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# ILLEGALISATION, MASCULINITY AND INTIMACY

## The Impact of Public Images on Male Migrants with a Precarious Legal Status

Text: Anna Wyss

**Keywords:** masculinity, intimacy, irregular migration, gendered images, marriage

### Introduction

The «Event Köln» (Dietze 2016) has shown how public images of migrant men as being potentially dangerous to women can be exploited for justifying more restrictive migration control. The reported sexual assaults of women by migrant men from North Africa in Cologne on New Year's Eve 2015 were followed by a moral panic and political demands to expel «those who were believed to endanger post-feminist Germany» (Boulila et al. 2017: 286). This event forms part of a series of other instances in which the supposed protection of women has served nationalist agendas in order to assert more restrictive policies. Such racialised and highly gendered public images – mostly referring to men of a Muslim and / or African background – are mirrored in the narratives and experiences of male migrants with a precarious legal status.<sup>1</sup> In this article, I am interested in how these images in combination with a precarious legal status affect migrants' lived experiences and specifically their intimate relationships with women. Thus, this article provides a counter-narrative of the above-mentioned discourse by allowing the examination of male vulnerabilities caused by such images.

The presented material derives from a study on the complex and interrupted journeys of migrants with low chances of obtaining residence permits within the Schengen Area. The

article is based on one year of participant observation in a federal centre for asylum seekers in Switzerland (2014-15) and during a two-month visit to Rome (2016). Furthermore, 25 narrative interviews with migrants of a precarious legal status were conducted. I revisited nine research participants after they had left Switzerland or were transferred to other places (within Switzerland, Italy, Germany and Austria). Additionally, I stayed in contact (via Facebook and telephone) with 17 persons with whom I had previously conducted an interview. Almost all of my research participants were men. Moreover, I carried out 20 interviews with experts in the field of asylum and migration.

### Gendered and Racialised Images of Irregular Migrants

Gender, as a relevant structuring aspect of migrants' experiences, public images, as well as of migration policies, has been recognised within migration studies (see, for example, Fischer et al. 2017, Hess et al. 2016). Yet, while the invisibility of women in migration studies has been reduced, there are still very few studies that explicitly focus on migrant men (but see, for example, Charsley et al. 2015). As in other fields, attention to gender implicates more often a specific focus on women and less often on men, which reinforces the conceptualisation of

<sup>1</sup> I will refer to «migrants with precarious legal status» because all research participants shifted between different legal statuses, such as asylum seekers, rejected asylum seekers or holders of temporary residence permits. If I speak about a specific situation, I will use the notion of the legal status that the person had at that moment.

men as the «unmarked» category. Numerous publications on migrants with a precarious legal status highlight the fact that their material is predominantly based on research with men (e.g. Collyer 2007, Schapendonk 2011). However, the structuring category of gender remains mostly unexplored in such studies (but see, for example, Ahmad 2011, Griffiths 2015).

A few recent studies have pointed out the productive role of gendered and racialised discourses regarding refugees and irregular migrants (Korteweg 2017). Scheibelhofer (2017), for instance, showed how Austrian politicians used images of «foreign masculinity» in the aftermath of the arrival of more than one million asylum seekers in Europe in 2015. He illustrates how such discourse was used «to portray refugees as a threat to society, to delegitimise solidarity with them and to argue for restrictive measures» (*op. cit.*: 97). While these studies make an important contribution to the gendered image of migrant masculinity and how this affects policy making and implementation, they fall short on providing an insight into how these images affect migrants' lived experiences. Yet, one important exception is Griffiths' (2015) research into refused asylum seekers in the United Kingdom. She shows how «male claimants can be overtly demonized and criminalized» (*op. cit.*: 469), how this impacts upon the lived experiences of her research participants and how migration control attempts hinder men from fulfilling their role as fathers and husbands. In a similar way, I will first show the way in which experiences of illegalisation can be gendered and will then zoom in on what effect this has on intimate relationships.

### Gendered Experiences of Illegalisation

There is a tendency with regard to state practices to deprioritise men in their need for support, which is a result of the above-mentioned image of the threatening male irregular migrant in combination with the assumption of men generally being less vulnerable than women. In her article on the consequences of the Dublin regulations on asylum seekers in France, Schuster observes certain male-specific vulnerabilities: «[A]s a result of this prioritization of the needs of women and children, young men, traditionally privileged and protected by their gender and youth, are left marginalized and vulnerable» (2011: 402). Similarly, Morokvašić states that marginalised masculinities such as asylum seekers «have to face the assumptions of being less «vulnerable» and more «threatening» than women» (2015: 359).

This becomes, for instance, manifest in male-specific accommodation for asylum seekers or rejected asylum seekers in Switzerland, wherein men are, at times, sheltered in underground military bunkers. It is also reflected in the experience

of one research participant who was not granted any sort of state accommodation while waiting for the decision on his asylum application in Italy. He said that this would not happen to women, and continued: «They «overwelcome» them!» While this is, without question, an exaggeration, experts confirmed that women in Italy tend to have better access to accommodation. Based on my observations, men also run more of a risk of being exposed to racial profiling (see also Schwarz 2016: 258). One man from a Maghreb country explained that walking in the city by himself or with a woman is not as risky as walking with another man. This illustrates that stereotypes of gendered images of migrants become manifest in migration control practices, which leads to further exclusion.

Moreover, the general condition of illegalisation makes it difficult for men to fulfil their expected breadwinner role. Many research participants struggled with not being able to work and experienced this as being degrading. Rachid, a man from North Africa in his late thirties, said: «If you don't have documents you're nothing. You're rubbish.» He continued telling me how tired he is of depending on the support of others. He longed for working «like a man». Thus, illegalisation often inhibits people from engaging in family planning, as precarious living conditions prevent men from providing for a family and from fulfilling their ascribed breadwinner role. In several interviews, men expressed that it would not be possible for them to get married in their situation, as illustrated in the following quotation of an interview with Goran from the Balkan region:

*G.: You cannot create a family.*

*A.: Why not?*

*G.: Well, how? You cannot work. You cannot earn money. You understand?*

Mustapha, a man in his late twenties from a Maghreb country, has told me about his experiences regarding encounters with women. On many occasions, women had been suspicious when he informed them about his country of origin. And when he once approached a woman in Switzerland and told her about living in an asylum camp, she immediately turned away from him.

The impact of the negatively connotated image of irregular migrants also became evident in numerous conversations with men who constantly attempted to distance themselves from such images. Without asking if they engaged in criminal activities, many men stressed that they had been behaving correctly. For instance, Daniel from West Africa said: «I don't want to be a problem in society. [...] I don't want to stay in Austria to commit crimes or be a threat to the citizens.» I frequently heard such explicit demarcations from the image of the male criminal – mostly Muslim – migrant.

## Contested Intimacies

### Bordering Relationships

The condition of illegalisation together with the predominantly negative public discourse on male migrants with a precarious legal status can put pressure on intimate relationships, as in the case of Karim. He is a man from North Africa in his late twenties who was in a relationship with a woman in Austria. The couple had been together for six months when Karim had a hearing with the Federal Office for Immigration and Asylum. His girlfriend accompanied him. Karim recalls the words of the judge to his partner:

*«You don't need this person. You can leave him because he will anyway receive a negative [decision on his asylum application] and has to leave Austria.» I did not say goodbye [to the judge] because he had spoken so negatively. Then, we went outside and split up. She was afraid because they could deport me and we would not be able to stay together.*

Karim's precarious legal status put him in a vulnerable position, not only with regard to state control attempts, but also in relation to his girlfriend, who could not imagine sustaining a relationship on such uncertain and unpredictable grounds.

Similarly, Eymen, a rejected asylum seeker from North Africa, told me of a previous relationship with a Swiss woman. Back then, Eymen had lived in a shelter for rejected asylum seekers in Switzerland and received very little financial support from the state. Thus, meeting his girlfriend was practically challenging because there was no privacy in his accommodation and Eymen could not afford to buy train tickets to visit his girlfriend, who lived in another city.

*We talked a lot, until we came to the topic of papers. She did not have trust one hundred per cent or something like this [...]. She wanted to know how I am thinking about getting papers. I told her I want to find a solution on my own. Okay, we were two. Maybe we can find a solution together. But, for example, I did not want to ask her to get married [...], so that I will have papers. That was an important issue in our relationship. [...] I wanted that she feels good with me, that she feels that I am a man, [...] that I am normal, [...] that I have a real feeling for her. If she can tell me this, we can find a solution to marry for this reason. But I don't want papers and I have really told her that I don't want this. Up to now I don't want to have a relationship in order to have papers.*

This quote illustrates how borders can permeate intimate relationships by putting pressure on Eymen and his girlfriend due to the former's illegalised status. Moreover, the lack of a

legal status caused feelings of emasculation and alienation, as clearly stated by Eymen (and other research participants). Furthermore, and as already pointed out in Mustapha's example, this image caused fears also within the relationship. «She was always afraid of the cultural difference. She was very, very afraid» Eymen told me. As a consequence, he felt challenged to gain his girlfriend's trust and to prove that he truly cared for her and was not only interested in obtaining papers by pressurising her into marriage. The relationship between marriage and the «authenticity» of romantic feelings is turned upside down. The «authenticity» of love is often questioned by authorities in the case of binational couples in order to unmask potential sham marriages (Lavanchy 2014). In Eymen's case the opposite happened: he was afraid that his partner would become suspicious regarding his feelings if he expressed his desire to get married. At the same time, relationships are, of course, under pressure because the illegalised status is accompanied by the constant risk of being deported. Thus, regularisation would be a prerequisite for engaging in planning a future as a couple.

### Marriage as the Last Option

Numerous legal restrictions on binational marriages have been imposed in order to prevent marriages of convenience (for Switzerland, see Lavanchy 2014; for Austria, see Messinger 2013). Research has shown that the above-described images of migrant men are also present in the decision making of bureaucrats tasked with preventing marriages of convenience. Lavanchy (2014) describes in her study on Swiss registrars how gendered and racialised categorisations play an important role in the assessment of the authenticity of «mixed» marriages, in the context of fighting sham marriages. «Couples comprised of African men and Swiss women were also the emblematic figure of the deceiving foreigner taking advantage of a credulous and naïve female national» (*op. cit.*: 15) – quite according to the colonial narrative that white women need to be protected from dangerous, brown men (*op. cit.*: 15, referring to Spivak 1988). Marriage as the exemplary locus in which state control practices intersect with intimate realities becomes a platform on which *doing border* overlaps with *doing gender* (Gutekunst 2016).

Nevertheless, marriage with a European citizen is still one of the very few opportunities to receive a residence permit for illegalised migrants. Several of my research participants told me that they were advised by legal experts or friends, and even by case workers in migration offices, to find a woman to marry, as illustrated by Peter's quote: «My lawyer says I should look for a woman to marry. [...] So that I don't have a problem anymore.»

When I conducted my second interview with Eymen, he was single and suffering increasingly from his feelings of entrapment by his illegalised situation in Switzerland. Although he had previously told me that he could not imagine getting married for papers, he eventually reconsidered this idea:

*But sometimes I think about doing this for the sake of papers [...] I say, okay, this is the last chance and so... [...] I don't want to be all my life like this. I want to find a solution with the «mariage blanc» [marriage of convenience]. Maybe I could find a solution this way and go to another country, make a «mariage blanc» without contacting<sup>2</sup> the woman and like this I would be free.*

Some of my informants felt used by their female partners who «just wanted to have sex» instead of committing to a serious relationship and eventually agreeing on marriage. Adama, a man from Western Africa in his early thirties, had been living in Italy in precarious conditions at the time of our second interview.

*They just follow you for their interest. [...] They benefit from you. They just leave you and bye. [...] They just need a man. Something like this. [...] I even asked one lady. We were sleeping in the bed. I said: «Would you marry me, because you know that I don't have paper?» She said: «Adama, niente, niente, no problem.» [...] But I see that – you know, one month, two months, three months [passed] – she was just trying to use me like that.*

This quotation shows how power asymmetries due to different legal statuses can challenge intimate relationships. Illegalisation causes migrants to appropriate marriage as a tactic with which to fulfil their migration project because potential deportation is putting a lot of pressure on migrants and regularisation can often not be achieved by other means. Yet, this pressure can also put additional strain on a relationship itself.

## Conclusion

Colonially coined images of the threatening male intruder have productive effects on law implementation and migration control practices. This paper has shown that the public images of male migrants with a precarious legal status result in certain male-specific vulnerabilities that manifest themselves in gendered experiences of illegalisation and also with respect to relationships with women.

Moreover, it has shed light on the ambivalent links between illegalisation, masculinity and intimacy. Paradoxically, migrants' illegalisation makes it difficult for them to engage in intimate relationships and to build a family; at the same time, intimate relationships and a potential marriage are often the only way in which to realise one's migration project. Lavanchy (2014) has highlighted that bureaucrats act on the presumption that women in binational couples are considered weak and, consequently, have to be protected from their foreign partner. In contrast, as I have shown, several of my research participants who were – or had been – in a relationship with a European woman found themselves in a vulnerable position as a result of the asymmetrical relationship because of their illegalised position. On the one hand, their illegalisation evoked pressure to get married; on the other hand, they were afraid to fit into the image of the irregular migrant who only wants to get married in order to reach regularisation.

Contrary to the images of men as being endowed with a threatening agency, this paper has demonstrated how illegalisation in combination with the effects of public images of the male migrant penetrator can evoke male-specific vulnerabilities. By paying attention to the gendered dimensions of «marginalised masculinities» (Connell 2005), one is enabled to identify and render visible the heterogeneity of experiences among men. Such a deconstruction of simplified gender images makes it possible to shed light on vulnerabilities of specific groups of men.

<sup>2</sup> Eymen refers here to marrying a woman whom he did not know beforehand and where he would pay in order to obtain documents through marriage.

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