



# **THE ILLEGAL MAN AND HIS VOICE**

Empowerment of Illegal Immigrants in the Dutch Detention  
Centres

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*I'm going to tell you what I experienced here.  
It's my right.  
I'm going to tell you what I feel what they did to me.*

Joseph, from Togo



# Preface

I have written more versions of this preface than two human hands can count. Each time my words of gratitude somehow felt wrong, and the reason was not because I had nothing to be thankful for. Because, first and foremost, I am very grateful for the energetic and inspiring guidance of my thesis supervisor, Nanke Verloo. She knew exactly how to show me which road to take when I was sure I had completely lost it. Second of all, I want to thank Dominique van Huijstee from the SNDVU for helping me find the people that I wanted to talk to. Finally, I thank my family and friends for their never-ending support and encouragement. And above all, I want to shout out a big and warm thank you to my parents, without whom the story of my own life would have looked completely different and possibly far less fulfilling.

After writing, deleting and rewriting for innumerable times, I realised why it all felt somewhat misplaced. This thesis is not about me. It has always been my intention to make it about the people whose stories I was so curious to hear about. It is the story of Ibrahim, Joseph, Amadou and Hamid. Simultaneously, it is the story of thousands of people who I could not talk to, but who find themselves in similar situations and with similar experiences. I want to take a moment to dwell on the courage of these men to step up and tell a story to a stranger, while those who proceeded me did not want to hear or believe any of their words.

Finally, I hope that this thesis can pass on these stories. They have touched me in a very profound manner and if there is only one person that will read this thesis and feel what I felt while listening to their words, it would make me very thankful. Because, as the reader will realise at the end of this body of work, hearing their stories will contribute to the ability of these men to let their voices be heard and acknowledged. Still, I hope that that will not be the end of it and that many more storytellers and listeners will follow.

Amsterdam, June 26, 2014





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# Introduction

“Detention of asylum-seekers in the Netherlands is worrisome”.<sup>1</sup> This headline of a popular Dutch news website is not the only one of its kind. In recent times, the government’s refugee policy (‘Vreemdelingenwet’) has been receiving a lot of criticism. These concerns are not only voiced by local human rights organisations such as Amnesty International (2008; 2010; 2011; 2013), but also increasingly by the international community.

The reasons for these concerns mainly stem from the character and nature of the Dutch detention centres, as investigated by several national and international research teams. The outcomes of these enquiries mostly relate to the violation of international human rights as established in the 1951 Geneva Convention relating to the Status of Refugees, and the Universal Declaration of Human Rights (European Migration Network report, 2009). Coercive measures like the Dutch detention centres, are only legitimate when their aim is to prepare and execute the return of an illegal immigrant and only when other measures are insufficient (ibid.). But, as not all detained immigrants are successfully evicted<sup>2</sup> and these coercive measures bear characteristics of punitive measures in regular penitentiary institutions, several research teams and international human rights organisations, are questioning the legitimacy of detention. In this respect, researchers repeatedly emphasise that immigrants who are illegally situated in a country “should not be [detained and] treated as criminals” (ibid.). Although this conception stems from an international legal framework, Dutch media accounts reporting on the practices within the detention centers seem to endorse this attitude.

In an article by *The Volkskrant*, one of the biggest Dutch newspapers, a journalist reports that “although illegal stay is not a criminal conduct [...] illegal strangers are increasingly being treated as criminals” and that “Amnesty International received numerous accounts of abuse of detainees by guards”<sup>3</sup>. These quotes illustrate that the practice of detaining illegal immigrants is increasingly being equated to putting a convicted criminal in jail. In this case, *The Volkskrant* seems to aim at bringing forward and calling attention to the dreadful and vulnerable position detained immigrants are in. They seem to fortify this fundamental idea by *victimising* the illegal immigrant. Because, by implying that things can only change if the Dutch citizens and the government representatives – the “we” in this story- help them, this signifies that the illegal

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<sup>1</sup> Nils Muiznieks, “Detention of Asylum-seekers in the Netherlands is Alarming”, May 23, 2014.

<sup>2</sup> The numbers of successfully deported illegal immigrants are vague. The IND poses that 60% of the detained immigrants leave the Netherlands. The National Ombudsman (2012) states that, in the second half of 2011, 52% of the detained immigrants have successfully returned to their home country. Exact and current numbers of illegal immigrants in detention who are successfully evicted remain unknown. The main reason is that this group often ‘disappears into illegality’, meaning that they consciously stay under the government’s radar and are therefore undetectable (ibid.).

<sup>3</sup> *De Volkskrant*, “Amnesty: Detention of illegals too severe”, website, June 28, 2002.

immigrants can not do so themselves. Victimising them, means framing and rendering them powerless to urgingly put into motion those who *do* have the power to change their situation.

On the other side of the coin, the more populist newspaper The Telegraaf remarkably projects this powerlessness on those who are in possession of the power. An article about a verdict by the Council of State limiting detention of immigrants at the border, opens with the headline “Powerless against illegals”. This verdict, the author poses, is a “significant blow for parliament that wants to force back the substantial influx of ‘strangers’”.<sup>4</sup> The Telegraaf renders the Dutch government powerless to the risk posed by increasing numbers of asylum seekers who want to enter the Netherlands. What this risk exactly entails remains unclear, but by identifying the immigrants as such, they are perceived as a group against “we” must protect ourselves. Thus, to frame the immigrant as a threat implicitly leads to a *criminalisation* of the illegal immigrants. It identifies them as a problem that must be solved, not because they are seen as criminals, but because they are alleged criminals in and of themselves (Engbersen & Van der Leun, 2001).

The terminology used by and in the media reflects the government’s dominant ideas about this group of people. Through the use of a certain frame in its policy documents, the government generates a dominant idea of the illegal immigrant as the criminal. For example, divisional chairman Tjeerd Herrema van Zuidoost stated in a recent local newspaper that inhabitants of the residential unit of the Vluchtgarage were increasingly engaged in fights.<sup>5</sup> Moreover, the governmental report on the public budget of the Ministry of Security and Justice (2014) reads: “Illegal stay is socially undesirable, because it often goes hand in hand with exploitation, criminality and nuisance”. Finally, the fact that these undocumented immigrants are termed “illegal” and that the government was planning on penalising illegality, implies a bias that is connected to criminality.<sup>6</sup>

The frameworks of victimisation and criminalisation can be seen as *dominant narratives*. Bamberg (2004) characterises a narrative as a specific speech genre that actors implement on the level of mundane, conventional and everyday interactions. This narrative is a rhetorical tool to make claims about who the speaker is and enables actors to structure and locate the self within a narrative whole (Sandelowski, 1991; Bamberg, 2004). Actors may indeed use a narrative to structure their social reality and to make an effort to render the elements meaningful (Sandelowski, 1991). A narrative is dominant when its content is widely accepted as general knowledge and can thus be used to plot the course of events (ibid.). In other words, dominant

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<sup>4</sup> Dennis Naaktgeboren, “Powerless Against Illegals”, website De Telegraaf, January 13, 2011.

<sup>5</sup> Heiba Targhi Bakkali, “Situation in the Vluchtgarage threatens to escalate”, website Het Parool, February 19, 2014.

<sup>6</sup> a) Dutch Upper Chamber, Addition to the 2000 Strangers Law, January 7, 2013.

b) Refugee Organisations of the Netherlands, “Penalizing Illegality: Encroachment of Human Rights”, website, date of publication unknown.

narratives are culturally accepted frames that can invoke and direct action. Finally, they do not only construct and position the self, but, in doing so, they identify and position 'the Other' at the same time. In this case, the Other is the illegal immigrant in detention.

Previous studies have shown that this terminology of criminalisation constitutes the dominant idea in the public debate about detained illegal immigrants (Van der Leun, 2003; Pijpers, 2004; Broeders & Engbersen, 2009; Kroon, 2013). Remarkably, however, the only perspective that is given from the immigrant's point of view, seems to attest to the claim that they are helpless individuals subjected to unfair policies.<sup>7</sup> While the immigrants' vulnerability is not untrue, the dominant narratives of victimisation *and* criminalisation both imply that these people do not possess any agency in order to empower themselves and to influence their situation. Here, I will focus on the government's dominant narrative of criminalisation.<sup>8</sup> First of all because detention is instilled, imposed and regulated by the government policies. Secondly, because academic theories seem to imply that powerlessness does not exist, no matter how suppressed a specific group of people is (Scott, 1985; Giddens [1984] in Whittington, 1992; Piven, 2008).

I wonder, therefore, to what extent the illegal immigrants in detention are able to enact their agency and generate empowerment in order to influence their situation. This thesis will focus on the ways immigrants act out their agency in a context that is seemingly depriving them of all possible powers. The research question I will be focussing on is the following. *How do illegal immigrants generate empowerment through practice in the detention centres in the Netherlands?* Within this broader research question, several sub-questions arise. What are motivations behind and purposes of their empowerment? How do they perceive the liminal space of the detention centre? How does that space influence their possibility to generate empowerment?

## **THE FACE OF 'STRANGERS'**

Before considering the questions and exploring the answers, it is important to understand who exactly these 'illegal immigrants' are. This group of people is nothing short of heterogeneous. Immigrants can be distinguished in the following groups: asylum-seekers, refugees, migrants and illegal immigrants (Moorehead, 2005). These categories are not fixed or unequivocal, as people move from one group to the other depending on the official status of their stay in the host country (Van der Leun, 2003).

An asylum-seeker is someone who is seeking protection because of political, economical or social reasons and whose claim for a refugee status has not yet been assessed (Verbaas,

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<sup>7</sup> a) Martijn Stronks, "Marginalised in the Underworld", website De Groene Amsterdammer, March 6, 2013.

<sup>8</sup> The dominant narrative of victimisation is a very interesting one, but also one that I have to leave aside within the limitations of this thesis. However, it can be a good starting point of future researches on the political empowerment and social movements of illegal immigrants.

2005). Upon arrival in the Netherlands, every asylum-seeker needs to file a request for asylum in one of the registration centres (Busser, 2005). The Immigration and Naturalisation Agency (hereafter the 'IND') is tasked with the responsibility to assess whether an asylum requests can be officially accredited the status of refugee (Busser, 2005; Verbaas, 2005). According to the 1951 Geneva Convention for Refugees, a refugee is a person seeking asylum and who is facing potential persecution in and by the home country that is based on race, religion, nationality, political opinion or sexual preference (Verbaas, 2005). If the IND decides in favor of the asylum seeker, he or she obtains the legal status of refugee and is granted an asylum permit. This permit guarantees the refugee that he or she will not be evicted from the host country. Moreover, the government is now obligated under international law to provide the refugee with the basic needs. This includes shelter and access to the job market in order to be able to build a living (ibid.).

However, if the IND determines that the asylum seeker is not a refugee under the Convention for Refugees, the person is considered an immigrant. But, as Verbaas has argued, this decision is often ungrounded, because people who fled an armed conflict are not considered refugees under the Geneva Convention and are thus unjustly categorised as immigrants rather than refugees. Nonetheless, if the asylum-seeker is not granted a status as refugee, he or she becomes an illegal immigrant. The illegal immigrant is entitled to a last resort, namely the appeal of the decision in front of the court (Verbaas, 2005). During this time, the illegal immigrant is not yet under the obligation to leave Dutch soil and obtains a special card that prevents him from being arrested, detained and/or evicted while awaiting their case. But, at the same time, in awaiting their appeal, illegal immigrants, with the exception of pregnant women, unattached children and sick persons, are not entitled to any form of housing (ibid.).

If the court rejects the final appeal, the illegal immigrant is definitively considered to be out of procedure. This means that the illegal immigrant is being denied citizenship and the corresponding fundamental human rights and basic social entitlements (ibid.). Moreover, he is now under the obligation to leave the Netherlands. This is more easily said than done, as without documents he has no right and no power to fulfill his basic needs, let alone to arrange his departure (Verbaas, 2005; Gibney, 2009). This leaves the illegal immigrant with very few possibilities and a poor outlook on the future. Because he can neither stay, nor return, he often disappears under the radar in order to try to build an alternative existence away from the regulation of the government. This disappearance into illegality causes the estimation of current numbers of undocumented immigrants to be problematic (Van der Leun, 2003). Despite of this, local organisation Justitia et Pax estimates the current number of undocumented immigrants in

the Netherlands between 62.500 and 115.000.<sup>9</sup>

It is important to note that the denominations of ‘asylum-seekers’ and ‘illegal immigrants’ are residual. Van Der Leun (2003) poses that "the possibility of becoming an 'illegal' immigrant is strongly dependent on the legal framework of a specific country". This means that, according to Van Der Leun (ibid.), the government creates the status of illegality and passes it on rejected asylum-seekers. Nicholas De Genova (2002) similarly poses that undocumented immigrants are subjected to certain macro processes that are driven by governmental policies. Consequently, illegality is a residual categorisation of rejected asylum-seekers that is created and executed by wider political and power structures within society (Van Der Leun, 2003). Therefore, following De Genova (2002), I argue that illegality is a *sociopolitical condition*. Or, in other words, illegality is a social construct rather than an inherent human trait.

Now, the poignant issue about this sociopolitical condition of the undocumented immigrant, is that it has been criminalised as “illegal” (De Genova, 2002). Neither under Dutch law, nor under international law is it a crime to stay in the Netherlands without valid documents (Verbaas, 2005; Kox, 2007). In other words, illegality is not an illegal criminal conduct. As a consequence, illegal immigrants should not be arrested and detained for having no papers. In reality, however, the situation is more nuanced. The Return and Departure Agency ('Dienst Terugkeer & Vertrek', hereafter DT&V) is an executionary organisation that is tasked with furthering the departure of illegal immigrants.<sup>10</sup> If the DT&V identifies a risk that an illegal immigrant whose departure is being prepared will withdraw and ‘disappear into illegality’, the DT&V can detain the immigrant in one of the three detention centers in the Netherlands: Schiphol-Oost, Rotterdam or Zeist. The goal, according to DT&V, is to ensure the availability of the immigrant once departure will take place and is thus considered to be an administrative measure.<sup>11</sup>

Arthur, a head of department in the detention centre in Rotterdam, tells me that immigrants can initially be detained for a maximum of 6 months, with a possible maximum extension of 18 months. Families can only be detained for a maximum of 2 weeks. A report of the National Ombudsman (2012) states that the government assumes that illegal immigrants only stay for short periods of time, because their departure is supposedly almost arranged and executed. However, in reality only a small amount of the approximately 6000 immigrants that are being detained each year in the Netherlands, are actually evicted (Schoordijk Institute of the University of Tilburg, 2005; Verbaas, 2005). A second or even third period of detention is no exception and over the years the time an illegal immigrant spends in detention has doubled (ibid.). This implies that the detention centers are not in line with their official responsibility, i.e. securing and

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<sup>9</sup> Justitia et Pax, “Human Rights in Dutch Detention Centres”, website, date of publication unknown, visited on May 21, 2014.

<sup>10</sup> DT&V, “Detention Centres”, website, date of publication unknown, visited on May 4, 2014.

<sup>11</sup> Ibid..

arranging the departure of rejected asylum-seekers. Over time, they have come to resemble penitentiary institutions in which illegal immigrants are completely deprived of any freedom. Parallel to this, is the increasing criticism on the practices within the detention centres which are regarded by human rights organisations as inhumane and violating international human rights. Furthermore, several reports show that the situation within these centres is even worse than that of the regular penitentiary institutions and that illegal immigrants enjoy less rights than regular prisoners (Amnesty International, 2008; 2010; 2011; Nationale Ombudsman, 2012).

Because of these criticisms and the related discourses of criminalisation and victimisation, it is significant to try and take a look inside these detention centres. If the illegality of an immigrant is a marginalising sociopolitical condition that is extended through the reality and practices within the detention centres, then does this mean that they have been deprived of any power, legal or social, of their own?

## **CENTRAL CONCEPTS**

The fundamental notion of this thesis constitutes the concepts of agency and empowerment. These two concepts are closely related and contain a rich and extensive history that emanates from economist and management theories (Shapiro, 2005). Because social theories on agency and empowerment are surprisingly sparse, it might be useful to turn to Giddens (1984, in Whittington, 1992), who builds on these management theories in his social theory on the duality of structure.

According to Giddens (ibid.), the system of society is an interdependent duality. This means that the structures in society are “constituted by the activities of human agents”. These activities are at the same time “enabled and constrained by the social structural properties of these systems” (ibid.). In other words, the social structures are not only producing rules and empowering action, they are also shaped and generated by the power of the agents that are subjected to them. This notion of power is inherent to Giddens’ understanding of agency. “To be an agent is to be able to deploy (chronically in the flow of daily life) a range of causal powers”, he (ibid.) states. Thus, agency constitutes the potential of the subject to deliberately choose his or her actions and to carry them through in an effective manner (ibid.).

Frances S. Piven (2008) states that every agent, dominant or subordinate, possesses agency. She (ibid.) explains that the fabric of society is made up of cooperative relations. These relations are institutionalised in order to be able to organise and regulate the social structures, e.g. production, the socialization of the young and the allocation and enforcement of state authority (ibid.). All individuals who contribute to these institutions possess a potential power over other individuals because they depend on each other to fulfill their social task. This is what constitutes *interdependent power* (ibid.). “Even people with none of the assets or attributes we



usually associate with power do things on which others depend” (Piven, 2008). Thus, doctors, attorneys, toilet cleaners and busdrivers depend on each other’s agency and practice to uphold and maintain the structure of society. Despite of this, most subordinate groups, including illegal immigrants in detention, are still framed as powerless.

James Scott (1985; 1989) states that even these alleged powerless groups possess a form of empowerment to some extent. He (ibid.) explains that subordinates rarely enjoy the “luxury” of open and organised political activity because of the involved risk and potential life-threatening consequences (ibid.). Instead, they make use of a more hidden realm in which political conflicts are being played out in a more covert way (Scott, 1985; 1990). Despite of their marginalised and subordinate position, Scott (ibid.) poses that this constitutes empowerment nonetheless. However, what surfaces in the dominant narratives concerning detained illegal immigrants is exactly their supposed powerlessness. If, following Scott (ibid.) and Piven (2008), agency exists even within the most marginalised groups, then to what extent do detained immigrants possess agency? And how do they manage to exercise it?

This problem of empowerment is not a theoretical but an empirical one. Therefore, in this thesis I will try to make sense of processes of empowerment and their link to the structure and agency by looking at empirical data. Before shifting the view to that of the illegal immigrant, I will describe in the following chapter how I am planning to take on this empirical problem. Subsequently, I will try to understand how the space of the detention centre relates to the illegal immigrant’s agency. Afterwards, by zooming in on the mechanisms of the dominant power structures, I will try to elaborate on the power relations that illegal immigrants face. Finally, I will focus on the ways illegal immigrants try to contest these power relations.



# Methodology

The stories that illegal immigrants tell about their time in detention are the starting point of this thesis. These stories constitute the empirical data that will help me to make sense of the problem, as they display the people's experience and the way they deal with the situation they are in. It is my intention to develop a grounded theory of empowerment based on this empirical data. In grounded theory the researcher and the participants work together "to generate the data which in turn generates the theory" (Strauss & Corbin in Laws & McLeod, 2004). This method stimulates a bottom-up approach in which information is gathered by and through the informants themselves. In each chapter, I will therefore continuously switch between the empirical data and the immediate theoretical analysis.

Following Laws & McLeod (2004), another advantage of grounded theory is "its capacity for a detailed study of a micro issue of a larger reality within a particular setting". In this context, the micro issue is the problem of empowerment that is linked to the larger reality of the criminalisation of illegal immigrants. This problem is often played out in a particular setting, such as in the practices within the detention centre. Thus, zooming in on a particular place and a particular social setting may reveal something about the effects of wider and more abstract social and political structures.

The detention centre can be seen as what Murdoch and Marsden (1995) call a *locality*. Locality is a point of convergence between larger and smaller realities and it is therefore "constituted by various networks operating at different scales" (ibid.). These 'scales' consist of the political and organisation levels (macro) and the social and cultural levels (micro). Hence, the detention centre can be seen as a locality and a point of convergence where the dominant narratives of criminalisation and subsequent government policies are being interpreted and acted out in the everyday practice of illegal immigrants and the employees. Therefore, the everyday practices of illegal immigrants and the way they narrate these experiences might reveal something about the workings of the wider sociopolitical structures (Georgakopoulou, 2006). This means that the subjective experience of the illegal immigrants indeed should be taken as the point of departure.

In order to achieve this and put the approach of grounded theory in practice, I chose to use a life story method in conducting interviews with my informants. Following Bruner (2004), a life story can be seen as a narrative that people construct about their own lives. Bruner (ibid.) immediately places a critical note: "'stories' do not 'happen' in the real world, but, rather, are constructed in people's heads". Consequently, life stories are not a one-on-one rendition of someone's lived experiences. But, as Bruner (ibid.) poses, this is not the heart of the matter. What does matter is that the telling of life narratives "achieve[s] the power to structure perpetual

experience, to organise memory, to segment and purpose-build the very ‘events’ of a life” (ibid.). A life narrative, therefore, is not a way to tell about life as it was, but how it is experienced, interpreted and reinterpreted (ibid.). Each and every individual perceives a different version of the world because of his or her disposition, previous experience and social and factual knowledge. Therefore, a narrative is always a *text of experience* that is embedded within the context of the individual’s reality (Sandelowski, 1991).

In order to require insight in the experiences of detained illegal immigrants, I employed the life story approach in the interviews I conducted. My sole and primary question was to describe a day in the life of a detainee. From there on, I only asked them questions if I needed clarification. By doing so I wanted to leave them as much space as they wanted or needed to reconstruct and narrate their stories to me. Eventually, this helped me to account for the subjective experiences from the perspective of the people in the field, i.e. illegal immigrants in detention. A point of view that so often lacks from media reports, policy documents and academic research.

I conducted interviews with four men, who had all been detained in the past and who are ranging between the ages of 25 and 55. They are, Ibrahim from Sierra Leone, Joseph from Togo, Amadou from Guinea and Hamid from Eritrea. These names are feigned in order to protect their identity and personal safety. To support the small amount of informants, I chose to include accounts given by ex-detainees in documents such as media sources and official reports by local NGO’s or government institutions. I approached these accounts with caution, because they have been told in their very own setting and context. I had to keep in mind that a possible influence by and bias of journalists and/or researchers could have played a role in these accounts. Nonetheless, they remain stories as constructed and narrated by the illegal immigrant himself.

Next to the empirical data I gathered through conducting interviews and reviewing literary documents on the condition of illegal immigrants in detention, I shortly observed the practices, habits and behaviour of the illegal immigrants in the detention centre of Rotterdam. Participant observation entails that the research takes part in the activities of the people being studied in order to understand “the native’s point of view, his relation to life, [and] to realise *his* vision of *his* world” (Malinoswki in Tedlock, [1992; 1961] 1991; Dewalt, 2002). In this case, two of the informants that work in Rotterdam proposed to give me a tour through a part of the building. This opportunity allowed me to catch a glimpse of the daily life within the centre. Moreover, it helped me to grasp the lived-reality of illegal immigrants in the detention centres. Although I was not able to fully participate as a “professional stranger”, this observation was advantageous because it resulted in my increased understanding of the social reality of detention centres and the way it can be experienced (Agar, 1996).

The three sources of life story interviews, documents and observations supplied me with different angles on the same subject and granted my research validity. The narratives I encountered in this research were significant as they showed me how and why illegal immigrants give meaning to and act on broader social phenomena such as the criminalisation of the sociopolitical condition of being illegal. This means that their individual experiences and practices reflected the workings and effects of the dominant narratives of criminalisation. Moreover, the use of these sources clarified how illegal immigrants made subjective efforts to improve the living conditions that stem from these dominant narratives and their execution in everyday practice.

## REFLECTIONS

Concerning the issues of gaining access to the detention centres, I had already suspected that it could be a fickle thing. And indeed, it turned out that staying there for longer than three hours was even more problematic than I had thought, which is quite ironic, if we all take a moment to think about this: whereas illegal immigrants are involuntarily detained for months on end, I was not even allowed to stay for a day, no matter how much I wanted to.

The board of directors in Rotterdam was the only one that allowed me to come and take a look inside and to talk to three of its employees: Jan and Arthur, two heads of department and Sarah, one of the nurses. Jan and Arthur told me that gaining access to illegal immigrants who were in detention at that time was almost impossible.<sup>12</sup> Because of the difficulties with gaining access to illegal immigrants that were in detention at the time, I decided to contact illegal immigrants who had been detained in the past. However, a similar problem connected to access arose. Illegal immigrants, inside as well as outside the detention centres, are a vulnerable group. This vulnerability stems from their past and current experiences of violence and their risk of being arrested and detained. This was one of the first issues that made me realise that the detention centres constitute a more unnerving practice than I initially assumed.

In order to gain the trust of possible informants, I decided to contact local organisations that work with and support illegal immigrants. Through my personal network, I got into touch with Dominique van Huijstee, who works at the SNDVU<sup>13</sup> as a socio-judicial worker. Dominique is very helpful and brings me in touch with four of her clients who are able and willing to talk with

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<sup>12</sup> Jan and Arthur explained to me that detainees had often told them how uncomfortable they felt when strangers were visiting their department. They would feel like they were being watched as if they were monkeys in a zoo. Next to that, while entering the men's department, I noticed that the men were almost taking on a hostile attitude, as they kept a close eye on me. If my presence already carried such influence, actually talking to them would be even more complex.

<sup>13</sup> *Stichting Noodopvang Dakloze Vreemdelingen Utrecht*, the Foundation Emergency Admission of Homeless Strangers in Utrecht.

me. The fact that only four of Dominique's twenty clients were willing to talk<sup>14</sup>, and that they are all male, might be related to the way detention is experienced. The men repeatedly told me that detention is very difficult and painful to remember. A joint report by Amnesty International, Stichting LOS and Médecine du Monde Netherlands (2012) ascertains that detention is a very significant source of stress, because it "undermines the person's autonomy and it damages the self-confidence". Intrinsic to detention is the experience of powerlessness and the loss of control over personal life choices. Detention can therefore be a disruptive experience and it is comprehensible that most of the people were not capable of telling their stories because of psychological traumas.

The interviews with my four informants are all conducted in English, and thus the words that I include in this thesis are the words and the way the informants spoke them. On the other hand, the interviews with Arthur, Sarah and Jan from the detention centre in Rotterdam and Dominique from the SNDVU, are in Dutch. In order to incorporate them in this thesis, I translate them from Dutch to English. Although I have done my best to stay true to their words, it is possible that a small personal bias creeps into the translation. This is something that cannot be prevented, but that I, as well as the reader, should be aware of.

Often, my informants struggle to find the right words. They sigh, rub their eyebrows and slowly shake their head. Although it is hard for them to talk about their detention, they choose to do so anyway. Not only because they trust Dominique, but also because, as Amadou tells me, if they don't "nobody don't know what I am feeling".

## **WORKING METHOD**

Because a narrative is a constant dialectical process of interpreting and constructing a meaning representation of a lived experience, and because this also constitutes grounded theory, I will try to employ a similar approach in the following chapters. I will try to do so by continuously relating the empirical data to its theoretical analysis. This structure bears two significant characteristics.

Firstly, in describing the concepts, I will follow the chronological timeline of an immigrant entering a detention centre. This means that I will start with the concept of liminality (relating to the space of the detention centre). Then I will describe the concept of power and the relation it bears to the sociopolitical condition of being illegal. Afterwards I will set forth whether and how the illegal immigrants try to contest the prevailing power structures.

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<sup>14</sup> The fact that all four of them are male are coincidental. But because the detention centres are generally experienced to be very difficult and painful, it might also be that women are more reticent to reveal their personal experiences to a stranger. Unfortunately, within the confines of this thesis I can not elaborate on this very interesting gender issue.

Secondly, I will start each chapter with an empirical account of the data I collected during fieldwork. This empirical paragraph will generate and lead to the relevant theoretical concepts. I will describe these concepts in a substantive way and apply them to the empirical data that they relate to. This means that the second, theoretical part of each chapter simultaneously constitutes the analysis of the empirical data. The subsequent chapter will follow the same structure of empirics and theoretical analysis. This method will allow me to constantly go back and forth between empirical data and the applicable theoretical notions, in order to construct a grounded theory step by step and chapter by chapter.

My intent is to reconstruct the experienced world of the detention centre into a coherent story. Nonetheless, the reader must bear in mind that reality is often more chaotic and unordered than this thesis. Therefore, this body of text is just one way, one attempt at ordering a part of the world.





## The Permanent Waiting Room

According to Scott (1985; 1989; 1990), Giddens (1984, in Whittington, 1992) and Piven (2008) every individual possesses, in theory, agency and thus empowerment. In the case of the detention centres in the Netherlands, however, this seems a problematic issue. Because if the detention centre's purpose is to ensure physical availability by restricting the immigrant's freedom, then this aim is executed and maintained exactly by taking away one's agency. I wonder then, how the illegal immigrants employ their agency and generate empowerment within the confines of the detention centres? In this chapter, I will argue that, from the immigrant's point of view, the process of arriving in a detention centre can be seen as a rite of passage and what consequences this bears for the immigrant's agency. In order to make sense of this process, I will guide you through the sequence of events that new arrivals have to go through.

### **ARRIVAL: THE DETENTION CENTRE AS A RITE OF PASSAGE**

“What we'll do is we'll go through a part of what the detainee has to do when he arrives”. Jan van Dalen, one of Rotterdam's head of departments, jingles his keyrings as he walks me through one of the detention centre's grey and concrete corridors. This is the hallway where illegal immigrants arrive when they are being brought to the detention center by the police or the foreigners police. The corridor is lined with white steel doors and lit by bright fluorescent lights. These are the 5 waiting rooms in which new arrivals await their registration.

Every new arrival has to go through a registration process at what Jan officially calls the 'check-in counter detainees'. “We came up with the name because our former director did not like the whole 'the Bath' approach,” he tells me as we walk through the main corridor of the registration desk. Jan probably notices the surprise on my face and matter-of-factly adds that “the whole prison system calls it 'The Bath'”. He explains that the concept stems from the penitentiary institutions of former times, where, upon arrival, people were so dirty that they literally had to be put in a bath to wash off the filth on their bodies. There were actual bathrooms present and the guards in charge of this process were called the bath superintendants (*badmeesters*).

Currently, the Bath does not include actual baths anymore. Instead, every new arrival is guided through a procedure of the registration of the new arrival. The immigrant takes a seat on a small stool. On the other side of the desk, one of the employees of the administration

department digitally registers the new arrival's name and personal and biometric<sup>15</sup> information in the central system. The employee takes his fingerprints and photographs him in a way that reminds me of police mug shots. Jan tells me I should think about this part of the process as similar to the registration of civilians with Civil Affairs when they move into a new city. Just like the municipality, the detention centre carefully keeps a record of its population.

"Once they are admissioned, the colleagues of the check-in counter, or the bath superintendants, take all your possessions," Jan continues. In what looks like a regular office, the new arrival sits at a desk facing one of the guard commanders. There, the immigrant hands over all his or her<sup>16</sup> personal possessions for review. The guard commander places them in big plastic bags and locks them away in a big depot. The immigrant can retrieve them when he leaves the detention centre again.

The immigrant is then led into a room filled with a machine that takes up half of the space. Jan explains to me, with a sense of pride in his voice, that Rotterdam is the first detention centre to put the body scanner into use. Every new arrival has to take place in front of the machine to make a full body scan. This way the guards can locate and remove any contraband, i.e. forbidden goods, in order to prevent that new arrivals smuggle it inside. "Then you're clean," Jan concludes.

The course and function of the Bath is related to what Van Gennep (1960) describes as '*the rite of passage*'. "The life of an individual in any society," he (ibid.) says, "is a series of passages from one age to another and from one occupation to another". In order to overcome the incompatibility and the transition between these different stages or statuses, a man must pass through an intermediate stage. According to Van Gennep (ibid.), the ritual serves as an ensurance that the individual is properly guided through the intermediate stage in order to resurface in his new position or social status.

The ritual of detention is initiated when the illegal immigrant is arrested on the streets or in his home. This event can be seen as *the separation stage*, which constitutes a detachment of the individual or group "from an earlier fixed point in the social structure" (Van Gennep, 1960). In this context, it means that the illegal immigrant is physically separated from society as the police handcuffs him and transfers him to one of the detention centres.

The arrival of the illegal immigrant in the detention centre marks the beginning of the ritual of the Bath. As Jan already explained, the Bath serves to incorporate an illegal immigrant in the population of the detention centre. Or, in other words, the Bath marks the transition between the

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<sup>15</sup> Biometrics is the process by which a person's unique physical and other traits are detected and recorded by an electronic device or system as a means of confirming identity (dictionary.reference.com, 2014).

<sup>16</sup> For the sake of the flow of the story, I shall hereafter indicate the illegal immigrant with 'he' or 'him'. This does not mean that there are no female illegal immigrants in detention centre. At the time, there were 7 female detainees in the women's department.

social status of illegal immigrant and that of detainee. During this *transitional stage*, Van Gennep (ibid.) argues, the individual has left his former self behind. At the same, he has not yet become or has not yet acquired the new self (Van Gennep, 1960; Turner, 1964; 1969). This means that a new arrival that is going through the Bath is neither illegal immigrant, nor detainee. Thus, the Bath serves as a facilitating tool, a ritual, to regulate the transition of the new arrival between statuses.

The final stage of the Bath constitutes that the new arrival receives a personal card and corresponding code that he can use to make phone calls or buy groceries with the money that every detainee weekly receives on the card. This gesture marks the new arrival as officially being a part of the prison population and corresponds to Van Gennep's (ibid.) '*reintegration phase*' wherein the individual reintegrates into society by acquiring a new title, status, position, or, in this case, location (Van Gennep, 1960). Thus, the illegal immigrant is no longer an 'illegal immigrant' or 'new arrival'. He is now a 'detainee' and part of the detention centre's micro society.

### **BETWIXT-AND-BETWEEN**

The Bath can be seen as a minor rite of passage that supports a larger ritual in which the detention centre serves as an administrative measure to ensure the detainee's departure to his home country. The reintegration into the detention centre's society, then, does not constitute the *grande finale* of the rite of passage of the detention centre. Instead, from the government's ideal point of view, the final destination is reintegration into one's home country. This means that the detention centre as a whole can be seen as a transitional phase wherein the illegal immigrant is transferred from being an illegal immigrant to being a citizen in his home country. Thus, the detention centre functions as a temporary waiting room for the illegal immigrant in transition.

A couple of weeks after I visit the detention centre near Rotterdam Airport, I am sitting in the office of the SNDVU in Utrecht. From across the table Joseph, a middle-aged man from Togo, tells me about his experiences in the detention centre of Schiphol. He is frowning, which gives his face a serious and solemn expression. His gaze is piercing and every once in a while he slams his fist on the table. Frustration and agitation resonate through his tone of voice.

"I was in prison I think december 2006. And they detained me 2 months, 3 weeks and they took me back to Africa. They brought me back to the Netherlands because they did not use the right document, they used a fake document. The authorities said that 'No, this laissez passer is not issued by Togo embassy'. So where did they get the laissez passer? They took me to Togo the 14th of March and brought me

back the 15th of March. Then they put me in detention again at Schiphol-Oost for two weeks.”

Joseph’s story bears witness to the fact that the detention centres and the involved authorities often fail in successfully evicting detained illegal immigrants. According to Justitia et Pax<sup>17</sup> estimates that 6000 to 10000 illegal immigrants are detained in a year. The National Ombudsman (2012) adds that about 50% of those immigrants are successfully sent back. The other 50% consist of those who are thrown out into the streets and immigrants, like Joseph, who are refused admittance and/or citizenship in and by their home country (ibid.). More often than not, the home country’s border control sends them back to the Netherlands because of unlawful or insufficient documents that are proof of the immigrant’s ethnicity and nationality (ibid.). As a consequence, Joseph is forced to take the first plane back to the Netherlands, where he finds himself back in illegality and where he is prone to being put in detention all over again. Unfortunately, this is not an individual case, as it often happens that illegal immigrants are repeatedly detained.

Ibrahim is about the same age as Joseph. He comes from Sierra Leone and is a very energetic and talkative man. He has been in the Netherlands since 1998. He tells me about how he experienced his three separate times in detention.

“When I was there [...] the first four months [...] I don’t talk to nobody, I was only within myself [...] because I see it like I’m nothing. [...] Every-thing, my future, I don’t see nothing, I was just really disappointed. So it’s like, I don’t know what’s going to happen. Send me back to Africa, I was getting to school like my colleagues my friends, what am I going to do? So it was like, my head was really mixed up.”

The space of the detention centre restricts the men from moving forward to their home country and from going back to the streets of Utrecht. They are ‘put on hold’, to say it boldly, in a spatial but also in a social manner. Because their stay in detention can span over months on end, people like Joseph and Ibrahim find themselves in a prolonged state of transition between the identity of foreigner and citizen. As Ibrahim shows, this continued state of transition and uncertainty causes great confusion and frustration.

The prolonged transitional phase means that the illegal immigrant finds himself in a state of being ‘betwixt-and-between’ identities, or as Turner (1969) calls it, the *liminal phase*. ‘*Liminal*’

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<sup>17</sup> Justitia et Pax, “Human Rights in Dutch Detention Centres”, website, date of publication unknown, visited on June 23, 2014.

comes from the Latin 'limen', meaning 'threshold'.<sup>18</sup> People in liminality, also known as *liminoids*, lack a social reality because they are in between statuses or positions. Here, this means that the illegal immigrant does not possess the social status of refugee nor that of the citizen. In other words, he lacks a national citizenship and can therefore not claim the protection of a nation-state nor its civil rights (Ahrendt, 1973). Without this legal existence, Ahrendt (ibid.) poses, the illegal immigrant is thrown back at being a "pure human in itself" and therefore a depoliticised body (Ahrendt, 1975; Agamben, 2000; Khosravi, 2007). This condition is what Ahrendt (ibid.) describes as *the abstract nakedness of being human*. The concept stands for the absence of the illegal immigrant's social identity: he walks without civil rights and is therefore reduced to the presence of his mere physical body.

### THE 'NOTHINGNESS' OF DAILY LIFE

"I felt very bad. What we eat sometimes you know they would treat you something like I'm- I mean the way they treat the animals is much better than the people you know? 'Get in get in get in!' You know?"

Above, Ibrahim shows how he has experienced his treatment as degrading and humiliating. Amadou shares a similar view, as he says, "The last time they put me in isolation maybe two weeks, three weeks I am in isolation. You see. Is not good also. They think [...] I am animal".

Hamid in particular experiences his detention as very unfair and something he could "never accept". What's more, he describes his stay as being in "prison" because "the guards guide you everywhere". Ibrahim's experience of the daily life displays a lack of purpose and physical and intellectual limitations.

"You are not allowed to do anything here that's useful. There are no courses, not even through the computer or something like that. You are just spending your time. One or two hours a day we are allowed to go outside. One hour for visits, sometimes two hours each week. You eat in your cell. One hour of sports, one hour in the library. You live from hour to hour."

Jan, a head of department, adds that detainees do not have the right to follow an education or have a job. They can make use of the sports activities or religious services, but they always have to abide by the routines and rules of the detention centre. In an attempt to make sense of it

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<sup>18</sup> Merriam-Webster, website, visited on May 24, 2014.

all, the men seem to relate their bad treatment and restricted freedom to their identity and sense of self.

“Why you take me and put me in the jail? I am four years here [...], I don't have any problem for nobody. [...] I don't understand nothing, is very very difficult for me. [...] Only I do nothing and they take me.”

Amadou doesn't understand why they put him jail, because he did nothing wrong and his incomprehensible situation deeply frustrates him. In the stories of the other three men, and also in the documented accounts of ex-detainees, I encounter similar perceptions. In the documentary 'The Prisoners of Building 4' (2012), Kabas from Sierra Leone talks about his 9 month detention in Zeist.

“When I was there, I went crazy. Because you're all in jail but you've done nothing wrong. You want to participate, but they don't give you a chance. Those people are not criminals, no thieves. They just want to participate”.

Hamid, a light-hearted young man from Eritrea, expresses a similar view as he says, “You're not criminals. I am willing to go back, I've done nothing wrong”. Here, the effects of the dominant narrative of criminalisation become visible to the extent that Kabas and Hamid experience their treatment as the one that criminals would receive. They are no criminals, but because of the detention centre's regime, they are expected and forced to behave as prison inmates. Consequently, the men perceive themselves as being treated “like animals”, having “no future” while having done “nothing wrong”. In other words, they are non-citizens *and* mere nobodies who possess even less rights than animals.

Because detained illegal immigrants are neither citizen, nor foreigner or refugee, they can not be categorised in any existing social categorization. This *liminoid* condition can be perceived by the state to pose a threat to the established order because the state cannot legally exert its power over liminoids (Turner, 1969). Subsequently, Turner (*ibid.*) poses, “they have to be hidden, since it is a paradox, a scandal, to see what ought not to be there”. Thus, a physical space is employed to ensure control over those who essentially can not be controlled.

If the detention centre is a manifestation of such a place, then it is an example of what Turner (1969) dubs a *liminal space*. This is a place where the usual rules of conduct temporarily fall away and that functions as a “venue and occasion for the most radical scepticism [...] about cherished values and rules” (*ibid.*). It means that a liminal space allows actors to enact fantasies

and/or subverted behaviour, one in which they can act out their agency because of the temporary absence of the usual rules of conduct.

The possibility to freely reflect on the established order carries a significant risk. When liminoids are allowed to freely reflect on the society's standing, the outcome or conclusion can give rise to a rejection of the established order once the individual reintegrates in society (Turner, 1964; 1969). This renders the liminoid an actor as an imminent threat. Therefore, to prevent the transitional actor from damaging society, he needs to be kept in control. Here, one of the roots of the criminalisation of the illegal immigrant might show its face. Because if the illegal immigrant is perceived as an imminent threat without any direct cause, the state needs a valid reason for the way it tries to regain control over him. By criminalising the illegal immigrant, the state legitimises the implementation of freedom restricting measures such as the detention centres. These measures are portrayed as a way to ensure the safety of the population against these 'criminal' immigrants and as an insurance that the state is in control of them. Thus, the criminalisation of illegality functions as a legitimation of the enforcing and freedom restraining form of control under the disguise of the detention centre.

If Turner's (1969) ideas hold true for the detention centres in the Netherlands, then a certain ambiguousness arises in connection to the illegal immigrant's agency. On the one hand, the detention centre can give rise to certain forms of agency that would otherwise not be generated outside its context. However, simultaneously, the liminality in the detention centres is constructed through certain power mechanisms that seem to limit the enactment of agency. The men's experiences of being nothing, being treated as nothing and not being allowed to do anything useful, seems to underline the latter assumption of the restriction of agency. This leads me to wonder if and how the illegal immigrant has the space to act on his agency within the liminal space of the detention centre.





## Power Play

The form of power I am addressing here is one that is embedded in the dominant narrative of criminalisation. My belief is that this power and the subsequent resistance surface in the everyday practices of detention centres. To understand the illegal immigrants' possibility to act out their agency, it is important to try and understand the power structures that are at play within the detention centres. In this chapter, I will look at how power is played out from the top-down through the routines and ideas that make up for the detention centre's regime.

In order to understand the power that is at play and the consequences this bears for the illegal immigrants in detention, it is useful to start with what the concept of power exactly means. Because of my emphasis on the illegal immigrants' perceptions and experiences throughout this thesis, it might be useful to use an agency-based theory of power as a point of departure. This kind of theory sees actors as "autonomous agents capable of wielding or being dominated by power" (Gaventa, 2003; Piven, 2008). In short, this means that the actor is not a passive subject to structural powers, but an individual capable of making choices and acting on them.

Multiple theories and debates have sprouted from the motivation to unravel the complex notion of power. These theories aside, I want to follow Frances F. Piven's (2008) chain of thought in which she favours the Weberian understanding of power. Power, she (ibid.) states, is "the ability of an actor to sway the actions of another actor or actors, even against resistance". In this chapter, I will try to set forth how the employees within the detention centres carry out power over the detainees by exploring two distinct power components that make up for the power structures. First of all, the *power routines* constitute the execution of specific practices and rules concerning the organisation of the daily life within the detention centres. Subsequently, I will turn to the *power ideas* that prevail in and that are performed by the employees. By zooming in on these two power components, I hope to show how detainees are subjected to practices and routines. In the next chapter, I will set forth what this means for the enactment of agency and whether bottom-up power follows the same twofold structure.

### **POWER ROUTINES: THE ORGANISATION OF DAILY LIFE**

Detention centres can be seen as liminal spaces, betwixt-and-between, in which the norms, values and customs of everyday life are temporarily suspended. The usual rules of conduct do not apply here. Instead, they are replaced by the detention centre's specific code of conduct.

Every day, the doors of the cells are locked at 5 pm and they are opened at 8 in the morning. Each morning before the doors open, the medical service hands out the medicine through the porthole in the door. “Everybody is obliged to take a cup of water to the door”, Sarah, one of the nurses, explains to me. Because “some of them have tricks to get them out again”, for example by hiding the pills under their tongue, she has to make sure that each detainee puts the pills in his mouth, takes a sip of water and swallows.

The cells contain a microwave, water boiler, television screen, a small desk, a bunkbed, a cabinet and a bathroom with a door that cannot be locked. The one window at the end of the room is blinded. If it was not, there would not be much to see except for the thick concrete inner wall that separates the courtyard from the moat and the exterior wall. The detainees have no say about their roommates and thus it happens that people are living together while they do not speak the same language.

Detainees cannot move freely outside of their department and only have regulated access to the courtyard two times a day for two hours. Every visit to the gym, religious service or creativity room is accompanied by at least one guard commander and set at specific times and frequencies. Each day, the detainees receive free meals that they can warm up with the microwave in their cell. If they want to eat something else, which often happens because of cultural habits or taste, they can buy it in a digital grocery store that delivers the ordered groceries weekly.

Every detainee receives ten euros a week from the detention centre to buy food or to make – not receive- phone calls. Visits from friends or family are only allowed for the course of one hour and in the special visitor’s area that is under the close watch of three guards. During this hour, the detainees are only allowed to briefly make physical contact. Jan tells me that this is because some detainees are very skilled in smuggling contraband inside, i.e. forbidden goods, through their family or friends. It has happened that relatives were hiding forbidden goods under their long hair, only for the detainee to give them a hug to fish the contraband from their necks. Therefore, physical contact is only allowed to a certain extent and cameras are placed to keep an extra watch on the detainees and their visitors.

Through the daily routines and rules of conduct, detention centres take the form of penitentiary institutions: detainees are subjected to daily schedules, restricted spaces, set procedures and predetermined provisions.

“It’s like, when you are put in a confinement that you’re not free to [...] go out, not free to do things on your own, [...] they close you, they open you on a particular time. I call that a prison.”

Ibrahim demonstrates how he perceives the rules that are specific to the detention centre. Its limiting and restraining characteristics lead him to experience the detention centre as a prison and a place where he is not free to go where he pleases. Thus, it seems that the power routines translate into a regime that undermines the illegal immigrant's autonomy, generates feelings of suppressiveness and deprives them of the ability and control to make personal choices about their daily lives ('Chained Care' report, 2014). It also suggests that a certain hierarchy is at play, in which the guards are standing on top and dominate over the illegal immigrants below.

Joseph tells me about the time they wanted to send him back to Togo. "I spend two months and three weeks like I told you and then they brought me to Rotterdam airport". He believed this forced return was unlawful, but his request to speak to his lawyer was denied by the employees. His subsequent incomprehension and anger lead to a physical confrontation with the guards. "Not one of them but two, and then no matter how strong I am I can not fight ten people. So they really struggle with me and I struggle with them," he says and he shows me the scars on his arm and his belly that they caused. "So, that's how it happened," he continues, "and I struggled and they put me in the flight". His tone of voice is calm and strong, but it echoes with mockery.

If a detainee chooses not to comply with the power routines, the guards have the authority to use force, call out the weapons and/or the special troops in order to restore order. In the case of open collective rebellion, the specialised Internal Assistance Team ('Intern Bijstands Team', from here on IBT), the military unit of the detention centre, has the responsibility to bring detainees back under control. For this, the IBT has several means at its disposal. Jan, a headmanager of department, says,

"[An aggressive individual] can get a time-out, that means he is placed inside his own cell; he can be taken to the isolation cell; he can be brought under control in the most extreme cases with mechanical measures<sup>19</sup>, those are devices that leave very little damage but you are completely subdued so that you can't harm yourself or others".

Besides this, each member of the team is equipped with handcuffs, a helmet, a shield, a club and pepper spray, but the latter is only a means of final resort. If these measures do not work, the employees have the option to put the detainee in time-out, during which he is locked inside his cell for a specific amount of time. Or, the detainee is put in the isolation cell. Officially, these cells serve as a way to observe and take care of hunger strikers or to provide close surveillance

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<sup>19</sup> Examples of these devices include handcuffs that are attached to a belt, a hat made of foam rubber to prevent automutilation and a helmet that can be closed off to prevent detainees from spitting in the employees' face.

for detainees with severe psychological problems such as suicidal inclinations or schizophrenia (Amnesty International, 2008; 2010). But in reality, the isolation cells are also often used as a punitive measure to control aggressive or suicidal detainees.<sup>20</sup> Thus, the isolation cells function as a power routine to discourage any rebellion or physical resistance, thereby suppressing the detainee's body, but also his mind.

Amadou has been in an isolation cell twice, the first time for two days and the second time for three weeks. It is very painful and difficult for him to think and talk about his experiences. He struggles with his words and he keeps his head down, avoiding eye contact at all times. Dominique mentions that they had isolated him because, shortly before his eviction, he had said he would rather die than being sent back. They wanted to prevent him from hurting himself, which, Jan confirms, is the usual rule of conduct concerning suicidal detainees. It is a comprehensible preventive measure in theory, but the practice itself reveals a less protective character. "They undress you and you have to lie down on a mattress naked with cameras pointed at you, it was very intense for him", Dominique recounts. Amadou only mentions the isolation cell very shortly and with extreme difficulty. "Every time I'm in detention they put me [in] isolation", he sighs. "Now I run away from my country to come here, now the people from here want to give me my death. [...] Is like that. Is life". Eventually, he remains silent for several seconds and it speaks even louder than his words.

### **POWER IDEAS: "THE MIND GAME"**

"They tried to deport me over and over and over. They said, 'Oh you are going tomorrow'. I said, 'Okey'. Then later they come and they say, 'Oh no you are not going you have a [medical] problem'. I said 'But I told you that I have a medical problem, I don't want to talk about that. I can only explain to the medical team. You're not a doctor, why should I explain to you? It's personal. I can not explain to you. So, what you want to do? I don't understand you'."

Ibrahim's story does not end there, as he adds that he has to point out to them that he has a medical problem and can therefore not be sent back, and definitively not to Ghana whereas he comes from Sierra Leone. His example shows how the practices of the immigrant policies are executed in the dialogues between the immigrants and the employees. Thus, power is not only

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<sup>20</sup> Amnesty International has repeatedly criticised the use of isolation cells as a punitive measure, which is considered to be inhumane, disproportionate and a violation of international human rights (2008; 2010; 2011; 2013).

present in the routines, but also in the ideas that the employees' words convey in these dialogues.

The men continuously perceive and experience biased stories that the IND and other state officials project on them. At the same time, the IND representatives do not want to listen to their side of the story, and will act on their own presumptions. Ibrahim gets so worked up in reliving these situations, that he literally says that he "can not even think about this because I am getting really frustrated". Nonetheless, he tells me about one of his conversations with the IND and gets even angrier as his story progresses.

"I have a 1-F, that's why I don't have the general pardon. [...] 1-F is something like you come from a war zone, you are accused of like you have military affiliation of some sort, that's what IND says. No. It's not what really happened. [...] They said 'What I was doing eh during the war?' I said 'No, why are you imagining things that aren't me? I told you I was in football, I played football'. They were imagining a lot of things about me. I was like, 'You don't know me!'. They said, 'Yeah you look very strong, agile, those days I think you did something in the war, why don't you want to tell us?'"

Here, the IND implies that Ibrahim is a war criminal. It seems they already believe their own assumption, because they convey the message that it is Ibrahim who is lying. They translate his contestation of their message as an admission of guilt. The IND's words are not merely a description or a question, rather, they seem to possess the ability to force a frame of criminalisation on Ibrahim. Austin (1962) poses that,

"The uttering of the words is, indeed, usually a, or even *the*, leading incident in the performance of the act [...], the performance of which is also the object of utterance."

What Austin (ibid.) says here, is that words are not merely the vehicles of messages, but they are also performative. To utter a sentence is not to describe the act, but it is also to do it. Austin (ibid.) calls this type of sentence or utterance *a performative*, but because these performatives have the ability to impose the IND's will on Ibrahim, I want to designate them as *power ideas*.

The effects that power ideas can have on the illegal immigrants, also surface in Joseph's words. He tells me about how the government tried to send him back to Togo with fake documents. When he arrived in Togo, the ambassador sent him straight back to the

Netherlands because his documents were forged. Not by himself, but by the Dutch government. With his voice swelling into anger, he says,

“If I brought a fake document, what would you say about me? The next following day where are you going to see me? Not in the detention centre, if it is in the detention centre then I’m hidden. They hide me. They will bring me in the newspaper. The whole Netherland I will be in front page of *krant*. ‘Look that African he bring a fake document’. [...] So is there justice here? No. If I do like that, you say, ‘Look that African, he steals, he’s a *liar*’.”

What is significant here is that the power ideas of criminalisation that are embedded in the dominant narrative seem to lead to Joseph’s adoption of these ideas. He is fully aware of the fact that people in general assume he, the illegal African immigrant, is a bad person and a criminal.

The way the men talk about their perception of the dominant narrative, reveals the consequences it can have on the psyche of the illegal immigrant. Khalid says “I have no power to stop them. I am against it but I have no power to stop it”.<sup>21</sup> At the end of his interview, Hamid raises a remarkable issue. “The body can be fine, but the brain can be damaged. The game is played in the mind”. Hamid explains “You have no choice, no control, [...] you’re powerless. [...] The power is taken away from you, and regaining power is difficult because we are still illegal.” Hamid’s words demonstrate that the power ideas of the IND are dominant, suppressive and, above all, effective. The effectivity of the IND’s power ideas reveals itself in the aforementioned words spoken by the men. They literally say that they believe they have no power to “win” the IND or the guards.

The mind game thus entails that the IND’s power ideas are not only dominant, but that they are also able to transform the minds of these men by making them believe they are powerless in and of themselves. It seems that once the illegal immigrant realises that his story cannot “win” from the power ideas, he submits himself to its dominance. In fact, this means that through blocking the immigrant’s story, the IND has the ability to sway his will and force his submittance. As a consequence, the men demonstrate that they make the choice to refrain from any contestation and to remain silent instead, because they can never win anyway. Thus, the power ideas that the dominant narrative brings forth and that are executed through the words of state officials are so effective, that they eventually lead to the silencing of the illegal immigrants in detention.

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<sup>21</sup> “The Prisoners of Building 4”, Zembla documentary, January 20, 2012.

The power structures that are at play within the Dutch detention centres, in the form of *power routines* and *power ideas*, can be characterised as dominant, oppressive and effective in their execution. For the illegal immigrant this means that his agency is limited in two ways: first of all the threat of punitive measures -the *power routines*- discourages any attempt to retaliate, and second of all, the effectiveness of the *power ideas* makes the men truly believe and experience the powerlessness that is forced upon them by the IND and detention centre employees. I wonder, however, if these men are indeed powerless and if not, whether their agency follows the same structure as those from the top-down.





## Subversive Practices of Everyday Life

In the previous chapter I argued that top-down power structures are so effective, that they render the illegal immigrants in detention powerless. However, if Scott (1985; 1989; 1990), Giddens (1984) en Piven (2008) state that every actor, dominant or suppressed, possesses agency and thus the possibility to exert power, I want to explore whether these assumptions hold true for illegal immigrants in detention as well. Therefore, in this chapter, I want to explore whether and how these men attempt to retaliate and act out their agency to establish empowerment. How do the detainees deal with the oppressive power structures in which they are positioned as the subordinated group?

Just as Giddens (1984) and Scott (1985; 1989) argue that each actor possesses agency, so does Frances S. Piven (2008) state that each actor carries the potential to enact that agency and generate empowerment, i.e. the ability to convert choice into action. This is because, according to her (ibid.), power does not only lie with the dominant party, but also with the suppressed one. This is what she (ibid.) calls *interdependent power*. In this case, illegal immigrants form a part of the interdependent power network that shapes and directs society. For this network to remain whole, people depend on one another to comply with the norms of civic life and to play according to the rules. But this compliance is not necessarily met without resistance. Piven (ibid.) states that “people have diverse (and contentious) ends, and because they are at the same time social and cooperative creatures, they will inevitably try to use their relations with others in pursuit of those ends, even against opposition”.

### ACTS OF RESISTANCE

The power structures that are at play within the detention centres are aimed at maintaining strict control over the illegal immigrants in limbo. In the following example, Jan demonstrates how detainees can physically contest the dominant power routines.

“One time we had a problem at the end of the religious service and there was a very big gentleman who did not want to go in the direction we wanted him to go. Well, I stay very calm and I say, ‘Sir, you are going over there’, and I direct him in the right direction by standing right in front of him while he is trying to get around me. “

In the end, the detainee refrains from entering an actual conflict, possibly because Jan holds on to a peaceful resolution of the situation. Although the man is not able to sway Jan's will, this small but significant act of resistance does show the existence and possibility of empowerment.

Jan tells me that, from time to time, rebellions arise that are of a more violent nature. He himself witnesses an uprising of 40 men who, after their usual hour in the courtyard, refuse to go back inside. When Jan arrives, he sees that some men are binding shards of glass around their hands and that some of them are passing along broken bottles. He and his colleagues decide to target the leaders to disband the group person by person, "because if we step back, then it's over". From his story, it appears that no violence erupted because of the employees' approach of "bringing [the detainees] under control". However, it remains unclear as to whether any violence was used at all, albeit on a small scale.

Joseph's perception of the guards' controlling measures, however, suggests a more violent approach. When ten guards want to deport him, a struggle arises because he refuses to surrender.

"While I'm talking this people start harassing me. You know. Not one of them but two, and then no matter how strong I am I can not fight ten people. So they really struggle with me and I struggle with them [...] Look, see. They hit me here. [...] They mashed me down like this. If you see my hand all like here. At the end of it, they used handcuffs and handcuffed me you know."

Joseph rolls up the sleeve of his right arm and shows me where he got hit. Several dark scars stretch out over his elbow and his upper arm. "So that's how it happened". He rubs over the scars with a solemn look on his face. Initially, Joseph chooses to not comply with the dominant power of the guards but to fight back and act out his agency as a countering power. What he essentially does, is that he withdraws from the social cooperation between him and the guards. By refusing this cooperation, Joseph impedes the guards from influencing his will and deprives them of their usual ability to execute their power. Thus, by thwarting the interdependent power between the guards and himself because of Joseph's withdrawal of social cooperation, the dominant power routines are deemed powerless.

In order to maintain its power, the employees need strong power routines to prevent the social cooperation from breaking down. Essentially, it's just like Jan says: "If we step back, then it's over". The effectiveness of these power routines manifests in Joseph's story as well. He experiences that his resistance leads to serious physical damage. Therefore he has refrained

from partaking in any strike, rebellion or resistance ever since, as he does not want to take the chance and “shock my life simply because of *this*”. What fortifies the apparent effectiveness of the power routines is that, besides Joseph, none of the other men speak about any similar engagement in physical conflicts. Hamid witnesses a couple of fights, but he has not been a part of any of them. He explains, “sometimes people fight with the guards, but, you’re powerless. You have no choice, no control. Power is taken away from you”. Thus, Hamid portrays that the effectiveness also stems from the knowledge that leg traps, violence and the isolation cells pose a considerable threat. Because of the physical and psychological damaging effects of these dominant power routines, the choice to not resist and to comply is more beneficial than the possible execution of the detainee’s power. Thus, the power routines of resistance are and can be the detainees’ tools of empowerment, were it not for their continuous disarmament.

When I ask Joseph if he tried to challenge the power of the guards after his initial fight, he raises his hands in the air and says,

“What will I do? We are already in their hands. [...] So, you have to obey them. If they say ‘right’, go right. If they say ‘left’, go left [...]. He can beat you and then later he will go and write his statement and then your people will send a review. [...] If any prisoner fight a security they call the bewaking (security, red.), they give a statement [and] they will give him 100% right in advance. Because he’s bewaking.”

## **THE WAR OF IDEAS**

The stories of Joseph and the employees show that detainees do occasionally establish agency through power routines in resistance to the dominant power of the regime. However, what also surfaces is that the consequences of these routines of resistance are too disadvantageous in relation to the benefits. The same basic assumption seems to hold for the way detainees try to resist by using words to try to counter the dominant power ideas. Initially, Ibrahim, Amadou and Joseph try to persuade the guards with their words. The following excerpts reveal the stories they tell in trying to counter the power of the guards, mostly when their eviction is at hand.

“One day suddenly early in the morning, the people came to me, almost ten of them, that ‘I should pack my things I should pack my things’. They are bringing me to Africa. But how? They said so no need of conversation, no need. I said, ‘No, it’s impossible, I need to talk to my lawyer’. They said, ‘No’. I said, ‘No I can, I can talk to my lawyer’.” – Joseph

“So they took me out late in the evening, they drop me somewhere at the station in Utrecht. So I said, ‘So now, where am I going now? Eh? You don’t make any provisions for me, I was in the AZC (the centre for asylum seekers, red.), you put me out of the AZC, I lost my place. I don’t have a room, no contact nothing’. The driver said, ‘I’m doing my job, I’m just a driver, so sign this paper that I drop you in Utrecht, that’s all I have to do. If you want to do anything you can call your lawyer’. I said, ‘Shit’. So I signed the paper and I move on.” – Ibrahim

“So I ask them again, ‘Where did you people get [the fake] laissez-passer<sup>22</sup>? And you’re taking me to Africa? Why did the ambassador did not issue the laissez-passer?’. They don’t even want to listen to my side. No. They don’t want to listen to my side.”

During the last few words, I see Joseph’s eyes wandering around the room. As his mind is processing the memory once again, he adds with a low voice, “I said nothing anymore”. After his initial fight and the incident with the fake laissez-passer, he does not try to stop the guards anymore because they will not listen to him. Instead, they will say: “You illegal, that you do have nothing, what do you think, do you ever think you will win the bewaking? Never! Let’s be honest, you can’t!”. He knows he does not have the power to retaliate “simple because of paper. Simple, because of *paper!*” His voice swells into a roar and he slams his fist on the table while trying to swallow his anger.

The aforementioned quotes show how some of the men describe that they tried to contest the unfair treatment they received by confronting the employees with their malpractices and pointing out the absurdity of the procedures. Ibrahim, for example, says that the employees prepared him for his departure. Only hours later they return to his cell to tell him he won’t be deported after all because of his medical condition. His frustration echoes through his voice as he tells them, “But I told you I have a medical problem!” and finishes with, “I don’t understand you!”.

Despite of the dominance of the power ideas and the imposed feelings of powerlessness, men like Ibrahim and Joseph do try to counter the IND’s and employees’ power. Since most of

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<sup>22</sup>A laissez-passer is a replacing travel document for immigrants who are not in the possession of official documents. The Dutch government can issue a laissez-passer if the country of origin of the immigrant in question can be established and if the country in question cannot do so itself. With a laissez-passer, an immigrant can travel back to his home country without his official travel documents (European Migration Network report, 2009).

these conversations are centered on the issue of their illegal stay and thus their future, it is crucial for them to at least try to gain some control and influence over their own lives. “I told you that I went to court, I’m waiting for decision,” Ibrahim says as he tries to contest the IND’s message that he has to leave to the country. “I have a medical problem. Yeah, you can deport me if you want but I think it’s against the law.” However, the IND keeps answering that “You have to leave”, “I don’t believe you”, or “Why won’t you tell us the truth?”. Ibrahim’s words, and thus his power, get blocked because he is not able to sway the ideas and the will of the IND.

These stories illustrate how the immigrants’ voices, in an attempt to resist their treatment, are continuously blocked by the dominant power routines and power ideas of the IND, the detention centre’s employees and other involved professionals. In the previous chapter I stated that the dominant power ideas make the immigrants believe they are powerless. Here, by zooming in on the immigrant’s acts of resistance, it becomes clear that the continuously blocking of their acts of resistance by the IND and the employees, makes the men *experience* they are powerless. Thus, this type of resistance proves to be highly unfavourable because of the effectiveness of the dominant power structures.

### **EVERYDAY FORMS OF RESISTANCE**

Scott (1985) poses that the risks and possible life threatening consequences often discourage subordinate groups from executing acts of resistance. In the case of the illegal immigrants, their access to the execution of resisting practices is thwarted by oppressive power routines and power ideas of the detention centres. Joseph’s story, and the fact that the stories of the other men do not show any attempt to employ their agency in resistance after they experience its ineffectivity, seems to support Scott’s (ibid.) claim that open resistance is perceived by the subordinate group to be very disadvantageous and detrimental.

In Scott’s (1985) theory on the ‘Weapons of the Weak’, he reacts to the disproportionate focus on open political action and why certain groups resort to violent and others to non-violent forms. This view on political action, Scott (ibid.) states, is too narrow. Therefore, he calls attention to a specific kind of politics that can be found within subordinate groups, a phenomenon that he (ibid.) calls “everyday forms of resistance”:

“Everyday resistance is being used against a party of greater formal power [...]. [S]uch resistance is virtually always a stratagem deployed by a weaker party in thwarting the claims of an institutional or class opponent who dominates the public exercise of power.”

Scott (ibid.) identifies these acts as the “first resort” of subordinate individuals to counter a dominant powerholder in situations in which open resistance is impossible or entails mortal danger. Instead of visible political resistance, subordinate groups or individuals can dwell in a more hidden realm in which political conflicts and struggles over power are being played out.

Every morning, Sarah distributes the detainees’ medication. The detainees are supposed to bring a glass of water to the portholes. Sarah tells me that sometimes detainees do not bring water and even refuse to do so when she asks them again. She tells them, “You know what the rules are: a cup of water. I have to abide by the rules, but so do you”. In recounting this story, it seems Sarah does not recognise this act as resistance. Instead, she identifies it as a way of the detainee to “try” her limits, to provoke her. She does not display any awareness that this act might contain a political implication. The act of the detainee to not bring a cup of water might be a way to generate and establish a sense of power in a situation in which the detainee is expected to abide by the rules.

According to Scott (ibid.), everyday forms of resistance “require little or no *formal* coordination let alone formal organisation”. The hidden, covert and individualistic characteristics bear the effect that these everyday acts often go unnoticed. This is beneficial for the subordinate, as these acts are meant to avoid detection in order to act out resistance despite of the dominance of the prevailing powerholder. As such, as Vinthagen and Johansson (2013) state, everyday acts of resistance can be viewed as “hidden subversion”. Refusing to bring a cup of water might seem a insignificant storm in a glass of water, but it illustrates the shape in which hidden resistance can appear.

Another example is the way the men appeal to their lawyers in contentious situations. When Joseph and Ibrahim feel they are not being heard when contesting their eviction, they invoke their right to summon their lawyer. Sometimes, their request is denied and the access to legal assistance is blocked by the employees. But sometimes they are granted this right and are able to strengthen their position in a legal manner. These acts demonstrate that they can make use of a political kind of power and that it can be effective. Moreover, this shows that the men know that playing by the rules of the game might be a more effective form of resistance because of its legal nature.

According to Scott (1985), it follows that everyday acts of resistance are not intended to bring about revolutionary changes. Instead, he (ibid.) argues, most everyday tactics, originate with the actor’s estimation that it is more beneficial to evade the dominant powerholder or to tiptoe around it, than to contest and change it up front. For the detainees, this means that the tactful acts of everyday resistance are necessarily acted out within the space of the powerholder. Or, as De Certeau (1984) puts it, “the place of the tactic belongs to the other [...] without taking over

its entirety". Similarly, the illegal immigrants' resistance is disguised under the coat of the very everyday practice that is constructed and directed by the dominant power routines.

De Certeau (1984) poses that individual practice can be seen as a micro reflection and convergence of society's dominant discourses that take place at a macro level. "Each individual is a locus in which an incoherent (and often contradictory) plurality of [social] determinations interact" (ibid.). This relates to Piven's (2008) notion of interdependent power wherein the individual is embedded in a broader network of institutions by which he is influenced but which he also influences himself. For example, the illegal immigrant is the subject of the detention centre's regime, but the regime only functions by the grace of his compliance with it. Therefore, individual everyday practices constitute the adaptation of dominant norms and values by employing them and escaping them without leaving them (De Certeau, 1984). The societal structures, and the power structures embedded within them, converge in *and* depend upon the individual's performance of the practices of everyday life. From the individual's points of view, the illegal immigrant is not merely a subject of the power structures, but he also shapes them by employing them for his own ends.

According to Piven (2008), each party needs the other to shape and uphold a social system. This means that power is situated *in between* social interactions (ibid.): the detention centre employees not only hold power over the illegal immigrants through their political mandate, the detainees also hold power over the employees because the latter need their compliance with the existing power structures. This interdependency grants both parties the possibility of power and empowerment and thus, technically, a dominant and a subordinate party do not exist. Even more so, all parties, in theory, possess power to some extent. This means that illegal immigrants in detention are not powerless in and of themselves. Rather, illegal immigrants are being *made* powerless by and through the power routines and power ideas that *claim* and construct dominance in order to legitimise and uphold a social situation in their favour and to prevent a possible alteration of power relations.

If the illegal immigrants' open resistance continuously fails to challenge the socially constructed dominance of the power structures and power ideas, then everyday acts of resistance might provide the men with a third way to restore the disproportionate balance of power relations between themselves and the involved employees. This silent limitation is not driven by revolutionary intentions, but can be seen as a means to reclaim a sense of the individual's power.

## **A NEW ARENA**

However, the men cannot think of any examples in which they tried to establish their own power through hidden forms of resistance. Of course, these four men are not at all representative and

it is possible that they did encounter or recognise the opportunities to covertly resist. Instead, when I ask them, they start to talk about the moments in which they encountered obstacles during their legal procedures and the practices of deportation. They relive the moments of convergence in which they personally experienced the suppressiveness of a system that is operating on a bigger scale. The conclusion would then be that the system of interdependent power is a fairytale in which the detention centre's regime and its power routines and power ideas are an unbeatable knight lusting for power. Indeed, this would marginalise and banish the illegal immigrant and his agency to the realm of "nothingness", as the men so often describe.

Unexpectedly, at the end of the third interview, I sense that Amadou has difficulty in answering my question about his experiences in the detention centre. I tell him it is okay if he does not want to answer it. My words echo through the air of the room and he silently stares at the table for a few seconds. But then he says,

"Is very very difficult for me. I know what I feel. I have to talk about it. Because if I don't talk, nobody don't know what I am feeling. [...] I can not keep everything to my inside. [...] When I am here (at the SNDVU, red.), I can do something."

He continues by saying that he can talk to Dominique, but that he also knows that his life is finished. "Maybe after I die," he says, "the suffer is finished." Nonetheless, he wants me to know that he believes it is important for him to share his story because he cannot bear the weight of it by himself. In reading his words now, I realise that maybe I need to look at their stories with new eyes. Maybe, they are not merely descriptions of what they experienced. As Hamid lowers his voice and drops his eyes, he tells me,

"Sometimes people fight with the guards, but you're powerless. You escaped for prison [and] you end up in prison. You have no choice, no control. Power is taken away from you and regaining power is difficult, we are still illegal".

In Ibrahim's words I hear a similar tone of urgency, one that asks me, that asks the reader to listen to what these men have to say.

"So that's the kind of situation that I'm in. So when you are illegal in Holland, if you say something they are going to get you and put you in



prison. And they put you in prison for no cause, and you don't have no voice [...]. I never had a say, in sixteen years.”

He concludes by saying that he is not the only one: “There were a lot more people there like me”. All of these people have similar problems and are in similar bad conditions, he tells me. “But, their voices are not heard”. His words, as well as those as spoken by Joseph's, Amadou's and Hamid's, seem to be a determined cry for awareness.

If the dominant narrative is visible in the terminology as used by the media and the IND and employees, than the stories these men are telling me can be seen as counter-narratives. Counter-narratives are those stories that contest, contradict or try to transform the dominant narrative that is generally accepted to be true (Bamberg, 2004). Through counter-narratives, individuals try to reposition the elements that are being ordered by and in dominant narratives in such a way that answers to their subjective experiences. This becomes apparent in the words the men speak in which they directly contradict the power ideas of the dominant narrative: “[We] only want to participate, but [we] don't get the chance”; “There is no justice”; “I did not do anything wrong”. The practice of the counter-narrative can therefore be seen as resisting the dominant narrative. It follows that telling the story according to their own experience is an act of hidden resistance, albeit in a verbal manner. Even though this counter-narrative does not bring about any revolutionary or social change, the very chance to share their stories seems an empowering tool in itself.

At the end of the final interview, as Joseph is giving his perception of the procedures within the wider system, he says with a calm voice: “So, is there justice? No”. But, he concludes, “I don't say that Netherlanders are bad. No, they are good, very very good, you know. Is the same thing, I will tell you this, not all Africans are bad people using fake documents”. His voice quiets down and a softer kind of determination shimmers through his eyes as he looks at me carefully. And he says, “Are we the same? We are not the same. Different colors. But,” he gestures with his right hand, “one people. Your culture is different, my culture is different and I know this one thing: when you go to Rome, do as the Romans do. If you can not take it, leave it. So that is how it is.”

The act of telling their story, and my act to listen to them, enables the men to re-empower themselves. Outside the detention centres and after being released, these men are still illegal immigrants. But this relative freedom offers them the opportunity to share their stories with those people who *are* willing to listen to them and who do believe their words. By being able to employ their agency without restricting factors, they are able to generate a counter narrative that is aimed at limiting the dominant narratives that prevail within and outside the detention centres. Just like the twofold structure of power and open resistance, hidden resistance also appears to

consist of hidden routines as well as hidden ideas. Because this time, their empowerment and resistance lie far outside the physical space of the detention centres and its suppressive power routines and power ideas. The counter-narratives these men generated during my interviews constitute a small and marginalised form of empowerment. It is unclear to what extent they can actually establish power and influence their surroundings and they might even seem too trivial or insignificant because of it. But every single man chose to voice his story and to consciously share it with strangers, and this silent and simple act alone constitutes a form of empowerment.

## "It's My Right"

The stories I included in this thesis are just a few of the ones I encountered during my research on the agency and establishment of power by detained illegal immigrants. Ibrahim, Joseph, Amadou and Hamid chose to confide in me to tell about their experiences that were often painful and difficult to recount. And upon leaving the SNDVU after the interviews, I realised that the words they had just spoken might be more than mere descriptions of their experiences.

The power routines and power ideas inside the detention centres have proven to be so effective, that the illegal immigrants experience and believe that they are indeed powerless and that they have no voice. Some of them were literally silenced by these power structures. Only once they were back on the streets of Utrecht and in the offices of the SNDVU, were they able to tell their story to someone who would genuinely listen to it. Thus, every single interview became an undisturbed opportunity and a tool that fortified their voice and sense of self. This simple act of articulating their experiences thus gained an empowering effect: by telling their stories to me, they not merely gave a description of their experiences, but they endowed their words with performativity. Every word they spoke transformed into the bits and pieces with which they could regain their agency and empowerment. And sentence by sentence they started to build a bigger story of their own situation and the one that thousands like them are in.

This thesis is a part of that bigger story. It is an extension of the silent resistance of these four men. It is a way for them to let their stories be known to people who have no clue about the situation they are in and about a world that would otherwise remain hidden. It is a way to spread the awareness about the flawed and suppressive system that is so effective that makes these people believe they are powerless human beings. That these dominant power structures leave them naked, with nothing to fight but their words, should serve as a serious point of inquiry within every individual as well as within society as a whole.

As a result, I hope that this thesis attributes to the manifestation of their power and that the stories of these 4 men raise awareness about the ambiguous situation that they, and more than 6000 others, are in. Indeed,

*"I'm going to tell you what I experienced here.  
It's my right.  
I'm going to tell you what I feel what they did to me."*

- Joseph

# Conclusion

Over the course of the past years, the dominant narratives about the illegal immigrants in the Netherlands increasingly took on a criminalising stance. These dominant narratives proved to be problematic, as they repeatedly seemed to negate or ignore the illegal immigrant's agency and subjective experiences. The problem that I formulated at the start of this thesis, concerned whether illegal immigrants are truly unable to generate empowerment in the Dutch detention centres.

The detention centre can be seen as a transitional space that socially and physically marginalises the illegal immigrant in order to ensure his passage from being a stranger, to being a citizen in his home country. Turner, following Van Gennep (in Turner, 1969), posed that the subsequent liminal character of the centres can give rise to a temporarily replacement of the usual rules of conduct by the centre's own regime. In the case of the illegal immigrant, this helped me to understand that a liminal space can give rise to alternative forms of agency. However, the power structures that prevail within the detention centres seem to be directed at restricting every enactment of agency.

This restriction is established through the employees' enactment of the power routines and power ideas in their daily practices. Together, these routines and ideas form a power structure that derives its power from the dominant narrative of the criminal illegal immigrant that prevails throughout the Dutch society. Austin's (1962) notion of the *performative* shows that this narrative can serve to inform and legitimise the practices of the detention and deportation of illegal immigrants. Therefore, I regard the detention centre as a point of convergence where the dominant narratives and immigrant policies are enacted in its daily practices.

Despite the suppressive character of the power routines and power ideas, it appears from the accounts of the men and the employees that detainees do perform *routines* of resistance to try to regain some of the ability to empower themselves. Joseph's fight with the guards is an example of this, as it shows that even subordinated and marginalised individuals have the ability to enact agency and empowerment to some extent (Scott, 1985; Piven, 2008). However, the subsequent suppression of his resistance was so violent that Joseph was not able to establish power and chose to refrain from resisting ever since. The choice itself is a form of agency as well, but it is one that seems in compliance with the dominant power.

The stories of the men show that they have also tried to counter the power *ideas* that they have come across. Several of the men describe how they have tried to contest, to counter-narrate, the inaccurate and degrading treatment they received in order to reposition the dominant power ideas (Bamberg, 2004). They confronted employees with their malpractices and mistakes, but, again, to no avail. The employees refused to listen to or believe their stories,

thus taking away the men's ability to influence their will. This not only made the men believe they had no power, but they also experienced their suppressed powerlessness.

Still, Scott (1985) proposed that subordinate individuals employ a third form of empowerment: the everyday act of resistance. These hidden acts of subversion might be more beneficial to the illegal immigrants, because they are designed to go unnoticed and to evade the wrath of the dominant powerholder. These acts are individual, anonymous and wrapped in the coat of everyday practice. Sarah's experience with detainees who refuse to bring a cup of water to the door is a good example of this kind of resistance. Sarah herself, however, does not recognise them as such. The lack of recognition can also take away from their contesting implications. Because these acts necessarily take place within and make use of the domain and rules of the detention centre's regime, they can be said to strengthen rather than to contest the dominant power structures. Nonetheless, following Scott (*ibid.*), I pose that these acts are still generated in reaction to the unwanted dominance of the detention centre's power structures and that, therefore, everyday acts of resistance do bear witness of the agency and power the seemingly 'powerless' detainees possess *and* wield.

What is remarkable, is that none of my four informants told me about implementing any form of everyday resistance whatsoever. They did tell me about several fights they witnessed or participated in, but none of them could think of a moment in which they covertly resisted the guard's power by using an everyday practice. This can be explained by the very nature of this kind of resistance. Because these acts serve as a first resort and because its intention is meant to remain hidden to evade punishment, it is possible that these four men were not conscious of themselves conducting these acts, let alone their political implications or motivation. This would mean that everyday acts of resistance are potentially a reflex rather than, as Scott (1985) proposed, a conscious tactic.

Of course, a simpler reason is that these men just did not conduct any such resistance at all. This can be supported by how they described their perceived powerlessness and their consciousness of the fact that acts of resistance would not be beneficial to them at all. Although the choice to refrain from resisting is still a form of agency, albeit strongly marginalised, the disturbing story that arises is that of the illegal immigrant who believes he *is* powerless, while in reality, he is *being made* powerless. Piven's (2008) idea of interdependent power supports this notion, as she (*ibid.*) states that powerlessness does not exist. Instead, power lies in between social interactions. If illegal immigrants are inhibited in enacting their agency and generating empowerment and power by the hierarchical social relations inside the detention centre, then where does their agency go?

I want to offer a stepping-stone for a grounded theory of empowerment by proposing an alternative view on hidden resistance. Within the space of the detention centre, the agency of

illegal immigrants in detention is so severely limited and marginalised that the men chose to refrain from any form of resistance at all. Outside of this space, however, it seems they generate a new arena and another form of agency that can be considered to be an everyday *idea* of resistance. Just as power and open resistance follow the structure of routines versus ideas, so do these men construct a narrative instead of practice to empower themselves. These narratives and their inherent performativity contest the dominant power routines and power ideas that the men have personally experienced. Their intention is not to destroy these power structures, but to disseminate a critical and alternative story for the broader public to hear. Moreover, by sharing their story with me, these men have established a new social relation in which a certain power arises: they depend on me to pass on their stories in a discrete but honest way and at the same time I depend on their willingness to share these stories. What's more, within this social relation a new opportunity presents itself for the men to enact their agency and empower themselves: the very act of speaking the urging words I incorporated in this thesis and their subsequent performativity are an act of personal empowerment. These counter-narratives, these *ideas of resistance*, contest the unequal power relations that exist on a broader scale and that suppress illegal immigrants in the Netherlands.

Resistance is not necessarily a deconstructive and destructive practice. By zooming in on the men's perceptions of practices of power and resistance, I have come to understand that their subordinate position does not entail the complete absence of agency and empowerment. Nor does it mean that resistance is aimed at eliminating a dominant powerholder. Instead, the ideas of resistance these men conveyed by sharing their experiences and suppositions construct empowerment in an inventive kind of resistance that can be employed in the most marginalised places. For one who knows where to look, they can be found wrapped inside the most trivial acts of daily life.







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