building, where hawkers sold newspapers, belts, and ties—things for the men working inside the buildings nearby. I lingered, reading a newspaper, while the contact told Mohammed that his ID card had been issued in Mombasa—a bus trip of eight or nine hours—for reasons we did not understand. His colleague in Mombasa instructed that Mohammed would need to travel there to retrieve the card. But traveling without identification (and even with it) posed a huge risk for a young Somali refugee during the prevailing political climate—when Somalis were being arrested in their homes and at neighborhood checkpoints, let alone along major highways. After some negotiation, it was agreed that Mohammed would pay the contact's colleague in Mombasa to send the ID card to the contact, who would call him when it arrived. Although Mohammed had some trepidation, he felt he had no other choice. His lack of government identification meant that he could not register his phone line, which also meant that he could not send or receive money via M-Pesa or other mobile money transfer systems that formed the most common system of banking in Kenya, where most people do not have access to traditional bank accounts or credit cards, and where carrying cash can be risky.

We sent the money from my cell phone. This was an easily surmountable problem for Mohammed, a person with an expansive social network. Less well-connected people in his position might not have had ties

to a reliable person who could send the money, let alone having the money to send right then and there. More centrally, few people would have the option of obtaining an ID directly through a government contact. Mohammed and the contact's mutual friendship with Amina (for whom the contact seemed to have a fondness) enabled Mohammed to skirt the official system and obtain the card. Given the bribes that many refugees were being coerced to pay to stay out of jail at the time, the equivalent of USD20 for the alien card seemed like a good deal. Ultimately, the whole scenario illustrated Mohammed's powerful social network—not unconnected to his class and family background, which structured his friendships with people with influence and resources. Seven months later, Mohammed was living in the finished basement of his uncle's home on a cul-de-sac in suburban Toronto.

A few months after our trip downtown, as he continued waiting for news of his flight to Canada, Mohammed introduced me to a young man with less access to social networks and capital, who fared considerably worse as he tried to circumvent obstacles to his resettlement in the context of the government's latest crackdown on refugees. The three of us met in an up-market restaurant in Eastleigh. I waited for the two young men by an open window that let in an afternoon breeze. From the second-story restaurant I watched men entering the mosque across the street for afternoon prayers, Kenyan taxi drivers leaning against their cabs, women inspecting brightly colored clothes for sale, and a constant flow of vehicle and pedestrian traffic crisscrossing a main road leading to Eastleigh's First Avenue, a major commercial district. Mohammed arrived tired, having spent the morning with a relative at the Swedish Embassy. Saiid, whom I was meeting for the first time, accompanied him.

Saiid seemed to be without the guarded demeanor that people sometimes had when first introduced to me, nor with any of the performative style that some displayed, accustomed to narrating their experiences for the assessment of officials. With his trusting manner, Saiid narrated his recent experiences with ease (interview, Nairobi, September 8, 2014). He had been prepared to go to the Canadian Embassy the same day as Mohammed for his final security interview. The night before the interview, he had been at home in Eastleigh where he lived with his brother when the police arrived at the door—a routine feature of the Operation and Relocation directive. They demanded identification, and when he showed them his alien card, he was taken to the police station. The alien card no longer “worked” to legitimize his right to be in Nairobi; instead, it now incriminated him. The very same card that he and Mohammed needed in order to be issued an exit permit by Kenyan Immigration to leave the country also exposed them as unlawful residents in the eyes of police and military. The card was still legitimate and required by one government agency—Immigration—but illegitimate for the purpose of residing in the city according to the Ministry of the Interior that oversaw the Operation.

While many paid bribes to be left alone, Saiid told me that he and his brother lacked the funds but were also opposed to paying a bribe on principle. The two young men were taken to the local police station where Saiid, naively perhaps, tried to reason with the police, showing them his appointment letter for the next day. Later on, calling the Canadian Embassy, he was told that there was nothing they could do, and that he would be given another appointment once he was able to move freely again.

Saiid had come to Kenya five years prior, and had primarily stayed in Wajir, an ethnically Somali city close to the Somali border. He did not possess the same level of social connections and street savvy, including the Nairobi cultural knowledge and Swahili language acumen that allowed young men like Mohammed to navigate the Operation with more success. Unlike Mohammed, who had gone to high school in Nairobi, Saiid had come to Nairobi only when his cousin began the sponsorship process a couple of years previously. Now Saiid described with horror his sleepless night in a cell at the infamous Pangani Police Station, which was flooded with sewage. The next day, he and his brother were taken to Kasarani Stadium, a sports arena that had been turned into a place of internment and vetting of suspected terrorists/illegal refugees. There, Saiid refused to eat, imagining that the food could be poisoned.

“Why did you think that?” I asked.

“If people arrest you without any cause, can you eat the food they give you?” he replied, incredulous. Saiid and his brother were transferred to Industrial Area Prison, moved back to Kasarani Stadium two days later, and from there taken to Hagadeira, one of the Dadaab camps a day’s travel away.

Arriving in Hagadeira, Saiid explained, UNHCR was registering the new arrivals coming off trucks from Nairobi. But Saiid refused to register, fearing that if he took a ration card that entitled him to food and a blanket, he would be stuck there. Expressing uncertainty about the meanings and effects of these bureaucratic processes, and the ambiguity of the many governing structures to which he was subject, Saiid said, “I didn’t want to take any of the rations because I am registered in Nairobi. Can I be registered twice? Isn’t it one organization?” Fearing that registering and accepting aid would obligate him to stay, or make it impossible to leave, he instead shared food of relatives who lived in the camp. Saiid approached UNHCR to ask for help. “If you give me a paper to go back to Nairobi that will be good, but if you can’t, what can I do?” he told us he asked them. “We can’t help you,” the UNHCR staff member reportedly responded, unable to authorize movement back to Nairobi, as it conflicted with the new policy of the government, under whose permission UNHCR operated. Demoralized, the two young men decided to go to Dagahaley, one of the other Dadaab camps, where they had more relatives.

When Saiid’s brother was called for his security interview a couple of months later, their planning became more urgent. Their cousin sponsoring their resettlement in Canada considered paying a broker to smuggle them back to Nairobi but couldn’t afford the 40,000 shillings (nearly USD400).

Finally, they went to the Department of Refugee Affairs office in the camp, which issued them a fourteen-day movement pass so that they could travel to Nairobi for the interview. The young men traveled the 295 miles by bus on the long, partly unpaved road that stretches from Northeastern Kenya, bypassing Somali villages, through the green, pineapple-growing town of Thika, and finally onto the eight-lane highway leading into Nairobi, stopping frequently to show their identification at the police and military checkpoints along the way. They arrived the night before Saiid's brother's interview. In the morning, Saiid's brother arrived at the guarded Embassy gates, only to be told, "Sorry, your name isn't on the list today."

I asked Saiid, "When does the movement pass expire?"

"It's already finished," he answered. "It expired on the 7th. That was yesterday, right?"

"What will you do now?"

"I can't do anything. Just waiting. After I do the interview, I'll go back."

"How will you travel back? Will you have to get a new document?"

"I'll have to go to the DRA office to get another paper."

The Canadian Embassy apologized for the wait and told the two young men they were still in line for an interview. When I checked in with Saiid months and then a year after our initial meeting, he was still in Nairobi waiting (personal communication, Facebook, August 17, 2016). Much later, Mohammed told me that he had finally been allowed to come to Canada.

Arrested in places where one has suddenly been deemed "illegal," holding documents whose meanings change overnight, relying on institutions such as foreign embassies and the UN that have limited authority, and caught between governing bodies whose purposes are at odds: these are the realities regularly faced by women and men like Mohammed and Saiid. Mohammed could not move freely with his government-issued ID, but yet he was required to hold it by virtue of his relationship with the Canadian government, as Kenyan Immigration deemed it valid and necessary. Saiid was caught in the government's relocation directive at the very moment he was summoned by the government of Canada. Since he was not a Canadian resident yet, the Canadian Embassy had no power to override the Kenyan Directive, nor did the UN, the other institution to which he was subject as a registered refugee. This left Saiid in limbo, stuck in Dadaab for months trying to work matters out on his own, then stuck in Nairobi with no recognized documents while waiting for the Embassy to call him.

Conclusion

What does it look like to be subject to multiple governing institutions, but citizen of none? In Kenya, but also in North America, where resettled refugees navigate new bureaucracies as they apply for family members to

join them, many face seemingly intractable bureaucratic impasses. While bureaucracy and bureaucratic frustration is a feature of life in a variety of political contexts, the patchwork of bureaucratic institutions that refugees navigate merits particular scholarly attention.

Refugees' exclusion from citizenship is intended to be a temporary condition that can be remedied by the UN Refugee Agency and what it calls "durable solutions"—local integration, repatriation, or resettlement. But by the end of 2016, UNHCR counted 67.7 million forcibly displaced people, over 20 million of whom reside in sub-Saharan Africa, making it the region with the largest population of forcibly displaced people worldwide (UNHCR 2016b). Among the forcibly displaced are 22.5 million refugees, 11.6 million of whom have lived as refugees for five years or longer, and 4.1 million of whom have lived as refugees for 20 years or longer, including thousands of Somalis in Kenya. Bureaucratic impasses and uncertain waiting for people such as Mohammed and Saïid constitute a central feature of life for refugees and asylum seekers as they navigate complicated and often shifting legal and bureaucratic landscapes while seeking a resolution to legal liminality (see also Oka 2014).

Mohammed and Saïid's stories capture only a moment in their much longer journeys seeking legal stability. Focusing on these moments, however, allows us to view the interworkings of various agencies involved in the governance of refugees in Kenya, and the ways in which they inform refugees' lived experiences and wellbeing. These young men represent a minority—the less than one percent of refugees worldwide who have seen a resolution to their refugee status through resettlement. Yet detailing their stories—which involve being caught by new security measures at the very moment they were offered refuge in a new country—illuminates the dense web of governing institutions that refugees navigate, all the denser as they gain access to sought-after avenues abroad. Moreover, the stories show us that the legal channels bringing refugees to greater security, opportunity, and eventual citizenship are paths that are neither easy nor straightforward. Refugees are not rescued by humanitarian actors, but in many ways "rescue" themselves and their kin through ingenuity and tightly connected diasporan networks that share knowledge and financial resources (see also Abdi 2015; Lindley 2010). Nonetheless, we should keep in mind the often severe consequences for those whose attempts fail—consequences for familial unity, for social well-being, and for mental health (see also Horst 2006).

Since the mid-twentieth century, many institutions, programs, and systems have been developed with the aim of managing refugees at local, national, regional, and global scales. These institutions seek to aid individual refugees and to locate solutions to larger refugee situations. Yet one of the consequences of these myriad institutions, as this ethnographic research demonstrates, is that refugees are often caught in the webs of multiple governing bodies, none of which has exclusive authority to protect the rights that they are theoretically promised by international law. Refugee

resettlement, we see, is not only limited because it reaches less than a mere one percent of refugees globally, but also because it can so easily be obstructed by changing policies, procedures, and responses to security and other situations. As humanitarian programs are increasingly suffused with anxieties about securitization, refugees perceived as security threats spend increasing time, energy, and money managing impasses and immobility produced by bureaucratic webs of the governing bodies to which they are subject.

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Notes

1. I derived this number from the interactive reporting function on the Refugee Processing Center website, which is run by the U.S. Department of State Bureau of Population, Refugees and Migration.
2. At the time of this research, between 2012 and 2015, approximately half a million Somali refugees were documented as living in Kenya. As of 2018, that number has dropped to just over a quarter of a million (UNHCR 2018b).
3. On the standardization and globalization of "key techniques for managing mass displacements," Malkki (1995:497).
4. In colonial Kenya, African "natives" occupied the lowest rung in a racial hierarchy.
5. The United Nations, financed by global North governments, keeps refugees in poorer, global South countries that bear a vastly disproportionate task of hosting refugees worldwide. Wealthier nations have promoted "regional solutions" for refugees, investing in infrastructure that keep asylum seekers out, from border security and detention centers to off-shore asylum processing centers (Lewellen 2002; Troeller 2008).
6. This requirement was first introduced in 2003 (Martin 2005:7).
7. In addition to the Westgate context, and general anxiety about Somali refugees, this came at a time of more general suspicion of foreign NGOs and international institutions, precipitated by President Uhuru Kenyatta's indictment at the International Criminal Court.
8. We might consider refugees as existing in a "liminal" period, drawing on Turner (1967). In the global system of nation-states, there is a normative presumption that when one loses one's citizenship one will ultimately be granted a new one. UNCHR's "durable solutions"—local integration, repatriation, and third country resettlement—presuppose that a "solution" requires reincorporation into a national body as a citizen. People living as refugees for years or even decades in places such as Kenya, however, demonstrate that there is often no foreseeable conclusion to this liminal state.
9. In both Canada and the U.S., refugees receive loans for their airline tickets, which they must pay back over time.