

SPECIAL FOCUS

PLURALISM IN EMERGENC(I)ES IN THE MIDDLE EAST AND NORTH AFRICA

On the Migrant Subject

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Abstract

Pluralism is deployed to govern migration across the Global North and Global South in contradictory ways. Fearing the arrival of migrants on its own shores – a threat to its biopolitical constitution – Europe deploys discourses of pluralism in the Global South to encourage migrants en route to Europe to sedentarize in “transit” countries like Sudan. Neoliberal development projects propagate the virtues of pluralism to host communities in Sudan, who are exhorted to view migrants as potential economic assets. Yet, in the context of Europe those same migrants continue to be seen as an economic and racial threat. While a lack of skills and entrepreneurialism are framed as the “root cause” of migration to Europe, migrants are paradoxically presented as trainable and therefore economically productive in the Global South. This article offers a critical examination of consolidating migration management practices in Sudan, their imbrication with development projects, and the racial anxieties they evoke in both Europe and in “transit” countries. It homes in on not only populations headed towards Europe, but those intending to remain in Sudan, notably Syrians, and explores the lessons and aporias of Sudan’s hitherto open-door policy towards the latter.

Keywords: Migration, Development, Race, Sudan, Syrians, European Union

Pluralism is not just the recognition of diversity but its production and organization. It is at once the positing of difference and its use as a technology of liberal governance. Its colonial antecedents are well known.¹ In the context of the so-called migration crisis, a discourse on

¹ Pluralism is not a natural condition requiring management and resolution. Postcolonial scholarship has shown that pluralism and multiculturalism, including their instantiations in metropolitan centers, have roots in the colonial production of race and other forms of difference. For a relatively recent

pluralism has been deployed in contradictory ways across the Global North and the Global South.² In Europe, pluralism forms part of the European Union's self-image as an open, liberal, and multicultural space, underpinned by the free movement of people within its borders. Yet, this depends on the production of its opposite, on the erosion of spaces of free movement, in the Global South. The EU not only fortifies its own external border, but has erected border regimes across vast stretches of Africa, frustrating not just movement to Europe but between African states. The "migrant," in turn, has emerged as the political subject of a vast and rapidly consolidating EU-led governmental apparatus. This political subjectivation of the migrant is effected by its being a "subject" in a second sense – the subject, or focal point, of political discourse.³ The reproduction of the mobile European "citizen" is thus integrally tied to the proliferation of its radical other, the "migrant," in spaces outside of Europe. One such site is Sudan, designated a "transit" country for migrants from the Horn of Africa en route to Europe. How has the "migrant" been produced as an object of policy in Sudan? How have notions of "pluralism" been redeployed to ensure that migrants are "sedentarized" in the Global South, before reaching Europe?

Security-Humanitarianism-Development Nexus

"Pluralism" within Europe operates within the confines of a racialized border, one which antedates the recent declaration of crisis. The institution of freedom of movement within its own boundaries has been predicated on the exclusion of those rendered as being outside. Yet, this outside is itself constituted as an uneven, racialized space. It is one in which certain (mostly white) bodies gain entry to Europe with relative ease.⁴ By contrast, the entry of people from the Global South is regarded as a threat, and is deterred through a series of measures, ranging from

account of the colonial production of identity, see: Mahmood Mamdani, *Define and Rule: Native as Political Identity* (Cambridge, Mass: Harvard University Press, 2012).

² The purported crisis refers to increased numbers of migrants entering the EU, either through the Mediterranean or Southern Europe, beginning in late 2014 and peaking in 2015. However, the real crisis lies in the obstruction of safe migratory routes to Europe – including safe ways to seek asylum – manifest in the spectacle and tragedy of boats carrying migrants sinking in the Mediterranean. The year 2015 saw the five shipwrecks leading to the deaths of around 2000 people.

³ On subjectivation and the duality of acquiring subjectivity and subjugation, see: Etienne Balibar, 'Subjection and Subjectivation', in *Supposing the Subject*, ed. Joan Copjec (Verso, 1994), 1–15. On the discursive production of the subject see: Michel Foucault, *The History of Sexuality, Vol. 1: An Introduction* (New York: Vintage Books, 1980).

⁴ On the migration of non-white populations to Europe, see: Nicholas De Genova, "The "Migrant Crisis" as Racial Crisis: Do Black Lives Matter in Europe?," *Ethnic and Racial Studies* 41.10 (August 2018): 1765–82.

visa and travel requirements, detention upon arrival, and deportation. However, in recent years the EU has adopted a more proactive strategy to preserve the biopolitical (i.e., racial) constitution of its own population.⁵ It was said that 2015 witnessed a peak in the numbers of people arriving at Europe's southern shores. While many came from Syria, Afghanistan, and Iraq – sites of recent Western military intervention – significant numbers hailed from the Horn of Africa, particularly from Eritrea and Somalia. This increased movement of non-white populations toward Europe was perceived as a “crisis,” a threat to the foundations of its liberal order.⁶ Following the inadequacy of a de facto policy of “letting them die” crossing the Mediterranean,⁷ the EU moved to systematically externalize the “solution” outside of Europe.⁸

To stem this movement of people, regions as a whole have been rendered the objects of what has been called “migration management” – sites wherein a new technocratic regime of governance has been steadily consolidating. The Horn of Africa is one such space. In 2015 the EU's new regionally-integrated migration management strategy, which demarcates, defines, and targets countries of destination, transit, and origin, was formalized in the Khartoum Process. The latter is a “framework of cooperation” between the EU and the states of the Horn to limit the flow of migrants into Europe.⁹ More than just a diplomatic agreement, it was undergirded by major financial incentives. Migration control, on an unprecedented regional scale, was exchanged for development aid. An Emergency Trust Fund for Africa, amounting to €4.7 billion, was established, devoted to addressing the “root causes of migration.” This has funded an array of

⁵ Following Foucault, biopolitics concerns the management of the “population,” including its “quality” and “racial” constitution. Foucault, *The History of Sexuality*.

⁶ The EU operates on the basis that the liberal order can tolerate the upsetting of its biopolitical balance at the hands of non-white migrants only to a certain degree before succumbing to right-wing forces or otherwise imploding. It therefore attempts to “manage” this balance as a means toward its purported self-preservation.

⁷ Maurice Stierl, “EU Sued at International Criminal Court over Mediterranean Migration Policy - as More Die at Sea,” *The Conversation*, 4 June 2019, https://theconversation.com/eu-sued-at-international-criminal-court-over-mediterranean-migration-policy-as-more-die-at-sea-118223?fbclid=IwAR1C1EKLSUFe1ILU_pV1v44ilpYMbb8lnlyQ7pi9sR6Nb6M-PouUHI2z-pU.

⁸ Julien Brachet, “Policing the Desert: The IOM in Libya Beyond War and Peace,” *Antipode* 48.2 (2016): 272–92; Mark Akkerman, “Expanding the Fortress: The Policies, the Profiteers and the People Shaped by EU's Border Externalisation Programme” (The Transnational Institute, 2018), https://www.tni.org/en/node/24130?content_language=en.

⁹ The Khartoum Process is formally known as the EU-Horn of Africa Migration Route Initiative. It includes 27 member states of the EU and states situated along the migratory route from the Horn of Africa to Europe, namely: Djibouti, Eritrea, Ethiopia, Somalia, Uganda, Kenya, South Sudan, Sudan, and Tunisia.

regional and national projects, at the heart of which lies the umbrella program called Better Migration Management (BMM).¹⁰ BMM enacts the Khartoum Process goals across the states in the Horn of Africa through a variety of institutions, including the British Council, the International Organization of Migration (IOM), Expertise France, the Italian Ministry of the Interior, United Nations Office on Drugs and Crime (UNODC), and the German Agency for International Cooperation (GIZ) – with Germany leading the program. At first glance, the EU’s attention to the “root causes” of migration has explicitly tied the issue of migration control to development. However, a close examination reveals that EU migration control has effected a remarkable convergence of security, humanitarian, and development institutions, blurring the lines between these fields of practice to an unprecedented degree.¹¹

Discourses of crisis tend to be productive. For the EU, the declaration of migration as a “crisis” paved the way for wide-ranging interventions across the African continent, spanning West Africa, North Africa, and the Horn. But to enact them in a way that distracts from European racial anxiety, from the need to preserve Europe’s biopolitical constitution, migration needs first and foremost to be situated as a problem for Africa, one whose solution lies in technocratic management and the organization of a range of security, humanitarian, and development interventions. This has largely been achieved through the timely resurgence of interest in the issue of human trafficking.

Externalizing Borders – or Internalizing Them?

“Externalizing” the European border to Africa means that the border is reproduced and patrolled on African territory, with the aim of apprehending migrants before they even set foot on European soil. It might be imagined that this has merely shifted the EU’s Mediterranean border onto the North African coast, a direct movement of a line southwards. What tends to escape attention is that border

¹⁰ The Better Migration Management program, implemented across the Horn of Africa, is funded jointly by the EU and Germany. It consists of four components: policy harmonisation; capacity building; protection; and awareness-raising.

¹¹ Duffield has presciently described the emergence of a security-development nexus in the aftermath of the decline of Third Worldism as a political alternative. While dependency theory had integrally linked development to underdevelopment, the liberal order that came to predominate has succeeded in reconceptualizing underdevelopment as a security issue, focusing on the forms of instability produced as a result of the outbreak of conflict. Today the fear remains that conflict will increase refugee flows into Europe. Mark R. Duffield, *Global Governance and the New Wars: The Merging of Development and Security* (London; New York: Zed Books; Distributed in the USA exclusively by Palgrave, 2001).

“externalization” has in fact involved the production and consolidation of multiple, crisscrossing, and sometimes fragmentary borders within mainland Africa itself. In other words, there has been a concerted effort to strengthen borders internally within the continent, *between* African states. So much so that EU border “externalization” might as well be thought of as border “internalization.” The systematic production of internal borders has not only been the case in the Horn of Africa; it has also targeted regions with open border agreements. Despite its formal support for the Economic Community of West African States (ECOWAS), which institutes the free movement of people between states in West Africa, EU policies have specifically sought to strengthen borders between West African states.¹² For example, Niger, regarded as a “transit” state situated on the migratory route from West Africa to Libya, has been offered €1 billion in development aid in exchange for tightened border control. To this end, police forces have been supplied with vehicles, among other forms of “material” assistance, to enhance their ability to patrol and intercept potential migrants crossing through Niger towards Libya and thence the Mediterranean. This has generated a multiplication of check-points. In the deserts of the Sahara – a space where people have traversed for centuries without hindrance – watering points have been targeted by security forces at the behest of EU organizations. As a result, migrants have pursued riskier routes, with many ultimately dying of thirst.¹³ It is now claimed that the Sahara is an “open-air cemetery,” a site of death vaster than even the Mediterranean.¹⁴ Producing freedom of movement within Europe is thus increasingly reliant on the production of its opposite elsewhere, on the erosion of spaces of free movement in Africa. In Europe forms of life flourish through the formation of geographies of death.

Sudan, too, has been a major site for EU border consolidation efforts. It has been designated a major “transit” zone for migrants coming from the Horn of Africa, particularly Eritrea and Somalia. Migrants pass through Sudan into the deserts of Libya to reach the Mediterranean coast. As a result, the EU has worked with police forces to monitor and obstruct the movement of people from Sudan’s eastern border. Importantly, the east is a region characterized

¹² ECOWAS is a political and economic union of West African states, namely, Benin, Burkina Faso, Cabo Verde, Cote d’Ivoire, The Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone, and Togo.

¹³ See: “Outsourcing border controls to Africa,” *DW*, March 13, 2019, https://www.dw.com/en/outourcing-border-controls-to-africa/av-45599271?fbclid=IwAR3i_EY-fcBz_6Zgy6ghSNI7p0SXhT5qZHdhpXjFYY3_RRuP3FVjaOmjeU.

¹⁴ This is what was stated in the documentary created by *DW*, see *ibid*.

by historically fluid and porous borders. Until recently, thousands of seasonal laborers from Ethiopia passed through with relative ease, often without formal permits, to work on agricultural lands in eastern Sudan. In recent years, EU projects have helped to fortify Sudan's borders with both Ethiopia and Eritrea and to demarcate and constrict ports of entry. But more so than this, the EU has militarized border control. This is particularly so on the western border with Libya, a 7000km stretch patrolled by the Rapid Speed Forces (RSF), at the behest of the EU. Unlike the EU's collaboration with security forces in Niger, its operations in Sudan have from their outset elicited critical backlash. Under President Omar al-Bashir's government (ousted in 2019 following the Sudanese Revolution), collaboration with security forces sparked censure primarily from the German media and civil society.¹⁵ In particular, a German-led BMM was criticized for collaborating with the RSF, a force accused of committing atrocities, if not genocide, in Darfur. One of several criticisms levelled against the EU project was that the technologies it provided to security forces for halting "illegal" migration could serve a "dual purpose" by being deployed against citizens. These items included not only military technologies, but also cameras, scanners, computers, and servers.¹⁶ In response, the EU was quick to claim that it provided no "material" assistance to Sudanese security forces.

The problem is not that it is unclear whether the EU actually provided "material" assistance.¹⁷ It is not an issue of veracity or falsity. Rather, it is the very framing of the issue, the very distinction between assistance that is "material" and "immaterial," that is at once false and productive. It fails to account for the complex sets of arrangements required to produce borders. At the same time, such arrangements can be put in place precisely because such a distinction exists to obscure the process, portraying what is vital as irrelevant. Moving beyond the material/immaterial binary in our analysis allows for a more illuminating approach

¹⁵ "EU To Work with Despot in Sudan to Keep Refugees Out - DER SPIEGEL," accessed 29 September 2020, <https://www.spiegel.de/international/world/eu-to-work-with-despot-in-sudan-to-keep-refugees-out-a-1092328.html>.

¹⁶ It is noteworthy that border management technology is a booming sector in the arms industry, a sector which, in Europe, happens to be dominated by German companies. Thus German industry directly benefits from the export of border management technologies to Africa as part of the EU's Better Migration Management program, which Germany itself leads. This is an issue which merits greater consideration.

¹⁷ It should be mentioned that the fall of Omar al-Bashir's government, and the subsequent institution of a Transitional Government with "liberal" oversight, now makes "material" collaboration, conventionally understood, significantly easier.

to border technology. It is not only that we can attend to technologies typically regarded as “immaterial,” particularly the systematic dissemination of software vital to migration control, such as database systems. But more so than this, we can focus our attention on the development of technical arrangements more broadly, including technologies of government and the forms of power that they effect.¹⁸ These include the production of knowledge and expertise, and their dissemination through specific institutional structures.¹⁹ We may ask: how are the forms of political difference, on which borders are predicated, reproduced and consolidated? How do discursive practices, within a range of institutional sites, render the “migrant” a political subject? How are borders “internalized” by people?

We are thus led to ostensibly innocuous sites wherein borders are produced, namely, training programs. Escaping the attention of critical observers, a great deal of the EU’s work has in fact concerned the systematic provision of training to various actors in Sudan, including political, legal, and civil society institutions. Though sites of disciplinary power, they are treated as falling under the ambit of “capacity building” – one of the EU’s goals as a means towards strengthening migration control.²⁰ For example, in the legal sector, BMM offers trainings on migration to judges, prosecutors, defense lawyers, and investigators, with a focus on such areas as building “skills” in data collection, investigation, document examination, and document forgery. These are skills which can be redeployed by the state in law enforcement in other domains (in other words, they are as prone to invidious “dual use” as the much more heavily criticized “material” assistance is). Complementing its support for judicial institutions, BMM also offers trainings for lawmakers. These include workshops for Sudanese parliamentarians that introduce migration as a specifically legal problem, one which engages international human rights

¹⁸ Following approaches in Science and Technology Studies, I am opening the “black box” of technology, combining this with a Foucauldian approach that accounts for the importance of discursive practices. For the former, see: Bruno Latour, *Science in Action: How to Follow Scientists and Engineers through Society* (Cambridge, Mass: Harvard University Press, 1987); Bruno Latour, *An Inquiry into Modes of Existence: An Anthropology of the Moderns* (Cambridge, Massachusetts: Harvard University Press, 2013).

¹⁹ As funding has been channelled towards “migration management,” with INGOs and research institutions on the receiving end, the number of policy documents produced on migration in Sudan has ballooned.

²⁰ The EU has worked on “capacity building” in Sudan since at least the mid-1980s, when it embedded this goal in the Sudanese government’s Relief and Rehabilitation Commission. This is indicative of a longer history in which humanitarianism is the means through which to strengthen state apparatuses. I thank Mark Duffield for sharing this insight.

law and necessitates national legislative action. Trainings hinge on the dual issues of the smuggling of migrants and human trafficking. Although the two are distinct – with smuggling based on consent and trafficking necessitating coercion – they are presented as criminal acts of an analogous nature. In criminalizing traffickers and smugglers, the “migrant” is produced as a juridical subject, a subject of right and subject to forms of legal and humanitarian intervention. Similar interventions have been made to journalists, who have been taught how to report on migration through, for example, trainings in the relevant legal categories and frameworks to deploy in holding policymakers to account on issues of migration. However, the attention of these various groups has been captured not through a direct focus on the smuggling of migrants, which hitherto evoked feeble interest, but on its aberrant form, human trafficking. By combining the two, EU training programs have succeeded in imparting disciplinary expertise on how to deal with this increasingly sharpened object of policy and management, the “migrant.” In disseminating knowledge and opening up institutional spaces for its reproduction, they are nothing short of an ‘incitement to discourse.’²¹

That the issue of human trafficking has pervaded all these projects is not a coincidence. Often involving forms of grotesque abuse, it is a human rights issue necessitating military and criminal justice interventions *par excellence*. It therefore serves as an effective pretext for a range of measures to apprehend migrants as a whole – both those trafficked and those smuggled. Those subject to trafficking are unequivocally deemed victims, requiring military intervention and humanitarian assistance to save them. Thus there is ample scope for security forces to collaborate with humanitarians to engage in large-scale surveillance, interception, and border control operations. Of course, it is these same actions that intercept migrants voluntarily employing smugglers to reach Europe. (Smuggled migrants, too, are presented as always *potentially* the victims of traffickers.) Moreover, the urgency around human trafficking in Africa – however recently generated – serves to reconfigure migration control as not merely a response to a crisis in Europe, but indeed as a response to a crisis in Africa itself. Paradoxically, despite efforts to legally distinguish between human trafficking and smuggling in EU training programs, it is precisely their coupling, and the slippage between the two in the policy discourse, that has been most productive. In short, this slippage has allowed programs aimed at ending the smuggling of people to the EU to

²¹ For more on ‘incitement to discourse,’ see: Foucault, *The History of Sexuality*.

be instituted under the ambit of a broader humanitarian intervention to save victims of trafficking.

The security-humanitarian nexus is intimately tied to development, which transforms the figure of the migrant from “victim” to “entrepreneur.” Indeed, as we have seen, the EU Emergency Trust Fund pledged significant funds to African states in exchange for their collaboration with migration control. In the case of Sudan, the EU pledged some €100 million in development aid. Yet, it would be a mistake to regard this as a simple exchange of aid for border security. On the contrary, a closer look reveals “development” itself being *reconfigured* to serve the needs of migration management. To access new streams of funding, development organizations have been quick to integrate ‘migration’ into their projects. But at the heart of this reconfiguration of development we find, once again, the technique of training. Indeed, the development industry has adopted vocational training as its chief strategy for addressing the “root causes” of migration.” Conveniently, vocational training intersects with the latest development trends which revolve around “enhancing livelihoods.”²² BMM in Sudan has thus organized a range of projects to offer migrants in “transit” to Europe the “skills” that would purportedly encourage them to find employment, create livelihoods, and therefore ultimately remain in Sudan. (“Host populations” are also offered such vocational training under the assumption that this will disincentivize them, too, from migrating.) Vocational training fairs offer these migrants, primarily from Eritrea and Somalia, with education and certifications in occupations such as hairdressing and plumbing. Eliding the structural causes of “underdevelopment” and joblessness, these programs are predicated on the expectation that migrants use their “entrepreneurial” skills to create their own job opportunities and livelihoods.

This new configuration of development is re-spatialized around migration. In contrast to previous development plans, recent development projects specifically target migratory routes and migrant communities. In this way,

²² The emphasis on vocational training should be understood in light of the hegemony of neoliberal development economics. This has been heavily influenced by the work of Chicago School economists, who posit that a lack of development results from an underinvestment in “human capital.” Development thus comes to be oriented around the imparting of skills and other forms of “expertise” through, for example, vocational training. For a classic account, see: Theodore W. Schultz, *Transforming Traditional Agriculture* (Chicago: University of Chicago Press, 1983). For more on neoliberalism, development economics, and vocational training, see (forthcoming): Hengameh Ziai, “The Birth of Biopolitics in Underdevelopment.”

its projects map directly onto sites wherein security and humanitarian actors are concentrated. They are therefore also unevenly distributed. In the case of Sudan, vocational training projects are situated in regions close to the Eritrean and Ethiopian borders, such as Gedaref and Kassala. Another cluster of projects targets the west, around Darfur, a site of outward migration to Europe, and close to the Libyan border. Not restricted to Sudan, similar projects are underway in other countries hosting migrant populations at “risk” of onward migration to Europe. In Jordan, host to one of the largest populations of displaced Syrians, the EU has offered vocational training to Syrian refugee women in locally sought-after skills such as “water management.” Migrants are thus treated as trainable, and in so being, are presented to “host” countries as capable of contributing to economic “development.” While elaborating on the pitfalls of such neoliberal development strategies is beyond the scope of this paper, the contradictory nature of such an approach demands scrutiny.²³ This contradiction is that “host” countries like Sudan are expected to welcome migrants already-present within their territories. “Pluralism” in such a context is framed by EU projects as economically beneficial. Yet these interventions are premised on the fact that these very same migrants in the context of Europe are regarded as a threat. This recent configuration demonstrates perhaps only more starkly than before the ways in which “development” is structured around ensuring populations of the Global South choose to stay put. But, crucially, where they do not, fortified, re-trained and militarized border controls have been primed to apprehend them.

We have seen that a series of contradictions characterize Europe’s attempt to reorganize the production of its racialized self. To protect the freedom of movement, it has obstructed movement to an unprecedented degree in spaces beyond its borders, specifically in the Global South. Not merely “externalizing” its border to the southern shores of the Mediterranean, it has generated multiple “internal” borders throughout continental Africa. But this is only one aspect of the EU’s border “internalization” strategy. Another aspect is ensuring that discourses on migration are produced and “internalized” by a range of actors (political, legal, civil society). While upholding the figure of the supranational European “citizen,” it has produced the “migrant,” the nation’s Other, as the principal political subject across the African continent. This has been engendered through an

²³ A more detailed critique is forthcoming in the *Routledge Handbook on the Horn of Africa*: Hengameh Ziai, “The Migrant as Entrepreneur.”

“incitement to discourse” in a range of institutional sites. The timely resurgence of interest in human trafficking, persistently woven into discussions, has facilitated militarised responses to migration, operating under the ambit of humanitarianism. At the same time, development programs have sought to render migrants economically productive. The figure of the “migrant” thus oscillates between the poles of “victim” and “entrepreneur,” being alternately a useless and useful body, saved by Europe and rendered productive in Africa. While such programs have targeted individual states, like Sudan, they have done so within a wider framework that sets its sights on managing movement across vast regions as a whole, such as the Horn of Africa. To this end, security, humanitarian and development organizations have worked hand-in-hand, to an unprecedented degree, to sedentarize migrants in “transit” countries, before they even reach the Mediterranean shore.

Alternative Paradigms: Reflections on Syrians in Sudan

The EU’s efforts to dominate the discourse and practice around migration notwithstanding, remnants of alternative postures towards migrants can be excavated, even as they have been receding in the face of technocratic onslaught. At the governmental level, migration has been rendered a priority in Sudan, the migrant, a subject of political discourse. However, up until recently, the Sudanese government exhibited a relatively hands-off approach to migrants, with the most restrictive of its own laws unevenly enforced.²⁴ Migrants were thus only lightly regulated (and interpolated) by the legal-juridical apparatuses of the state. Sudan’s hitherto posture toward one migrant population in particular, namely Syrians, invites reflection on possible alternative paradigms. Amidst the hysteria over their arrival on Europe’s shores, how did Sudan emerge as a destination country for Syrians?²⁵ What can be learnt from Sudan’s reception of Syrians, at the height of the refugee “crisis”? How might a porous relationship between “citizen” and “migrant” be configured?

According to the United Nations High Commissioner for Refugees (UNHCR), there remain 5.6 million Syrian refugees in countries neighboring Syria, including Turkey, Lebanon, Jordan, Egypt, and Iraq. Though precise estimates are uncertain, large populations of refugees

²⁴ These include laws criminalizing illegal entry into Sudan, which were rarely and unevenly enforced.

²⁵ This information is based on interviews conducted with Syrians living in Khartoum in 2017 and 2018, supplemented by several follow-up interviews more recently. It also draws heavily on: Alice Koumurian, ‘Le Soudan, pays de destination? Le cas des Syriens arrivés après 2011 à Khartoum’, *l’Observatoire de l’Afrique de l’Est* Vol. 3 (July 2017), <https://www.umifre.fr/c/68559>.

include some 3 million in Turkey, 1.5 million in Lebanon, and over a million in Jordan.²⁶ Notably, the numbers entering the EU as a whole pale by comparison, amounting to a total of 1 million among its twenty-seven member states. Though relatively little attention has been paid to the position of the 200,000 or so Syrian refugees in Sudan, when it has drawn attention, Sudan has been generally lauded for its reception of this migrant population.²⁷

Sudan offered the space for Syrians to operate alongside citizens, with minimal legal-judicial interference. Several factors distinguish the treatment of Syrians in Sudan from their treatment by other governments across the region. First, in an era of ever tighter regimes of border control and immobility, Sudan was one of a few places that maintained visa-free entry for Syrians. In contrast, Turkey had officially closed its border and Lebanon did almost the same. This restrictive approach has not only stemmed the flow of new migrants and inhibited families from reaching each other across borders, but it has also engendered new regimes of illegality for those managing to cross. By contrast, Syrians were able to enter Sudan directly via safe and legal routes, including flights from Damascus running multiple times a week, operated by the Syrian airline *FlyDamas*. Syrians would pass effortlessly through border control. Upon entering Sudan, they resided in urban environments (there were no camps) and accessed state educational and health services on equal terms as Sudanese. For example, Syrian children were admitted to Sudanese elementary schools. Moreover, expensive permits were not required to begin working. The wealthier among these Syrian migrants thus contributed to the flurry of Syrian café, restaurant, and other shop openings in the Khartoum, finding in Sudan an opportunity to invest their capital. Others came to work for these new businesses or for members of the long-established Syrian community in Sudan. (Jobs would often be obtained prior to arrival, whether through social media or other contacts.) In such a context, there has been relatively little aid provided by international organizations to Syrians in Sudan. For instance, UNHCR provides aid to only the most vulnerable, some 7,000. Indeed, very few seek refugee status in Sudan at all. Moreover, Syrians continue to have open and easy access to the diplomatic services made available by the

²⁶ Numbers are inevitably higher since UNHCR figures represent only the number of officially registered refugees. See: <http://www.unhcr.org/en-us/syria-emergency.html> (updated March 15, 2021).

²⁷ See, for example: Fatma Naib and Durra Gambo, "'At Least We are Treated as Human': Syrians in Sudan," *Al Jazeera*, December 7, 2015, <https://www.aljazeera.com/features/2015/12/7/at-least-we-are-treated-as-humans-syrians-in-sudan>.

continued presence of the Syrian Embassy in Khartoum. In the midst of crisis, many Syrians were able to move fluidly, building forms of livelihood and cultivating community in Sudan, while actively sustaining ties in Syria.

Syrians in Sudan demonstrate how forms of migratory selfhood exceed the rigid confines of subject-positions imposed by the legal-judicial apparatuses of states. They complicate the well-critiqued binary between refugee and the economic migrant – or refugee and migrant altogether.²⁸ Many – mostly young men between the ages of 20 and 35 – strongly rejected both the designation of refugee. Yet, nor did they regard themselves as economic migrants. When asked why they left Syria for Sudan, responses commonly invoked the desire to escape military service. Indeed, to this end, being outside of Syria for a period of at least four years, in addition to the payment of an \$8,000 fee, would buy them an exemption from military service. For many, irrespective of political persuasion, military service was seen as involving a high probability of serious injury or death. Temporary migration to Sudan was thus a practical solution to the dangers of conscription and other forms of protracted insecurity in Syria – a flexible solution preferable to the subject-position of formal refugeehood.

Yet, the legal and affective cannot be neatly separated. Arendt elaborates on this affective dimension, on the alienating nature of the designation “refugee,” a marker of difference at times experienced as degrading and dehumanizing.²⁹ It is a subjectivity that untethers a person from the ‘texture of a society’ and from the forms of political belonging that give personhood meaning, while legally situating them outside of membership of a new political community. Indeed, a crucial element that distinguished Sudan as a destination country, as opposed to Syria’s neighboring countries, was precisely the absence of a stringent legal regime governing movement, a regime necessitating refugeehood as a prerequisite for entry.³⁰ This space of relatively free movement allowed for the

²⁸ For example, see: Tazreena Sajjad, “What’s in a Name? ‘Refugees,’ ‘Migrants’ and the Politics of Labelling,” *Race & Class* 60.2 (October 2018): 40–62.

²⁹ Describing the experience of Jewish refugees to the United States, Arendt presents an intimate account of refugeehood, one that is located in the everyday, mundane, emotional, and psychological: “Before this war broke out we were even more sensitive about being called refugees. We did our best to prove to other people that we were just ordinary immigrants. . . If we are saved we feel humiliated, and if we are helped we feel degraded.” Hannah Arendt, ‘We Refugees’, in *The Jewish Writings*, ed. Jerome Kohn and Ron H. Feldman, 1st ed (New York: Schocken Books, 2007), pp. 224–268.

³⁰ The issue of legality should not be underestimated. Other receiving countries like Jordan and Lebanon have not signed the 1951 Geneva convention and do not have specific asylum laws. Instead, they cooperate with the UNHCR on the basis of a “memorandum of understanding.” In Jordan, UNHCR registers Syrians as

development of coterminous forms of political belonging, in Sudan and Syria. Of several young men interviewed in Khartoum, many stressed the importance of the legality of their presence in Sudan. On the one hand, this did not entail the payment of smugglers, asylum claims, visa fees, etc., which reduced the stakes of the decision to migrate. But more importantly, residing in Sudan did not preclude legal re-entry into Syria; it did not entail rupture. Finances permitting, it remained possible to return at any point and for whatever reason (for instance, in order to visit family and friends, or simply to return), without facing any negative administrative consequences.³¹ In order not to jeopardize their military exemption, and to continue to be officially classified as “residing abroad,” visits to Syria were restricted to a period of less than ninety days. But the point stands that temporary, or even permanent, residence in Sudan did not compromise legal status in Syria. And, for many, nor did it compromise their sense of dignity. This is not to say that the refusal of refugeehood indicates loyalty to the Syrian state on the part of Syrians in Sudan. On the contrary, while some interviewees identified as supporters of the government, many identified as members of the resistance, or at least ambiguous in their views. (Indeed, political belonging need not be directed to the nation-state, nor is it the only form of meaningful belonging.) Regardless, the legal and social protections and continued mobility afforded by maintaining status as a Syrian national, and not as a formal refugee, appeared to be an important, if not a crucial, factor in the decision of many Syrians to go to Sudan.

The experience of Syrian migration to Sudan should not be portrayed as uniformly successful, and the multiple forms of suffering need to be acknowledged. First, hardship was intensified by steadily deteriorating economic conditions in Sudan. Syrians earning in Sudanese currency – like many Sudanese – watched as the value of their savings plummeted in line

refugees, giving them *prima facie* status without a determination process. In Lebanon, the lack of an updated “memorandum of understanding” for Syrians implies that the Lebanese government does not recognize UNHCR registration as a type of legal status, meaning that most Syrians are vulnerable to arrest as illegal citizens, http://www.iemed.org/observatori/arees-danalisi/arxius-adjunts/anuari/med.2016/IEMed_Med_YearBook2016_Refugges%20Jordan%20Lebanon_Lenner_Schmelter.pdf.

³¹ This was confirmed by the draft of a study conducted by the Center for Economic, Judicial, and Social Study and Documentation (CEDEJ): “N’ayant pas le statut de réfugié au Soudan, les Syriens qui se rendent à Khartoum pour fuir le conflit n’ont en principe pas de barrière administrative pour rentrer en Syrie s’ils le souhaitent. Il y a même fort à penser que cette possibilité du retour constitue, aux yeux de certains, l’un des avantages importants du Soudan. Cette situation permet aux Syriens ayant la possibilité de rentrer en Syrie de ne pas se sentir bloqués dans le pays dans lequel ils ont trouvé refuge,” Koumurian, “Le Soudan, pays de destination?,” 22.

with falling exchange rates. Indeed, such insecurities fed into in the Sudanese revolution of 2018. Moreover, the option of a flexible and temporary safe haven did not apply to everyone. Many who were active in the Syrian resistance lacked the privilege of returning to Syria with such ease, if at all. Nor was flying to Khartoum a possibility for those forced to cross land borders en masse under conditions of bombardment. All this notwithstanding, the desire by some to seek a safe haven, and to do so “legally,” with the flexibility of returning home to Syria, is notable. Though short-lived – ending in December 2020– the unique arrangement afforded to Syrians by Sudan is one that merits reflection.

Racialized Humanitarianism?

As larger numbers of Syrians migrated to Sudan, avenues for their mobility were further opened through expanding access to Sudanese nationality. At first glance, this appears to have been a “progressive” move, eroding further the distinction between citizen and migrant. Yet, paradoxically, this legal-juridical involvement formed precisely the site in which racial anxieties erupted and the racialized nature of citizenship came to be laid bare. Overall, Sudanese naturalization, whether through marriage or purchase, was rendered easier for certain categories of people. Until recently, it could be obtained after a residency of only six months and a payment of \$300. The opportunity to acquire a Sudanese passport was taken up not only by Syrians but also Yemenis, many of whom had also moved to Sudan to seek safe haven from protracted insecurity. For Syrians, this passport was coveted for offering the opportunity to travel to the Gulf, among the many countries from which Syrian passport-holders had been barred.

Some have been tempted to explain this good reception in terms of Sudanese hospitality or historically good relations between the governments of Sudan and Syria. For example, it is frequently commented that Sudanese nationals also easily enter Syria, receiving visas upon arrival – a hangover from the highpoint of pan-Arabism. Yet the unequal treatment of different refugee populations in Sudan has not escaped the attention of activists. The contrast is most stark when juxtaposed with the treatment of Eritreans and Ethiopians – and, since 2011, even South Sudanese. These groups have a documented history of being subject to racial profiling by the authorities and at risk of prosecution or encampment – a risk that has only increased – as well as to everyday forms of discrimination. Unsurprisingly, according to an IOM report, most

Eritreans and Ethiopians (in contrast to Syrians) intend to leave Sudan for a final settlement in Europe or the United States.³² By contrast, when Syrians had expressed fears of regarding their status in Sudan, officials reassured them that they are “brothers and sisters,” welcome in Sudan “as long as the Nile flows.”³³

The racial underpinnings of this unequal treatment have not escaped scrutiny. It has been argued that the Arab identity of the Syrians has intersected with discourses of power rooted in Arabness. (Ironically, it has also intersected with the geopolitical aims of the Gulf to subcontract their own obligations to accommodate Syrian and Yemeni refugees to Sudan.) Of course, the Arab/African binary in Sudan is neither natural nor stable. Its colonial genealogy lies in the government of populations through the legal and administrative production of precisely such differences.³⁴ Over the years it has been solidified through regimes of marginalization and political violence that have played an important role in structuring Sudan’s contemporary history, particularly the civil wars in the south.³⁵ But the racial anxieties of the nation-state are hardly unique to Sudan. As Goldberg has shown, racism arose as coterminous with the modern state. The state not only produces the conditions of racist exclusion, but also conceived of itself as racially configured, being “nothing less than a racial state.”³⁶ It thus remains to be asked, how did the arrival of Syrians into Sudan come to be mobilized by a racialized political discourse, one which underpinned the hegemony of the ruling class? Did it, too, facilitate a biopolitics that cultivates the subsistence of groups deemed good for the population?³⁷ Undoubtedly, statist discourses about the Arabness of Sudan worked to the benefit of some Syrians who were granted Sudanese nationality. (This is, paradoxically, the same Syrian population which, in

³² IOM Report, “Migrants in Sudan, Pilot Study on Migrants’ Motivations, Intentions And Decision-Making In Khartoum,” 2017.

³³ “*al-sudan tammih al-aman lil-suriyyin wa tarhab bihum “mā dām al-nil yajri,”*” CNN Arabic, September 6, 2016, <https://arabic.cnn.com/middleeast/2016/09/07/sudan-syrian-refugees>.

³⁴ Mamdani has argued that the genealogy of this binary lies in colonial mappings of different races and tribes and historiographies that explain the presence of Arabs in Sudan as the result of a territorial migration (as opposed to primarily the dissemination of the Arabic language in regions where it was deemed useful to state formation). See: Mahmood Mamdani, *Saviors and Survivors: Darfur, Politics, and the War on Terror* (New York: Pantheon Books, 2009).

³⁵ Jok Madut Jok, *Sudan: Race, Religion and Violence* (Oxford: Oneworld, 2007).

³⁶ David Theo Goldberg, *The Racial State* (Malden, Mass: Blackwell Publishers, 2002).

³⁷ Moreover, if we are to follow Foucault, then racism acts as the last stage of biopolitics – demarcating the line between letting live and the right to kill. This racism functions such that killing is no longer enacted *against* a political enemy, but *in defense* of the population, the species. Michel Foucault, *Society Must Be Defended: Lectures at the Collège de France, 1975-76*, 1st ed (New York: Picador, 2002).

the context of Europe, came to embody the figure of the “Other,” threatening, uncivilized, and sexually deviant – a matter brought into relief by the response to incidents of sexual assault in Cologne on New Year’s Eve 2015.) Nonetheless the governmentalization of the free movement of populations by the legal-judicial apparatus of the state, through the bestowal of citizenship, laid bare the centrality of race in structuring government responses to migrating populations.

The economic stresses in the run-up to and since the Sudanese revolution compelled many Syrians to return home. However, those that remain experienced a notable shift in government posture towards them, following the establishment of a Transitional Government, a liberal, technocratic government working closely with international institutions. In December 2020, the Minister of Interior announced that Syrians could no longer arrive in Sudan visa-free. Visas were required in advance of arrival from the Sudanese embassy in Damascus, requiring a two-week waiting period and the payment of \$80. Moreover, to avoid facing financial penalties, Syrians would be required to hold both residence and work permits, the latter costing some \$100. Moves were also made to tighten the granting of Sudanese nationality to newcomers, while reportedly reversing the naturalization process for others. In the political discourse, the purchase of naturalization was presented as one means through which the previous government, lacking integrity, had placed Sudanese nationality “on sale” – and for a low price at that. Although official corruption had been uncovered in the granting of citizenship to some applicants, the move towards the wholesale termination of an entry-upon-arrival model remains a sudden and stark reversal of a decades-long policy.

Though the safe haven granted to Syrians has been partially undone, this moment merits reflection for two reasons. First, it demonstrates an alternative approach towards migrating populations in situations of “emergency” outside of the refugee framework and regimes of international law. In particular, it draws attention to the value to migrants of retaining mobility, connections, and citizenship rights in their countries of origin, in certain contexts. This evokes Arendt’s astute observations about refugees and international law. She demonstrates how the bestowal of regimes of human rights, rights by virtue of being human, renders refugees “bare life” – life at its most vulnerable. Human rights become the rights asserted by those who have no recourse to citizenship rights; they are the rights of the stateless, the rightless. Indeed, human rights are needed precisely because they are, paradoxically, unenforceable by a

state.³⁸ Drawing on Arendt is not intended to valorize the nation-state as a political form, about which she was at best ambivalent, nor citizenship as the ultimate mode of political belonging.³⁹ Nor is it to suggest that refugee status (and support) should not be presented as an option to migrating populations. Rather, her theoretical intervention here serves specifically to elucidate an aspect of the conscious rejection by Syrians in Sudan of refugee status. For this would precisely preclude the possibility of continued Syrian nationality and thus from a series of legal and social protection of them as citizens, even if in a limited capacity. By contrast, merely residing in Sudan did not impede their potential right to access to Syrian state services: the right to work, education, and mobility between Sudan and Syria. This was at the same time as they were able to take safe haven to protect their bodies in the face of protracted political violence and insecurity. Read in this way, Sudan's policy towards Syrians provided the option of almost full mobility to hundreds of thousands – a legal safe haven to those fleeing political violence, economic insecurity, military service, or whatever else. Finally, the fact that this open-door policy was terminated in late 2020, in “post-revolutionary” Sudan no less, is, among other factors, suggestive of the degree of success on the part of the EU in rendering migrant management a government priority.

Conclusion

The increase in migration in 2015 prompted a reorganization of the way Europe produces its racialized self. This has been enacted through a series of contradictions. The maintenance of the EU as a space of free movement, as a space of “pluralism” – plural enough, but not too much – came to depend more urgently on the erosion of spaces of free movement in the Global South. Accordingly, a range of techniques were enacted to insert border regimes within continental Africa. While the predominant focus has been on its transfer of “material” technology to illiberal governments, it is precisely the distinction between the material and immaterial that has best

³⁸ “Not only did loss of national rights in all instances entail the loss of human rights; the restoration of human rights . . . has been achieved so far only through the restoration or the establishment of national rights. The conception of human rights, based upon the assumed existence of a human being as such, broke down at the very moment when those who professed to believe in it were for the first time confronted with people who had indeed lost all other qualities and specific relationships except that they were still human. The world found nothing sacred in the abstract nakedness of being human,” Hannah Arendt, *The Origins of Totalitarianism* (San Diego: Harcourt, 1994), 299.

³⁹ To draw on Arendt's insights on “bare life” is not necessarily to adopt wholesale her analysis on the centrality of political community, though it has been partially drawn on. See: Hannah Arendt, *The Human Condition* (Chicago; London: The University of Chicago Press, 1958).

served to obscure the way border regimes have proliferated. Ostensibly benign arrangements, such as the vast expansion of training programs implemented across key legal-judicial institutional sites, have eluded critical attention. Through disciplinary training and “incitement to discourse,” they have constituted the “migrant” in Africa as a direct counterpoint to the figure of Europe’s supranational “citizen.” This legal-judicial discourse has also intersected with recent discourses on development. Through administering a host of vocational training programs, development institutions have reimagined the migrant as not only victim but as entrepreneur. Stressing their economic value, discourses of “pluralism” have been redeployed to justify sedentarizing in “transit” migrants at risk of onward migration to Europe. This imbrication of development with the fortification of EU borders in Sudan has not only laid bare its racialized underpinnings; it has resulted in its very reconfiguration as a branch in rapidly consolidating apparatuses of “migrant management.” Their technocratic nature notwithstanding, EU policies have been directed towards averting its own political crisis, one of existential proportions. Through apprehending the arrival of bodies that would compromise its biopolitical constitution, the EU has sought to maintain a balance which if disturbed would threaten the foundations of its liberal order.

That being said, fragments of an alternative approach can be discerned. The reception of Syrian migrants in Sudan might be read as suggestive of the broader possibilities for the reception of migrant populations outside of the refugee framework. This mobility, while it lasted, offered a regime of thin and largely porous borders with minimal – if any – legal discriminations between migrants and citizens. It is indicative of the benefits of open borders, borders that do not subject migrant bodies to regimes of legalities and illegalities, mobilities and immobilities. Migrants enter, but also exit, when needed, without fear of losing their status and legal protections in either domain. Of course, it may be argued that the numbers of Syrian migrants coming into Sudan have been small in comparison to those arriving in neighboring countries and that their demographics and class constitution were such that they could work to support themselves (a good proportion are young men and those who can afford flights). There remains a need for a framework to adequately support groups that migrate in conditions of acute precarity. But for those that do not want to seek refugee status, who prefer to hold onto the option of a return to Syria or actively maintain connections therein, Sudan’s open border – the last existing one in the region – had proven vital.