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Refoulement as Necropolitical Praxis: Mobility, Ethnography, and Ethics at the Mexico-Guatemala Border

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ABSTRACT: This article analyzes the Mexico-Guatemala border through the lens of the author's sensory ethnographic engagement there. It also uses oral history interviews and collaboration undertaken with refugees, migrants, and deportees. It argues for the contravention of human rights and refugee rights under the Trump Administration as an aspect of a longer history of biopolitics enacted in border regions and beyond them. It draws on border studies and notions of immunity in biopolitics to develop this argument, and its uses collaborative visual ethnographic practices as a way to consider the border.

KEYWORDS: Borders, Guatemala, Mexico, Migration, Refoulement, Biopolitics

Introduction

Saidiya Hartman asks: "How does one revisit the scene of subjection without replicating the grammar of violence?" (4). This question asks us to consider how one engages with archives and their contents without reinscribing their histories. From this question, which hinges on a self-reflective praxis, I turn to contemporary Central American migration to pose another: how does biopower inform ethnography during anthropogenic states of exception? Biopower describes the material conditions of subjugation and the control of demography as the limit of a state; ethnography is a historied process of reflection and writing of others concurrent with imperial and anthropological developments. It is not in the purview of this essay to engage with these familiar terms individually. Rather, this essay examines how, taken together, biopower and ethnography might serve to engender an ethical reflection on the state of border studies and migration studies. Hartman's question, which underscores an ethical prolpesis, might have an answer in Emmanuel Levinas' concept of being "face to face" with the Other (98). Briefly, this Other, which can be distinguished from later references to the "other" as in Donna Harraway through ethics, can inform how we engage with intersubjective processes in the world: how we subject ourselves to one other in love without eros and of engagement with mutuality. From Levinas' ethical supposition, I have sought to engage others in community-building that offers up ethnography when literary and cultural texts are either non-existent or rarified. In this essay, I turn to a negative definition of praxis, understood as the self-reflective modality of the state, driven by Achille Mmembe's concept of the necropolitical to expand thought on the refoulement of Central American asylum seekers in recent years.

This essay proceeds from the notion that the subjection (*assujetissement*) of Central Americans is part and parcel of a necropolitical praxis authored by a compendium of figures on behalf of US governmentality and its racial ideology. By considering the engagement with Central Americans historically, I consider the violent removal of refugees not only in terms of a transnational migrant passage but also in terms of the atemporal elements constituted by deportation which continue to inform it through recursion: indebtedness, domestic and gendered forms of violence, and climate change, alongside gang violence. In this way, I turn to my fieldwork at the Mexico-Guatemala border to consider how the interviews I conducted with approximately thirty interlocutors (interviewed by myself and a production team for a documentary film in formal and informal terms) might speak to the archival silence in which Central American migrant stories are told. That is, migration is often relegated to a visual field and even more commonly to the taxonomies of anthropology and sociology. Only a handful of novels, novellas, and memoirs precisely speak to the Central American migrant experience from within the isthmian communities. There are more anthropological papers on borders, remittances, biospheres, artisanry, and post-war violence than there are first-person popular accounts of departures from Central America, though there are some exceptions in the narratives of contemporary Latinx and Garifuna poetry and hip-hop. From this knowledge, I listened against the grain of those readings to a number of stories where resistance and hope elided with apprehension and trauma, alongside the broader polity of the Trump administration' policies. And I listened with the intention of understanding how border securitization protocols and necropolitics were lived experiences for refugees and migrants.

In this paper, which draws on these interviews in terms of my reflections and experiences, I examine the contravention of the principle of non-refoulement under international law through the securitization of the Mexican-Guatemalan border. I argue that it represents an evolving mechanism for the necropolitical manage-

ment of populations in the US. That is, I argue that Central American lives are necesarrily linked to "new and unique forms of social existence in which vast populations are subjected to living conditions that confer upon them the status of the living dead" (92). Alongside Achile Mbembe's concept of necropolitics and Michel Foucault's biopolitics, which he famously described in his eponymous lectures on the subject as the entanglement of life and politics for the purposes of the productive management of life under sovereign power in Europe from the 17th century on. In this paper, however, I consider Achille Mbembe's expansion on biopower in terms of necropolitics.

Alongside Mbembe's necropolitics, I consider the interpellation of Jean-Jacques Rousseau's notion of a social contract within the writing of the American Revolution to reflect upon, as Charles W. Mills has, the long-standing tradition in the United States of a "Racial Contract," or rather a selective subdivision of the abstract, ambiguous universalism present in Rousseau's social contract that may actually be thought of as "several contracts in one," each an axis of a structure that codifies principles along certain planes that subrogate empirical claims with theoretical ones (9). By regarding Rousseau's social contract as a theorem that has worked for the advancement of white supremacy, without impunging the relative political meaning it has held, it is possible to consider the violation of the principle of non-refoulement, which I explain below, as a phenomenon bound up with the celebration of Enlightenment ideals in a plane of their discursive contradiction. In other words, only certain racial groups are privileged through what Anne McNevin calls "regular citizenship." In this way, we can consider the amended forms of the Immigration and Nationality Act (1952), which provides for the notion of a third-safe country for asylum seekers, alongside the violation of the principle of non-refoulement as constructs of a biopolitical praxis that empowers restricted forms of gender, race, class, and subjecthood.

Alongside the contravention of the principle of non-refoulelment, I cite a US Senate report that detailed how US agents in January of 2020 arrested and returned Honduran refugees, migrants, and asylum seekers in Guatemala to the Guatemala-Honduras border (The Hill). This is but one example of a longer history of the externalization of US borders to enact the preliminary removal of refugees. Annexed from public view, this directive reveals a self-reflective biopolitical praxis, one chiefly authored by Trump administration official Stephen Miller and former Attorney General Jeffrey Sessions, as noted in journalistic work by Jean Guerre amongst others. In my ethnographic work at the Mexico-Guatemala border in 2019, I reflected on how this necropolitical praxis was furthered by the militarization of the State of Chiapas in addition to the Mexico-Guatemala border rivers; interlocutors spoke at length of a nearly inevitable encounter with death regardless of where they resided or where they went.

National and International Law

Regarding the safe petition and transit of people, the US codified Article 33(1) of the Refugee Convention into Section 208(a)(2)(A) of the Immigration and Nationality Act (INA) which provides that it will not return an asylum seeker to his or her country of origin, but may, at the determination of the Attorney General, remove the asylum seeker to a "safe third country… where the [asylum seeker] would have access to a full and fair procedure for determining a claim to asylum or equivalent temporary protection" (INA) nterviews with Mexican and Central American migrants clarify that procedural accommodations and processes necessarily contravene the safety of asylum seekers. Indeed, one transgender woman in Tapachula, Mexico spoke clearly about the broad, discriminatory nature inherent to refugee and migrant protocols in terms of the burearucatic complexities she faced. Indeed, she spoke of the dozen offices that she needed to visit to obtain transit papers in Tapachula, Mexico, the safehouse in Tijuana where she later resided, and the unwarranted arrested she experienced, leading to a traumatic carceral experience, even as the reasons for her departure from El Salvador might have once constituted asylum clemency.

During the first term of the Trump Administration, litigation was brought to bear upon the notion common to international asylum law of non-refoulement, or the principle of the non-removal of refugees from the nation receiving them. Legal scholar Jaya Ramji-Nogales notes the evolution of the contravention of this principle through legal maneuvers in domestic courts made possible by three issuances of the Trump administration:

> The administration's bar on asylum applications from migrants who cross the border between ports of entry; its policy requiring asylum seekers to remain in Mexico pending their asylum hearing; and its asylum ban for applicants at the southwest border who have passed through a third country without lodging an asylum claim. (Nogales)

These litigious efforts, which nominally engage with the principle of non-refoulement through cherry-picked assessments of procedural accordance with Mexican law, protocol and migrant safety, culminated in the creation of the Migrant Protection Protocol (MPP) at the end of 2018. Further subsequent issuances by the Trump Administration continued to denigrate the subject position of Central American refugees by restricting their claims for asylum on the basis of a criterion set nominally designed to eliminate any reasonable form of clemency, further culminating in their near statistical erasure from asylum processes during the pandemic per the biopolitical usage of Title 42. Regarding the encounter of space and law, Mbembe cites Frantz Fanon who reminds us "colonial occupation entails a division of space into compartments," which in the case of Central America entails the extant occupation of indigenous lands

where the causal factors of out-migration relate to a colonial past and present (79). From barracks and plantations to formal and informal border zones like expanding deserts and deportation facilities, the accountrement of coloniality encounters a system of necropolitics that engenders the capitalization of migrant and refugee lives as seen in private detention facilities, gray and black market financial services in Central America, and the multiple relationships between remittances and governmentality in the Northern Triangle.

Conjuctural Analysis

In this essay, I draw on with the principles and techniques associated with and designed by Stuart Hall in his conceptualization of a conjuncture in conjunctural analysis. Lawrence Grosserg, a student of Stuart Hall's, writes that conjunctural analysis

> tells a more complicated story, articulating the structural and the phenomenological, the material and the affective, in order to understand how social and political relations, forms of domination and resistance, are constituted as a war of positions. (8)

In this way, proceeding from the distance between absolute theory and descriptive ethnography, I have considered the litigious efforts of the Trump Administration to restrict migrant and refugee flows both before and during the pandemic. I posit that they are part of a prospicient design to revalue life in accordance with a long-standing biopolitical rationale, one informed by the desires of a Herrenvolk potential state, or even more historically a country that ignored Abigail Adam's warnings on the perils of coverture and slavery. In terms of 20th and 21st century migration, however, the removal of Central American migrants to Mexico, Guatemala, El Salvador, and Honduras, depending on their country of depature during the Trump administration, reveals a praxis unfolding in time concurrent with white supremacist politics. The authors of these policies, e.g. Stephen Miller, were plainly aware of the limits of absolute removal, thereby choosing to revisit legalistic language through economic pressure in order to limit the entry of refugees whose conditions for escape resonate with the history of US-Central American interventionism. While this is not a polemical point, the notion of a negative praxis helps to suggest that the authorship of these protocols and litigious efforts are discrete individuals with a collective ideology.

Following the enactment of the Migrant Protection Protocol (MPP), the Mexican side of the Guatemala-Mexico borderlands has become a place of informal and formal refoulement and militarization, as Mexican President López Obrador ceded to tariff threats upon the Mexican economy by enlisting the Guardia Nacional to effectively police migration in Southern Mexico (Justice in Mexico). With the arrival of several thousand soldiers in the summer of 2019, the MPP extended the logic of American border policies to a place with limited humanitarian and governmental capacity for the assistance of refugees and migrants. As I proceed in this essay, I resist the categorical imputation of a division between refugee and migrant by noting both the financialization of migrant economies and the attendant, increasing multifactorial nature of migration in the Northern Triangle. There, climate change can line up with deportation; deportation can line up with debt; and debt can line up with migration—each to varying degrees surface in the decision-making processes people make or in the immediacy of the need to escape; further, violence can appear with a literal knock at the door.

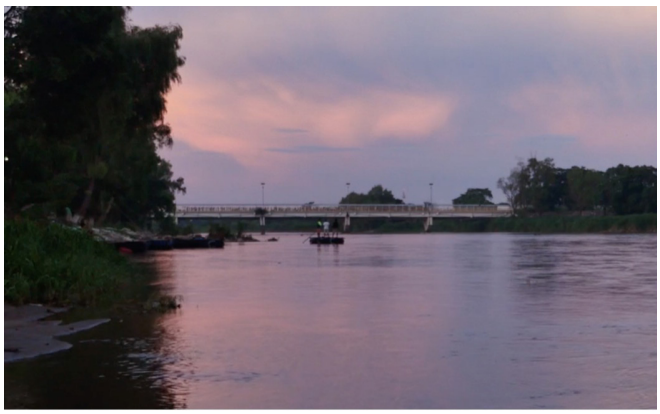
During fieldwork in Huehuetenango in 2018, I spoke with a number of individuals who had spent many years or decades working on farms or in factories in the United States and who had been deported. Their stories contained the contours of their past lives, the shapes of past moments. Some people like to exaggerate in stories, and this was also manifest in our conversations. But it was incontrovertible that the truth was told in one way or another about their time abroad. These truths conveyed questions to which I assume they felt strongly in terms of their own wishes and desires. A man wanted to pay off debt, another wanted to be with his family, a woman escaped Nicaragua and political persecution, and kids deliberated on the prospects of their futures. Yet another person fled gang-related violence.

During fieldwork in the neighboring department of San Marcos in the summer of 2019, I spoke with several individuals who witnessed the arrival of the Mexican military to the Guatemala-Mexico border. These individuals related how novel Mexican border securitization made passage north more difficult; others noted how expenses had increased in terms of crossing the Suchiate river. Still others pointed to blind spots in the border, and others mentioned the hard-soft dynamics present in border policies: one could bicycle, as though on errands, into Ciudad Hidalgo, one point of border crossing for the caravans and many migrants.

Downriver, not far from the bridge connecting Guatemalan Tecún Úman with Mexican Ciudad Hidalgo, one could see the presence of drones over the banana plantations, not readily identifiable in terms of sovereign provenance but most likely military grade. Farther down river it would be reasonable to assume that migrants cross clandestinely, as the nature of border securitization privileges gaps and fissures in its liminal, nominal forms. These necessarily foster conditions of violence and precarity, black market trafficking, and more.

Documenting other people's lives and stories about liminal time, a time of detention and waiting, a time of trauma is an ethically dubious undertaking. Writers, sociologists, anthropologists, and many others do this all the time. Journalists have the cover of massive readership widely distributed, which can, and sometimes does, make a difference in the lives of migrants. But what about humanities scholars? What gives us license in a planet consumed by anthropogenic processes to linger over someone else's trauma, especially when our privilege reflects a communal grief and perhaps

even fault? By returning to Levinas' ethics of panim el panim, of being face to face on the most literal level of human interchange and experience, one can make a claim for narrative digression and experience through the lens of encounter. This encounter in the frame of humanities' work, beyond anthropological definitions of ethnography, might suggest an opening in the theoretical and practical engagements of the broad, disciplinary forms that construe the humanities. For this reason, engaging in dialogue, beyond any notion of "deep hanging out," might bring us closer, in terms of reducing rarified space and affect, to those texts and media objects that attempt to document the world in transition. More aptly, by listening to the stories people have without judgement or the interpellation of affective frames, wherever that is possible, we can find common resonance and the breaking open of the intersubjective commons, or shared spaces, of being. In this way, gender, race, and ethnicity might, if only in the engagement of listening, become merged in a multidirectional affective act caught up in the art of listening and asking. Questioning empathy's directionality and intersubjective frames leaves one with a multitude of possibilities: a photograph, a documentary film, a script of texts, friendships, the lingering directives and concerns, the content of collaboration, the ethos of learning differently through affective events.



A raft crosses the Suchiate at dawn where people line up for passage on the bridge. Photo: Rene Soza

With these considerations in mind as a theoretical concern underscored by my privilege in being able to engage in my own positive praxis, I listened to Central American stories about migration. One Guatemalan described how a loan of ten thousand dollars had gotten him all the way to the U.S.-Mexico border before he was apprehended and returned to Guatemala; in the summer of 2019, he resided in Tecún Úman in a state of precarity and stress. His hair turned white in some places, he joked; he described with regret the loss of his money in his outmigration journey attempt and how it was no longer quite so easy to even get into Mexico, a common reality described by many, even as many others sought passage.

In this way, the Mexico-Guatemala borderlands supplants or reaffirms those realities present for some, if not many, at the US-Mexico border: indefinite bureaucratic processes, gendered violence, conditions of indefinite waiting in refugee camps, beleagured conditions of precarity and longing, and immense uncertainty but also resiliency in diffuse conditions, the meaning people make under duress of their lives. By subverting the principle of non-refoulement, the Trump administration precisely reduced the capacity for refugees to seek asylum while increasing the conditions of precarity which undocumented migrants experience.

Rhetoric and Metaphor

Sandro Mezzadra and Brett Neilson explain that border security techniques "increasingly use technologies of temporal management" including those that seek "to slow and even block border passages through such techniques as detention, interceptions, or "preemptive refoulement" in order to delay migrant passage and control flows of human labor and capital (133). Where Mezzadra and Neilson assert the multiplicative power of a border, I acknowledge the rhetorical and communal function, by order of its emplacement in media, it has within a logic of immunity, and I turn to Donna Haraway who reminds us that "the immune system is a map drawn to guide recognition and misrecognition of self and other in the dialectics of western biopolitics" (Haraway 204). In this way, I see refoulement as informing a process of racialized insularity: Brown and Black people are subjected to alienization and a carceral politics of immobility to structure labor and race relations within the US, not only in relation to hegemonic ethnic groups but also within minotarian distinctions informed by immunity within and to the body biopolitic.

The biopolitical metaphor of an immune system depends upon complex processes that synchronize conceptual and ideological frames for sovereignty and citizenship. If a self and its other do exist, they do so within a historical lineage of exclusion and racial and colonial violence. This dialectics of Western necropolitics depends upon, crucially, the immunological homeostasis defined, in part, by Westphalian conceptions of the state. The disruption to homeostasis, or a biosocial perception of normativity within the *jus publicum*, draws out processes that are reactive to "foreign" actants. Plainly said, refoulement "pathologizes the foreigner," a process that Roberto Esposito notes has roots "in the European imaginary of the last century" (Esposito 4). Alongside Harrway's discussion of the processes invoked by the metaphor and analogy of an immune system, Eposito's reference to a social imaginary and his work illustrates how the recognition of the self and the other, most commonly white and non-white people in terms of a Herrenvolk state, guides refoulement and deportation. Refoulement is strictly, even statistically, then the removal of unwanted people whose genetic condition under histories of violence become a marker for the white self and its racial, expulsive immunology. In terms of Central American migration the disruption to a homeostatic American public sphere led to the enactment of Title 42 to overturn asylum processes on the

basis of contamination, even as the public record reveals the United States to have been a major source of the pandemic. The dissonance of this logic is part and parcel of the immunological form of the border towards the Central American person: they signify what is already true of the state but through an act that pushes them out to preserve that racist rationale.

While a claim, however erroneous, can be made for the logic of deportation as a mechanism for *jus publicum,* the broader question of refoulement is how it operates axiomatically within racial necropolitics. That is, deporting Central Americans, which as a group could necessarily include other peoples moving through and getting stuck in Central America, is frequently at a number of levels (individual, communal, and national) a recursive process: it simply reifies further deportation as sociological and anthropological study evinces (Heidbrink 2019; Lee Johnson 2019). The circularity points us back to the figurative biopolitical concept of immunity for the state in fairly literal terms: not only are Central Americans pathologized and made to represent an instrusion or a contimination, but the spillover reaches Latinx groups already in the United States in terms of whiteness and its discontents and maladies, as evidenced by the shooting in El Paso, Texas, in which the shooter left an anti-Hispanic and anti-immigrant manifesto (NBC News). In it, U.S. Congressional Representative Joaquin Castro noted the racist language of immigrants as "invaders." Concurrent to the necropolitical dimensions of Central America in which gang violence and anthropogenic climate change destroy lives is a rhetoric of whiteness that further reifies the necropolitics of refoulement.

Similarly, the biopolitical dimensions of sovereignty depend upon necropolitical mechanisms present in the dispositif of the desert, the migrant corridor in Mexico where women are targeted and children trafficked, and detention facilities, as each of these utilize intentionally designed processes of death to exclude. Ana Raquel Minian has studied this history in which Mexico is a buffer zone for Central Americans with necropolitical implications, writing that

> Notions of national sovereignty are often regarded as responsible for the exclusion of foreign "others," as those residing within particular nation-states seek to achieve ethnic exclusivity within their territories. But the erosion of Mexico's sovereign immigration control worked to further exclude and oppress Guatemalans within Mexico. In part, this occurred because the sociopolitical logic by which territoriality was the dominant way of establishing belonging remained intact. (110)

Clearly, the intervention of the US under a variety of geopolitical mechanisms has utilized the space of the Mexican state, its topography and geography, as a way to enforce a vision of immunological, necropolitical expulsion and, in more familiar terms, prevention through deterrence.

Time After Refoulement

Mezzadra and Nieslon write that "we seek to demonstrate how subjective experiences of border crossing and border struggles have temporalizing effects that cannot be contained by chronological forms of measure or progressive models of history" (133). In other words, the border as mechanism and migration as lived-in affect share in existences that do not have readily available quantitative dimensions but do share in qualitatively similar terms. Morerover, Mezzadra and Neilson clarify how passive and active forms of refoulment are an extension of border security practices, if not also an externalization of borders. Referring to interviews I conducted one interlocutor[1] from Guatemala suggested that "migration will never cease, so long as there are problems in one's home country" [translation mine]. Another stipulated that he was gauging or waiting for a momentary break in the Mexican border security apparatus to attempt to cross the river and go into Mexico to escape narco-violence and extortion in El Salvador. Another individual described his repeated attempts and plans to cross into Mexico while acknowledging how difficult it had been for him personally to be deported from the United States and detained. Each of their stories informed how the militarization of southern Mexico operates through a negative biopolitics tethered to a necropolitics in and out the United States and Mexico, each partially responsible for the Central American necropolitical scheme: a politics in which death is often associated with the maintenance of industrial labor at the behest and interdiction of the state. As Mbembe writes, "sovereignty means the capacity to define who matters and who does not, who is disposable and who is not" (80). Statistical evidence on border deaths, which congruously point to the enlargement of fatal schemes, only evince what interlocutors revealed: crossing the border is difficult, fatal, and treacherous by design.

A young man points to the Mexico-Guatemala tributary border and horizon, speaking about renewed Mexican border surveillance.

NOTES

[1] All interlocutor text was freely given with informed, repeated consent and authorized for use; all translations are mine.

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