Introduction

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Throughout the so-called Mediterranean refugee crisis of 2015–2016, public sympathy, government policy, and media coverage swirled around an apparent debate: Were the people arriving to European borders "refugees" or "economic migrants"? The same question arose with reference to the US-Mexico border, as caravans of asylum seekers arrived from Central America in 2018–2019. It has been a recurrent refrain in Australian parliamentary discussions regarding offshore immigrant detention and globally in migration debates for decades.[1] The more the dichotomy is evoked, the more successfully the economic realities of asylum are obscured. Yet, under the neoliberal capitalist status quo that defines the current era, the ability to seek asylum can no longer be considered a universal human right. It is a product up for sale. And, in true capitalist form, an entire industry has developed around it.

Today's drivers of global capitalism are also among the most potent "push factors"—to borrow from demographers' lexicon—compelling people to migrate: wars for geopolitical and economic influence; catastrophic climate change caused by the fossil fuel industry; financial collapse provoked by "free trade" deals and global recession; social stratification and identity-based persecution that erode the potential for class solidarity. The resultant forced migration takes place in a context of "disaster capitalism," with human-made crises and catastrophes used to justify the adoption—or imposition—of neoliberal economic policies that further consolidate wealth and power in elite hands, leading to yet more suffering.[2] It is a profitable cycle.

Expansion is necessary to the survival of capitalism—new markets; new opportunities. Ongoing and discrete instances of violence create space for "growth." The consistent flow of migration that such violence produces does not constitute a spectacular event, however, despite dominant narratives suggesting otherwise. Neither are the pathways taken only linear, recent, or pointed northward. Many people caught in the gaze of the latest migrant "crisis" have been displaced and moving—some constantly, some intermittently—for years, even decades or generations. As they are held at borders or in encampments, news cameras, spotlights, and NGO-branded relief teams shift from one global frontier zone to the next, leaving behind the growing tendrils of a complex and diversifying asylum industry that is produced and sustained by the everyday realities of global capitalism. And as border crossings and petitions for protection become ever more costly for the people who make them, they are ever more lucrative for those seeking to profit from the massive human displacement that characterizes the world today.[3]

When unlivable conditions force people to flee their homes, only those with substantial resources can obtain the passports, visas, and plane tickets needed to avoid long and often perilous journeys over land and over sea. Financial and social capital can secure attentive lawyers, social supports, and endorsements in destination countries. The superrich need not worry about asylum at all: investor visas are far easier to obtain, at least for millionaires facing exile. For the rest, brokers, forgers, coyotes, traffickers, and smugglers demand extortionate payments to facilitate escapes. Contractors and "security" firms receive billion-dollar contracts to stop them in their tracks—erecting walls, fences, and watchtowers or running patrol boats and coast guards to bar potential asylum seekers from entering territories and making claims.

Those who make it across the border are frequently placed into detention centers, jails, encampments, or crumbling housing complexes, all run by multinational corporations, with investment from the biggest global banks. Agencies compete for government contracts to provide stipulated services to asylum seekers and refugees,[4] often while placing them into new regimes of monitored vulnerability. Private doctors produce medical and psychoanalytical examination certificates to bolster claims with bodily "proof" of persecution.[5] Expert witnesses and think tank staff create testimonies and reports that further shape case outcomes—and establish archetypes of "genuine" claimants. Specialized NGOs similarly

mobilize million-dollar revenues and professionalized workforces (overwhelmingly middle-class and/or citizens of the Global North) to advocate for select categories of "deserving" persecuted people. Their constructions win asylum for some, while excluding others unable to fit imaginaries of ideal victimhood that are shaped by class, gender, racial, religious, and other prejudices. Private immigration lawyers charge exorbitant fees, while powerful law firms use pro bono asylum work to sanitize reputations tarnished by their day-to-day work reinforcing disaster capitalism. Businesses profiting from immigrant detention likewise make large, tax-deductible donations to asylum charities, adding humanitarian sheen to their philanthropic portfolios.[6] The same corporations building the warplanes that cause human displacement profit from the deportation of "failed" asylum claimants.[7]

Meanwhile, governments cite "austerity measures" in their efforts to defund or privatize legal and social aid—measures framed in the language of "efficiency" and "cost saving" for the taxpayer. While such rhetoric further pits citizens against migrants—particularly useful in the aftermath of a global recession triggered by elite greed—creeping xenophobia paradoxically justifies huge spending on border enforcement and the expansion of immigrant detention estates. In the Global South, transnational private actors work with state governments to buoy the UNHCR's expansive bureaucratic "refugee protection regime," which functions in part to keep the most impoverished asylum seekers encamped far from northern borders.[8]

The expansion of neoliberal capitalism not only causes forced migration, it requires the vulnerable itinerant workforce such migration creates. The production of exploitable, generally racialized "others" is the bedrock of our current economic system—the figure of the "illegal" immigrant laborer is just one recent incarnation of this long-standing historical process.[9] Forced migration is frequently intertwined with forced labor, leading to the creation of new, "hyperprecarious" categories of migrant. The "rejected asylum seeker," for example, is linguistically and symbolically constructed to be hyperexploitable in ways that build upon extant racisms.[10] As Nicholas De Genova argues, the production of migrant "illegality"—including through imaginaries of "bogus" and "failed" asylum seekers—is "crucial for the creation and maintenance of a . . . reliable, eminently mobile, flexible, and ultimately disposable source of labor power."[11]

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The aim of this volume is to expose and examine profit-making as a significant force driving contemporary asylum regimes. This perspective is a product not only of contributors' work as researchers, academics, and journalists but also their experiences as people directly engaged with the industry: as activists, advocates, "experts," organizers, and people who have themselves sought asylum. Moving beyond the questions of moral, ethical, and legal obligation that have come to dominate scholarship and activism concerning asylum seekers, we approach the actors and institutions forming around asylum adjudication systems and individuals seeking asylum globally as an industry—one that is thriving at grave human cost, and one that must be opposed.

Shifting Asylum Norms

To understand how neoliberal capitalism has come to define asylum as a concept and as a bureaucratic process, we must first review how the meaning and contours of asylum have evolved over time. Asylum existed as a historical norm for millennia before its codification in modern international legal conventions,[12] culminating in the United Nations 1951 Convention Relating to the Status of Refugees and its 1967 Protocol Relating to the Status of Refugees,[13] and has always posed a challenge to nation-state sovereignty by asserting a position of concern for the "other/outsider." The interpretation and implementation of legal conventions are subject to political, cultural, and material realities, however, and the praxis of asylum has changed radically in the nearly seventy years since the signing of the 1951 convention. These shifts have, in turn, exposed the inherent tensions, contradictions, and limitations of asylum in different ways.

The context of the 1951 convention is, of course, the end of World War II and the start of the Cold War. A series of international treaties preceded and framed it, including the 1948 Universal Declaration of Human Rights and the Geneva Conventions and North Atlantic Treaty of 1949[14]—all part and parcel of the postwar project that was shaping and justifying a new kind of US-led empire. Through Hannah Arendt and other influential thinkers of the day (many of them, like her, European refugees), the modern origins of asylum came to be widely understood as a response to the Holocaust. In practice, however, the more potent underlying logic (and implementation) of the convention had much to do with institutionalizing the Cold War ideological framework that positioned capitalism

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as the savior for political refugees seeking an escape from communism. Charles B. Keely argues that two distinct refugee regimes subsequently developed, one for the industrialized capitalist North and another for the rest of the world:

> The Northern regime was designed for political purposes of the Cold War . . . an instrument to embarrass communist states. . . . At a minimum, the program could be used to demonstrate the bankruptcy of a system from which people had to escape, often at great peril. In Europe, the asylum systems put into place basically assumed that applicants would be from the East. Fairly generous assistance, commensurate with the welfare state policy generally pursued . . . and an adjudication system that provided the benefit of the doubt to the applicant prevailed. In this scheme, the UNHCR had virtually no role. . . . It quickly became an agency operating in the third world.[15]

The two regimes had paradoxical objectives: while the UNHCR sought to defuse "explosive situations" so that locally displaced citizens might return safely home, the northern regime intended explicitly to destabilize states by permanently resettling an intentionally small number of political refugees.[16] Thus, as the institutional project as a whole was being reinforced, in the Global North, its imagined ideal subject transformed from an agentive (white) European exile from fascism to a freedom-seeking (white) victim of human rights–abusing Soviet or Soviet-allied communist governments.

This shift was further complicated by racist and colonialist logics, with greater agency imputed to individuals from the Soviet bloc compared to people fleeing Soviet-allied countries in the Global South—Nicaragua, Cuba, Vietnam and Cambodia, and Angola, for example—who were readily associated with stereotypes of weakness and passivity or threatening otherness.[17] In keeping with this context, actual levels of state-sponsored violence have historically had very little to do with the likelihood of targeted individuals being granted asylum by nation-state-based adjudicators: individuals interpreted as victims of "enemy" states have been—and continue to be—far more likely to receive asylum than those suffering persecution at the hands of allied governments.[18]

It is important to note that it required subsequent protocols, declarations, and agreements to expand the internationally legally enshrined

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concept of refugees beyond post–World War II imaginaries. It was not until the 1967 protocol that the UN removed the temporal and geographic restrictions of its 1951 convention, which defined refugees as people impacted by "events occurring in Europe" prior to that year. That is to say, the forcible displacement of over ten million people due to the partition of India in 1947 and the exodus of nearly one million people from Palestine in 1948—among countless examples of violent colonial upheaval—were intentionally omitted from the original definition.[19] The United States went further, explicitly defining "refugee" in relation to communist countries in its Refugee Relief Act of 1953[20]—language that remained in place until 1980. Over the same period, it repeatedly targeted non-white immigrants for deportation through explicitly racist policy initiatives, building the foundations for careful legal and linguistic differentiations of immigrant categories that remain potent today in the granting—and, more often, denial—of asylum.[21]

Leading up to and following the fall of the USSR, the ideal subject of asylum shifted again to become the apparently docile target of humanitarian intervention—a figure imagined as being and belonging far from European borders. By the 1990s, large population displacements associated with civil wars and famines across the African continent dominated popular imaginaries of refugees. Not incidentally, the contexts of such displacement included the fallout from anticolonial liberation struggles, Cold War era proxy wars between East and West, and the disastrous consequences of neoliberalizing conditions attached to World Bank and International Monetary Fund loans. These political realities were obscured, however, by dominant narratives of "ethnic conflicts" and "natural disasters."[22] As a result, terminology that previously indexed exiles from "specific political, historical, cultural contexts" became depoliticized and conventionalized through bureaucratic humanitarian practices such that refugees "stop[ped] being specific persons and bec[a]me pure victims in general."[23] Meanwhile, in the Global North, governments "changed the rules of the game in reaction to changes in geopolitical structure,"[24] creating "fortress Europe" and erecting ever-bigger walls while demonizing the asylum seekers who reached their territories as "bogus," "illegal," or "criminal."[25]

Liisa Malkki (as others since) has focused on the ways in which these dynamics silence refugees,[26] stripping them of the authority to speak credibly about their own experiences and instead bestowing that authority

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on the professional staff of humanitarian agencies and adjacent NGOs.[27] These external creators of "expert knowledge" not only come to dictate policy decisions and influence individual case adjudications regarding asylum seekers and refugees, they are also rewarded for their actions in salaries, status, and social capital—rewards of the professionalization that has accompanied asylum industry growth.

Concurrent with the longer-term shift in the imagined archetypal asylum seeker from Arendt's white European intellectual to the silenced brown or black victim Malkki describes, agency has transferred from people seeking asylum to their "saviors"—asylum technicians, humanitarians, academics, and other "experts." These latter categories form a global elite of "knowledge creators" about asylum seekers—knowledge that can be sold at a high price to other actors within (and beyond) migration industries. As the stock of these predominantly white, Western, and highly educated professionals who "do good" has risen, the conception that people seeking refuge are informed, political subjects has been steadily eroded—along with their ability to command financially rewarding work, status, and social capital. Even as understandings and practices of asylum have evolved, they have thus consistently served to reinforce white supremacy.

The accepted grounds for claiming asylum continue to shift beyond the late-twentieth-century emphasis on suffering and compassion and away from an erstwhile focus on rights and entitlements under the law.[28] Leading up to and following 9/11, and especially post-ISIS, the framing of the ideal asylum-seeking subject transformed again in conjunction with political and discursive moves toward securitization and militarization—predicated on new nationalist campaigns—and the technologized scrutiny of masses of potential terrorists.[29] However, in the current neoliberal moment—in which a smaller, more consolidated global oligarchy exerts far greater control over the technologies and processes of displacement from and incorporation into nation-states—asylum has become more readily obtainable through the performance of identity-based persecution.

In their attempts to support people seeking asylum, NGOs and legal advocates have worked especially hard to promote a new model of deserving asylum seekers as "innocent," passive individuals fleeing persecution on the basis of illness, gender, or sexuality, for example, rather than agentive members of a collective engaged in political struggle.[30] Particularly in such cases, the individual claimant is expected to present harrowing

evidence of personalized suffering and violence—via photographs, video footage, and/or testimonies—to elicit compassion and subsequent positive action (be it case decisions, donations, or public sympathy). In this framework—thoroughly neoliberal in its elevation of "exceptional" cases—the asylum industry renders dispensable would-be applicants who do not conform to the expectations of normative identity categories prescribed by cultural and financial capital.[31]

But suffering narratives do not guarantee asylum—not even for compliant defectors from "enemy" states or those who are suitably grateful and able to assimilate.[32] The racialized, classed specters of the terrorist threat, the "bogus" claimant, the criminal element, the potential welfare "scrounger,"and the "public charge" loom too large.[33] Adjudicators and publics are responding to asylum seekers' testimonies with increasing suspicion.[34] Rather than their own testimonies, products and technologies outside the applicant's control—medical evaluations, psychoanalytical documentation, police records, news reports, and "expert" witnesses—are now heavily weighted forms of "truth" that asylum seekers must provide to state authorities. Each of these "truths" is a commodity forged and sold within the asylum industry, created and collated by actors engaged in the coproduction of new asylum norms.

Ultimately, under neoliberal capitalism, shifting attitudes toward asylum are always tied to ideological and practical commitments—to cutting welfare spending, privatizing state services, facilitating "frictionless" movement, and valorizing the individual over society, such that the notion of "deservingness" is tied to entrepreneurialism. Neoliberal faith in self-sufficiency and individual responsibility, not to mention "free movement," renders the very concept of asylum illogical. Unless, of course, it is for sale.

Profit *and* Protest

The first purpose of this volume is to identify and explain how current practices of asylum align with the neoliberal moment more broadly. The second is to examine how radical-minded, predominantly grassroots activists worldwide are fighting for reform and attempting to fill gaps in service provision, even under such constraints. In bringing together international scholars, journalists, artists, activists, and people directly impacted by the asylum industry, we aim to inform strategy debates and identify pathways to transnational collaborations that recognize how

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forced transnational migration operates in the context of neoliberal capitalism with increasingly fascist hues.[35]

This is not a theoretical discussion. Although our analyses are rooted in and build upon existing scholarship, we are equally focused on presenting and debating visions for radically alternative systems and processes—and committed to reflecting on the real work already underway to create them. In highlighting protest as well as profit, we strike a balance of critical analyses and proposed solutions for resisting and reshaping current and emerging immigration norms.

It has been a long road to completing this volume. When we first began work on it, Barack Obama sat in the White House, overseeing an immigration policy that earned him the nickname "Deporter in Chief." The Mediterranean "refugee crisis" was dominating headlines and providing distressing visual resources for countless NGO fundraising campaigns. Austerity Britain was a member of a seemingly robust European Union, working multilaterally to fortify borders and "manage" asylum claimants. Protests in or responding to Australia's offshore detention camps were ubiquitous, catalyzing national debates and political fractures within as well as between parties.[36] Back then, in 2015, neoliberal mindsets and market-driven structuring were already shaping experiences of seeking asylum. By 2020, they have come to define them.

In the intervening years, an increasing number of right-wing authoritarian leaders—Trump, Bolsonaro, Modi, Netanyahu, Duterte, Orbán, Erdoğan—have risen to or consolidated power on the basis of ethnonationalist, anti-immigrant agendas. These ideological positions have dovetailed neatly with a shared opposition to human rights and corresponding efforts to diminish the power and status of the United Nations, eroding further the already unstable international norm of asylum. Despite posturing as "anti-establishment" and espousing "citizens first" and "anti-globalist" rhetoric, international right-wing forces remain resolutely neoliberal at heart. New trade deals, new wars, new allies and alignments, new extremes of climate catastrophe—these, too, are transforming access to, and even the concept of, asylum. They will continue to do so in ways we cannot fully anticipate.

As activists engaged with the defense of immigrants' rights, including in many cases their own, the past few years have proven challenging for many of our contributors. We have been working in the midst of the expanding and evolving asylum industry, not simply viewing it from the

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outside. Authors have themselves been forced to move to different countries, have taken on casework for increasing numbers of asylum seekers, have been compelled to action—in some cases risking arrest and long-term imprisonment—in response to urgent needs and sudden shifts in immigration law and policy. Those who work within the industry, even as they are critical of it, have faced funding cuts and job losses. As profit margins have grown, so has the need for protest. We are not disheartened, though there remain many battles to be fought and won. We hope that this volume provides both inspiration and insight toward that end.

Why Asylum?

We recognize and situate this volume within a growing body of literature on migration industries,[37] just as we recognize how profit-making around asylum seekers connects to broader contexts of neoliberal industrialization and commodification. Contributors to this volume emphasize those links, which include but are not limited to: criminal (in)justice systems and the prison industrial complex;[38] nonprofit organizations and the maintenance of imperialist capitalist structures;[39] paradoxes of elite mobility, citizenship, and investment; new bureaucratic forms in, and the governmentality of, neoliberal states.[40] We have chosen to focus on asylum, however, because it is a category so often held apart from other areas of migration, which are more readily associated with economics. Nowhere is this clearer than with the dichotomous metric of "asylum seeker *or* economic migrant." The discursive insistence that the two categories are not intertwined supports the comforting fiction that asylum is a question of moral and legal obligations alone.[41] The related assertive distinction between "genuine" (granted) and "bogus" (denied) asylum claimants similarly reinforces the reassuring notion that there exists the possibility of objective and infallible determinations of who "deserves" refuge; that asylum adjudication is an arbiter of "truth." Protesters and scholars alike have worked to dispel that fantasy.[42] We focus on asylum to similarly push conversations and readers beyond those comfort zones, and because we reject the categorical imperative—dictated from above and always subject to change in accordance with elite interests—upon which asylum adjudications are based.

We further recognize that dominant narratives and taxonomies not only pit citizens against migrants, they also pit categories of migrants against each other in competition for resources that are only apparently limited. In their respective chapters, the contributors to this volume use a

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variety of terms and categories and provide justifications and definitions for their choices. The resultant diversity of terminology and approaches to categorizing people who migrate highlights the slipperiness of labels. Taken together, the following chapters thus reveal the expansiveness of the category "asylum seekers" rather than pointing to its ostensible limits. As editors, we share this perspective and regard this book as concerning all people who seek refuge from harm, regardless of the legal, social, political, or other ways in which they may have been categorized.

This volume focuses on the Global North—home to the global asylum industry's most lucrative sites and where the overwhelming majority of asylum claims are made.[43] We have chosen to concentrate on nation-states that maintain their own adjudication systems and devise their own asylum policies. That is to say, with the exception of one chapter, this volume does not concern the UNHCR, a singular institutional body that oversees or supports refugee status determination processes in approximately seventy nation-states, the majority of which are "non-industrialized" countries located in the Global South.[44] In choosing this geographical focus, we do not wish to imply that profit-making around people seeking asylum does not occur everywhere or that significant and varied resistance to unjust asylum practices is not taking place in the Global South. Neither do we want to add credence to popular imaginaries of migration in general as flowing predominantly South to North, East to West. This impression is patently false: world migration patterns are complex, fluctuating, and nonlinear, and nearly four out of five of the world's displaced people live in countries neighboring their countries of origin.[45] A great deal stands to be written about the economics of the UNHCR. Profiteering from Palestinian refugees could likewise constitute a volume on its own, as could the dynamics of asylum capitalism between, for example, North Korea and South Korea or Venezuela and Colombia. China has no refugee resettlement policy or national legislation on asylum, yet a de facto industry has been forming in that absence.[46] In fact, this volume's limited focus cries out for further works exploring the ways in which the asylum industry functions in different locations. We encourage others to push the insights and analyses shared here further still.

Chapter Overview

We have organized this book into five sections, each addressing different points and practices encountered on attempted pathways toward asylum.

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Together, the chapters provide an in-depth exploration of complex international networks, policies, and norms that impact and implicate people around the world. Reflective of the overlapping interests and crisscrossing trajectories found and experienced within the asylum industry, many chapters could also find a fitting home in another section. Readers are encouraged to move between them as they choose, following cross-references or pursuing their own lines of interest.

In "Crossings," contributors focus on the costs and experiences of traveling across borders—and of being "intercepted" on the way to intended destinations. The section addresses journeys across three routes that have been at the fore of Western political and public consciousness in recent years—through Central America toward the United States (López, Leech), across the Mediterranean Sea toward mainland Europe (Alva, Uyi, and Madi), and between islands and atolls toward Australia (Dehm). The final chapter in the section highlights a less commonly discussed journey, through private hospital operating theaters (Scheper-Hughes). In each case, the profit-making and exploitative practices of traffickers, smugglers, and illicit "security services" in transit countries are immediately clear—with state investments in privatization, outsourcing, and "cost-cutting" an ever-present backdrop.

Privately run detention, perhaps the most readily and widely understood source of profit within the migration industry, is the focus of "Waiting Games." Moving beyond the well-established fact of for-profit companies in receipt of lucrative government contracts, contributors examine the finer details of the profit extraction that takes place within these prison and camp walls. These include the labor abuses of both asylum seekers (Detained Voices) and staff (Tassin, Wallman et al.), compounded by the threat of bodily commodification (Kula and Olakpe). Resistance runs through these scenes, however, from subtle obstructions to explicit and creative disavowals (Boochani and Tofighian) of systems that are embedded in colonialism and capitalism alike.

The third section, "Complex Industries/Industrial Complexes," looks beyond detention to examine the corporations, small businesses, and states profiting from—and investing heavily in—efforts to prevent people from accessing asylum in Europe (Akkerman) and Australia (Morris), extracting money from asylum claimants via offers of "freedom" (Zukowska) and "expertise" (Pine), or by engaging in a race to the bottom in substandard "service" provision (Grayson).

We turn attention more fully to NGO actors in "'Nonprofit'/ 'Nongovernmental.'" Here, contributors examine which forms of political activism are accorded legitimacy over others within the asylum industry, assessing NGO engagements with state apparatuses through a critically reflective lens (Wilding) and detailing the paradoxes and challenges of working adjacent to governmental (King, Ng'andu and Wroe), corporate (Schütz and Meisel), and NGO (Lindberg, McGuirk) goals.

The final section, "Aftermaths?" addresses the experiences of (un)settled, rejected, and returned asylum seekers who continue to experience uncertainty (Villegas) and exploitation (Bijl and Nimführ) at the edges of the asylum industry—as well as those profiting from and battling against deportation regimes (Potts and Ram). The closing chapters look ahead to likely future entrants to the asylum industry, prompted by climate change (Miller) and postwar instability (van Houdt), while echoing themes that have preceded them and emphasizing the circularity of experience within an ever-expanding industrial frontier.

Notes

1 See, e.g., William Deane Stanley, "Economic Migrants or Refugees from Violence? A Time-Series Analysis of Salvadoran Migration to the United States," *Latin American Research Review* 22, no. 1 (1987): 132–54; Monica den Boer, "Moving between Bogus and Bona Fide: The Policing of Inclusion and Exclusion in Europe," in Robert Miles and Dietrich Thränhardt, eds., *Migration and European Integration: The Dynamics of Inclusion and Exclusion* (Vancouver, BC: Fairleigh Dickinson University Press, 1995); Danielle Every and Martha Augoustinos, "'Taking Advantage' or Fleeing Persecution? Opposing Accounts of Asylum Seeking," *Journal of Sociolinguistics* 12, no. 5 (October 2008): 648–67; Susan E. Zimmermann, "Reconsidering the Problem of 'Bogus' Refugees with 'Socio-economic Motivations' for Seeking Asylum," *Mobilities* 6, no. 3 (September 2011): 335–52; Raia Apostolova, "Of Refugees and Migrants: Stigma, Politics, and Boundary Work at the Borders of Europe," *American Sociological Association Newsletter*, September 14, 2015, accessed March 21, 2020, https://asaculturesection.org/2015/09/14/of-refugees-and-migrants-stigma-politics-and-boundary-work-at-the-borders-of-europe.

2 Naomi Klein, *The Shock Doctrine: The Rise of Disaster Capitalism* (New York: Metropolitan Books, 2007).

3 According to UNHCR estimates, as of 2018, there were seventy-one million forcibly displaced people worldwide—an estimate that we take as conservative, given the strict definitions that body employs. For up to date statistics, see "Figures at a Glance," UNHCR, accessed March 21, 2020, https://www.unhcr.org/uk/figures-at-a-glance.html.

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4 Following the Migration Policy Institute definition, "Refugees and asylees are individuals who are unable or unwilling to return to their country of origin or nationality because of persecution or a well-founded fear of persecution." The differences between each category—in terms of admission processes, rights, and status—varies from country to country, but often concerns "the location of the person at the time of application. Refugees are usually outside of [a country] when they are screened for resettlement, whereas asylum seekers submit their applications while they are physically present in [the country] or at a port of entry. See "Refugees and Asylees in the United States," MPI, June 13, 2019, accessed May 28, 2020, "https://www.migrationpolicy.org/article/refugees-and-asylees-united-states

5 Didier Fassin and Estelle D'Halluin, "The Truth from the Body: Medical Certificates as Ultimate Evidence for Asylum Seekers," *American Anthropologist* 107, no. 4 (December 2005): 597–608.

6 Barclays Bank, for example, has sponsored the asylum-focused NGO Immigration Equality as part of its philanthropic portfolio, while investing in military aircraft production and profiting from corporations that run private immigration detention facilities; see "Our Financials," Immigration Equality, accessed March 21, 2020, https://www.immigrationequality.org/about-us/our-financials/#.Xme9bi10cWp; Marina Gerner, "Barclays' Impact Fund: Should It Be Investing in Military Aircraft?" Money Observer, December 11, 2017, accessed March 21, 2020, https://www.moneyobserver.com/our-analysis/barclays-impact-fund-should-it-be-investing-military-aircraft; Elizabeth Rembert, "Barclays Is Latest to Cut Finance Ties with Private Prisons," Bloomberg, July 31, 2019, accessed March 21, 2020, https://www.bloomberg.com/news/articles/2019-07-31/barclays-is-latest-to-cut-finance-ties-with-private-prison-firms.

7 See "Raytheon Wins DHS ICE Investigative Case Management Modernization Contract" (press release), Raytheon Company, November 14, 2011, accessed March 21, 2020, http://investor.raytheon.com/phoenix.zhtml?c=84193&p=irol-newsArticle&ID=1629873; Jefferson Morley, "Raytheon's Profits Boom Alongside Civilian Deaths in Yemen," Salon, June 27, 2018, accessed March 21, 2020, https://www.salon.com/2018/06/27/raytheons-profits-boom-alongside-civilian-deaths-in-yemen_partner.

8 Charles B. Keely, "The International Refugee Regime(s): The End of the Cold War Matters," *International Migration Review* 35, no. 1, Special Issue: UNHCR at 50: Past, Present and Future of Refugee Assistance (Spring 2001).

9 Nicholas De Genova, "Migration and the Mobility of Labor," in Matt Vidal, Tony Smith, Tomás Rotta, and Paul Prew, eds., *The Oxford Handbook of Karl Marx*, (Oxford: Oxford University Press, 2018).

10 See Jorinde Bijl and Sarah Nimführ, "Contesting Profit Structures: Rejected Asylum Seekers between Modern Slavery and Autonomy," this volume, 297–308.

11 De Genova, "Migration and the Mobility of Labor."

12 The concept of providing sanctuary from persecution, particularly but not only on religious grounds, existed in numerous ancient and medieval

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civilizations and religious traditions worldwide. The modern concept of territorial asylum has been discussed and enshrined in documents, including the French Constitution of 1793, the Convention on the International Penal Law adopted in 1889 by the First South American Congress on Private International Law in Montevideo, the Convention on Political Asylum signed by the International Conference of American States in Havana in 1928, and the Universal Declaration of Human Rights, proclaimed by the UN General Assembly in Paris in 1948. For a detailed history of asylum, see S. Prakash Sinha, "History of Asylum," in *Asylum and International Law* (Dordrecht, NL: Springer, 1971), 5–49.

13 For both the Convention and the Protocol, see Convention and Protocol Relating to the Status of Refugees, UNHCR, accessed March 29, 2020, https://www.unhcr.org/protection/basic/3b66c2aa10/convention-protocol-relating-status-refugees.html.

14 Universal Declaration of Human Rights (1948), United Nations, accessed March 29, 2020, https://www.ohchr.org/EN/UDHR/Documents/UDHR_Translations/eng.pdf; Geneva Conventions of 1949 and Additional Protocols and Their Commentaries, International Committee of the Red Cross, accessed March 29, 2020, https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/vwTreaties1949.xsp; North Atlantic Treaty (1949), North Atlantic Treaty Organization, accessed March 29, 2020, https://www.nato.int/cps/en/natolive/official_texts_17120.htm.

15 Keely, "The International Refugee Regime(s)," 307.

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44 The distinction between "industrialized" and "non-industrialized" is used by the UNHCR in its asylum reporting, which specifies: "The 44 industrialized countries are: the 28 member states of the European Union, Albania, Bosnia and Herzegovina, Iceland, Liechtenstein, Montenegro, Norway, Serbia and Kosovo, Switzerland, the former Yugoslav Republic of Macedonia, and Turkey, as well as Australia, Canada, Japan, New Zealand, the Republic of Korea, and the United States of America."; *UNHCR: Asylum Trends 2014: Levels and Trends in Industrialized Countries,* (Geneva: UNHCR, 2015), 4, accessed March 21, 2020, https://www.unhcr.org/uk/statistics/unhcrstats/551128679/asylum-levels-trends-industrialized-countries-2014.html. We do not regard this distinction uncritically and use it here to demonstrate the UNHCR's own definitional categories. Which and how many countries the UNHCR supports in RSD processes fluctuates year by year; see, e.g., *UNHCR Statistical Yearbook 2014*, (Geneva: UNHCR, 2015), accessed March 21, 2020, https://www.unhcr.org/56655f4cb.html.

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