Border Violence by Other Means

An Inquiry into the Embodied Experience of the Swiss Asylum *Dispositif*

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His various professional and associative commitments continuously feed his reflection on the socio-political issues surrounding migration, borders and their security apparatus.

ABSTRACT

This study explores forms of violence that are both *experienced in* and *produced by* the Swiss asylum *dispositif*. Building on interviews, document analysis and direct observations, it focuses on the embodied experience of people during their asylum procedure in Switzerland, analyzing the administrative journey they travel through and the heterogenous temporalities and securitized spaces they are subjected to. Using a *critical border studies* lens, this research situates this form of violence on the broader continuum of border violence endured by people throughout their journey. This violence is most of the time indirect, difficult to attribute to specific perpetrators, and happens in seemingly non-violent settings at the borders *within*. It is then characterized by its invisibility—and sometimes invisibilization. In that sense, this study also proposes to use the impact it has on the bodies and minds of people seeking asylum as *traces* rendering the violence visible.

Keywords: Asylum, Bodies, Border, Health, Materiality, Migration, Securitization, Space, Temporality, Switzerland, Violence

ACKNOWLEDGEMENTS

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ABBREVIATIONS

AsylA	Swiss Federal Asylum Act
CHUV	Centre hospitalier universitaire vaudois (Lausanne University Hospital)
DFJP	Département fédéral de justice et police (Swiss Federal Department of Justice and Police)
EU	European Union
FAC	Federal Asylum Center
FIFDH	International Film Festival and Forum on Human Rights (Festival du film et forum international sur les droits humains de Genève)
NCPT	Swiss National Commission for the Prevention of Torture
OSAR	Organisation suisse d'aide aux réfugiés (Swiss Refugee Council)
SDH	Social Determinants of Health
SEM	Secrétariat d'État aux migrations (State Secretariat for Migration)
UNHCR	United Nations High Commissioner for Refugees
UNISANTÉ	University Centre for General Medicine and Public Health (Centre universitaire de médecine générale et santé publique)
WHO	World Health Organization

DISCLAIMERS

In this research, whenever a non-anglophone source is used in English, the author is responsible for the translation. For reasons of space, it won't be systematically mentioned. Some francophone sources are not translated in order to keep the subtility of the words. When it is the case, English translations are provided in footnotes.

Some of the people interviewed have requested anonymity. To ensure it and as a matter of consistency, all interviewees are referred to by a first name of their choosing or by their profession. No information that could allow readers to recognize them has been included. For the same reason, interview transcripts are not disclosed.

– There are always barriers; it's not paradise here.
(Interview with Fikrey, 2022)

FOREWORD

A few years ago, I was working for a state-funded institution that provides French classes to migrants and refugees in a precarious situation in the Canton of Vaud (Switzerland). I had been assigned to the reception desk and was in charge of informing people and registering them for a French course when it was possible. Like any institution, we had specific internal procedures, selection criteria (mostly based on the person's financial situation, legal status, and place of residency) and very limited spots in the classes which were distributed on a first-come, first-served basis. Hence, most of the time, we were constrained to refuse people access to the French courses. Whereas we were quite attentive to explaining our internal procedures and the reasons why we could not accept someone in the class, the situation sometimes led to unexpected tensions.

One day, a person came to the reception desk to register for a French course. He had a temporary protection permit (called in Switzerland "permit F") and was carrying with him a heavily stuffed document holder. As I was explaining that I unfortunately could not register him for a course because they were completely full, he quickly entered into an advanced state of anger and started to argue that he needed those classes and that he would not take "no" as an answer. I spent a significant period of time trying to explain the logistical reasons behind this refusal and provided him with information and documentation on other free language classes in the region. He eventually calmed down, thanked me for my time, added the flyers I gave him to his heavy document holder and left.

My interest in the topic of this study started when this person closed the association's door. As it was clearly much more than mere frustration, I started reflecting upon the impact I had had on this person. How, without any bad intentions and in an associative context aimed at helping people in need, I seemed to appear as another figure who was giving this person a negative answer, a refusal, based on arbitrary bureaucratic procedures that he was subjected to and that he had not chosen. It appeared that the person who wanted to register for a French course was not directly angry with me but with what I represented at that specific moment. Everything happened as if I was another persona who had the arbitrary power to erect a barrier, a border, between his needs and the means necessary to fulfill them, creating in that sense an additional imbalanced power relation that appeared unbearable to him.

As I multiplied my experiences working in the asylum and migration field in Switzerland, I came to understand that this peculiar situation was in fact less the result of interpersonal tensions at the individual level than the product of the highly securitized and exclusionary functioning of the Swiss asylum system as a whole. Like most others, this person probably had been constantly required to go through lengthy and dispossessing administrative processes at every step of his journey, from the moment he applied for asylum in Switzerland to the instant

when he stood before me and asked for a French course. His heavy document holder was a material testimony of the burden these administrative procedures represented; his sudden anger was a trace of the violent impact the system left on him, but also a way to reclaim his agency. A few years ago, I tried to make sense of what happened at that moment without having all the tools to do so. With this research, I am proposing to grasp the complexity of the entire asylum system in Switzerland and situate it on the broader migration journey to make sense of this person's—and many others'—experiences.

INTRODUCTION

On March 11th, 2022, the Swiss State Secretariat for Migration (SEM) released a press statement announcing the activation of the "Protection status S" by the Swiss Federal Council. Also called the "permit S", this protection scheme—similar to the European Union's (EU) temporary protection—was used for the first time to grant people fleeing Ukraine "a right of residence without having to go through an ordinary asylum procedure" (State Secretariat for Migration 2022b).[1] In the same press statement, the SEM detailed the reasons behind the Federal Council's decision to activate this protection scheme and notably mentioned that it aims at "granting a protection to refugees quickly and *without bureaucratic complications*" (State Secretariat for Migration 2022b, emphasis added). As the federal authority responsible for the asylum process, this statement can be interpreted as an admission by the SEM of the "complications" it creates itself within the Swiss asylum system. But it actually only mentions euphemistically a key element of the complex and exclusionary process that people seeking asylum in Switzerland are required to go through.

Most of the time, people who engage in an asylum-seeking journey are significantly impacted by the different push factors in their countries of origin as well as by the harshness and the length of their travel and the experiences of violence induced by it. But their journey and its violence do not end once they reach the border of the destination country. Upon their arrival, people are indeed usually required to navigate a complex asylum process that acts as a subsequent border *within* the country, aimed at sorting out between those who will be authorized to effectively put an end to their journey by receiving a protection status and those who will be denied protection and forced to pursue their journey in another, usually opposite, direction. Focusing on Switzerland, this research aims to precisely explore this subsequent administrative journey people seeking asylum undertake in the destination country. In doing so, we will see that the whole Swiss asylum *dispositif*[2] creates much more than mere "bureaucratic complications". Governed by a securitized approach that perceives people seeking asylum as security threats (Hammerstad 2016, 267) and restrictive policies implemented in response to this perceived threat (Fassin 2011a), it indeed produces forms of violence from the moment the asylum claim is made to the days, months, or years following the asylum decision.

The violence is most of the time—but not always—indirect, difficult to attribute to specific perpetrators, happening in seemingly non-violent settings, and tends to be less

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[1] See Appendix A for a summary table explaining the different residence permits in Switzerland.
[2] Drawing from Michel Foucault's understanding, a *dispositif* is "a highly heterogenous ensemble including discourses, institutions, architectural arrangements, reglementary decisions, laws, administrative measures, scientific theses, philosophical proposals, moral, philanthropical, in sum: what is said and what is not said […]. The *dispositif* itself is the network that we establish between these elements […] always inscribed in a power game" (Foucault 1994, 299–300). The relevance of the concept in the context of this study will be discussed in chapter 3.

documented than other forms of violence experienced during the migration journey. Nonetheless, we will see that it impacts the bodies and minds of people seeking asylum. In that sense, I refrain from using what Yves Winter (2012, 196) calls *positivist* definitions of violence, which "tend to associate violence with visibility and with actions that can be attributed to an individual subject". Drawing from Johan Galtung's (1969, 171) understanding of structural violence, my approach rather focuses on the ways in which the violence and the related harm it produces are "built into the structure" of Switzerland's asylum *dispositif.*

By speaking of "border violence by other means", I adopt a *critical border studies* lens which problematizes "the border not as a taken-for-granted entity, but precisely as a site of investigation" (Parker and Vaughan-Williams 2012, 728). Mainly drawing from the performativity of the border (Salter 2012; Parker and Vaughan-Williams 2012)— in the sense that it both *creates* and *is created by* bordering practices and spaces—I explore how the violence produced by the Swiss asylum *dispositif* can be situated on the broader continuum of violence (Scheper-Hughes and Bourgois 2004) experienced by people on the move throughout their journey. In the same way that violence is much more than "[t]he figure of the physical blow" (Butler 2020, 138), we will indeed see that the border is much more than a wall separating two territories and can manifest itself in different spaces under different materialities. Furthermore, following authors like Artero and Fontanari (2021, 632), a significant focus will be put "on the subjective experiences of refugees [and people seeking asylum] obstructed by the bureaucratic praxes" as well as by the entire asylum *dispositif*, which renders them subjects of control (Makaremi 2020).

The approach adopted in this research offers an avenue not only to render visible the negligence with regard to asylum-seekers' well-being and health in the Swiss and European asylum systems, but also to prolong the reflection on the impacts that migration and the asylum-seeking experience have on people in receiving countries in the Global North.

Accordingly, the study revolves around the following guiding questions:

- *To what extent forms of violence experienced in—and produced by—the Swiss asylum* dispositif *can be situated on a continuum of border violence endured by people on the move?*
- *What type of traces can document and render visible those forms of violence?*

As we will see, in the last decades, borders have come to be erected between—but also within—countries, and states' administrations came to function as subsequent barriers, ramparts, against the politically constructed threats migrant people are assumed to constitute for the country's security, economy, culture or social cohesion. As a different sort of border which perpetuates violence by other means, they seem to differ mainly in their space and materiality, where the desk replaces the fence, the barbed wires flatten in administrative forms,

and the border guard trades his gun against a computer to become a bureaucrat. In other words, "[b]orders follow people and surround them" (Anderson, Sharma, and Wright 2011, 6), creating continuous "borderscapes – spaces of indeterminacy and forced (im)mobilities at the threshold of expulsion or protection – for those seeking refuge" (Pörtner 2021, 32). From the Schengen area external borders to specific places inside Member States, similar elements and mechanisms indeed seem to be at stake: forms of violence perpetrated *in* and *by* an unequal power relation between the state employee and the person on the move; securitized laws, procedures and practices that favor control and opacity; an overall feeling of uncertainty about one's future related to heterogenous temporalities in containment spaces at the expense of people's health and well-being.
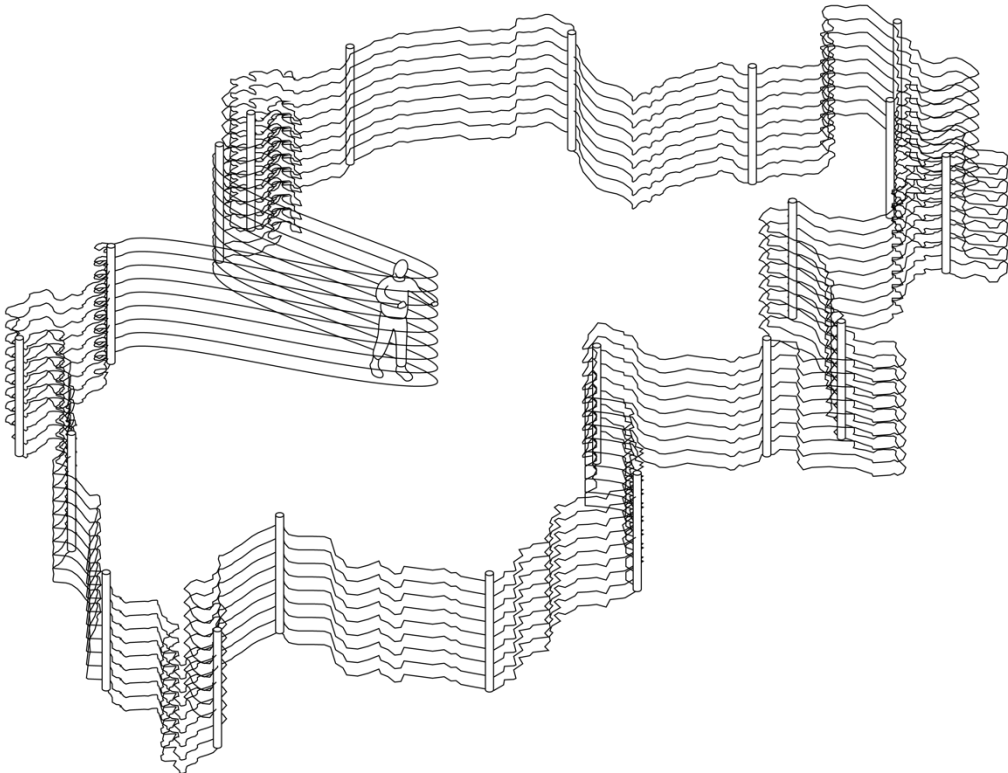
Figure 1 The Following Border. Illustration by Iskander Guetta and Elio Panese (2022).

PLAN

In this research, after situating my subject in terms of existing literature, theoretical framework and methodology (Chapters 1–2), I will explore the discourse that currently governs asylum in Switzerland as well as the particular history of Swiss asylum politics (Chapter 3). This sociogenesis will reveal the restrictive path undertaken by Swiss authorities until today and the progressive construction of borders *within* throughout the second half of the 20th century and the first decades of the 21st century. With this sound foundation, I will then unpack the

administrative journey people seeking asylum have to travel step by step after their arrival in Switzerland and discuss in parallel the procedure *de jure,* or *de administratio,* and the embodied experience of people *de facto* based on my fieldwork (Chapter 4). While my research is organized in concentric circles, I will progressively add new layers to enrich the analysis around the central guiding questions. In that sense, Chapters 5 and 6 focus on the heterogenous temporalities and the different spaces of the Swiss asylum *dispositif*. I will analyze their functions, functioning and the detrimental impacts they have on the health of people seeking asylum. Subsequently, in Chapter 7, I will explore the possibility to overcome the conditions of invisibility of violence in the Swiss asylum *dispositif* by using the notion of *trace*. Finally, I will propose two concluding thoughts on the issue of intentionality in the harm and the potential counter-factual offered by the asylum experience of people fleeing the war in Ukraine in 2022.

1.   LITERATURE REVIEW AND THEORETICAL FRAMEWORK

There is extensive literature on asylum, migration and borders, covered by a broad range of disciplines that all contribute in their peculiar ways to the understanding of those phenomena. While providing a thorough account of the state of the literature on these issues is beyond the scope of this research, I will address it through the specific theoretical framework of my work to contextualize and situate my approach. I will first focus on the literature on asylum in Switzerland and the potential opportunity to use a critical border studies lens in that context. Then, I will explore the critical literature on borders with particular attention to the ubiquity of borders (Balibar 2002) and their interrelatedness with violence. Finally, research on health and forced migration as well as their usefulness to render visible traces of violence will be addressed.

1.1   Asylum in Switzerland

Most of the time presented as a phenomenon that polarizes tensions, public opinion, and political debates, asylum in Switzerland has been extensively studied. Research has notably focused in recent years on the evolution and the future of asylum and protection in Switzerland (Piguet 2019), on the Swiss asylum decision-making process at the level of bureaucrats (Miaz 2017a; Pörtner 2021; Affolter 2021a), on residency permits and professional integration of refugees (Bertrand 2020) or on the political discourses surrounding the central notion of "abuse" in the Swiss asylum system (Leyvraz et al. 2020). While most of those studies touch upon the burden that the asylum process can constitute for people who go through it, recent social sciences research focusing specifically on the impacts the Swiss asylum system can have on people's health seems rare.

Furthermore, whereas my research proposes to analyze these impacts and to situate practices related to asylum in the broader context of the controlling of mobility and asylum, I mainly draw from authors who have adopted a critical border studies lens and addressed asylum and migration bureaucracies as borders *inside* States (Näre 2020a, 437; Laungaramsri 2020; Artero and Fontanari 2021; Borrelli 2021). This perspective has only rarely been used in the Swiss context, with the notable exception of Jonathan Miaz (2017b) and his work on social usages of Swiss asylum law. Drawing from studies on immigration counters – *guichets* in French – (Spire 2008) and based on the work of Olivier Clochard (2007), he indeed relevantly analyzed "how, in Switzerland, the State Secretariat for Migration and juridical mobilizations participate in the practical production of borders" (Miaz 2017b, 1). Building upon these approaches, this study therefore seeks to apply and expand a critical border studies approach to the Swiss asylum *dispositif*.

1.2   Ubiquitous Borders

Throughout the asylum-seeking journey, borders are encountered constantly. But understanding them as mere demarcation lines between two territories is insufficient to fully grasp their impacts on people. More than "limits that were established over the centuries, most often on the basis of power relations, but also according to political and patrimonial interests" (Foucher 1995, 9), borders are indeed multi-sited and multi-dimensional entities (Dempsey 2020, 2) which regulate conditions of mobility as well as immobility. They are considered by critical border studies tenants as "thoroughly ideological" (Anderson, Sharma, and Wright 2011, 6). Borders indeed fulfill more than the control and exclusion functions commonly put forward with allegories such as the "Fortress Europe". They also act as filters, sorting and channeling people into a multitude of spaces (Mezzadra and Neilson 2013, 165). In that sense, my understanding of borders draws from the philosopher Etienne Balibar (2002 ,84), who argued that "some borders are no longer situated at the borders at all, in the geographico-politico-administrative sense of the term. They are in fact elsewhere, wherever selective controls are to be found […]".

From there, a question inevitably arises: why use the concept of "borders"? Scholars like Didier Fassin and others indeed preferably articulated the notions of *borders* and *boundaries* to understand the experience of people on the move and their subjection to States. In Fassin's (2011a, 215) words, "[t]hey cross *borders* to settle in a new society and discover *boundaries* through the differential treatment to which they are submitted" (emphasis added). This classical use of "boundaries" in social sciences indeed holds an exclusionary component, describing a socially constructed distinction, "a separation between internally connected clusters of population and/or activity" (Tilly 2004, 214), which can produce discrimination,

stigmatization, and violence toward, in this case, immigrant people. Nonetheless, I consider it insufficient to situate these phenomena in the continuity of the migration experience and using the notion of *boundaries* renders it difficult to account for the specific effects of state-led *dispositifs* on groups of individuals. Then, more than a discursive argument, using the notion of border and their *ubiquity*—in Balibar's term—allows one to explore the peculiar mechanisms produced by borders in multiple contexts crossed by people on the move that differ in their spaces and materialities but are governed by similar practices and ethos.[3]

In sum, the borders seem to be enacted within the Swiss asylum *dispositif*. Its laws, administrative measures and bureaucratic practices aiming at selecting people and controlling migratory flux (Miaz 2017b, 5) indeed transport and translate borders *within* the State, "*into the middle of political space*" (Balibar 2004, 109), along with their potential for violence.

1.3   Border, Violence and the Multifaceted *Border Violence*

The interrelatedness of border and violence takes its roots in the securitized and exclusionary aspects and practices inherent to borders. As part of the broader apparatus of state control, they have not only been historically constructed *by* and *through* violence but are also perpetually negotiated and furthered by violent practices with variable materiality depending on the dimension of the border. In that sense, talking about *border violence* is recognizing the violence inherent to the border while addressing particular forms of violence perpetrated in their peculiar spaces, mostly against illegalized, criminalized and racialized people. Borders are indeed imposed on people and produce different effects—sometimes called by geographers "frontier effects" (Renard 2000) —which impact and shape the lives, existences and experiences of people who interact with them (Dubal, Samra, and Janeway 2021, 5). By allowing the exercise of constraint and control, and by altering people's capacities, those effects can take the form of violence.

Generally, border violence can have at least two distinct forms that each encompasses particular acts of violence. The first is a *direct* form of border violence that includes direct violent actions such as illegal pushbacks in the Mediterranean and Aegean seas or between countries on the Balkan migratory route (Border Violence Monitoring Network 2022; Isakjee et al. 2020).

Border violence can also have an *indirect* form that can mostly be understood in terms of inaction or indirect action, for instance when authorities do not assist people in distress in the Mediterranean Sea (Heller and Pezzani 2016), when States construct infrastructures in border zones that are aimed to hurt people trying to cross those spaces (Jusionyte 2018), or

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[3] Ethos can be defined here as "the assemblage of values that underpin procedures, such as, for example, rule orientation, consistency, efficiency, efficacy […]" (Eckert 2020, 11) but also, closer to the subject of this research, security and deterrence.

more generally when States' inaction and abandonment of people seeking asylum have violent impacts on them (T. Davies, Isakjee, and Dhesi 2017). However, this distinction is not fixed, and forms of violence are usually situated on the blurred line between direct and indirect actions, which furthers at the same time uncertainty with regard to issues of intention and responsibility.

Furthermore, following the ubiquity of borders put forward above, those forms of violence are sometimes displaced in spatial peripheries in order to be dissimulated (Isakjee et al. 2020, 1752) or, more relevantly for this study, they can also be at the center of public authorities practices, hidden in plain sight in national and supranational laws, administrative procedures and violent spaces.

In sum, the forms of border violence addressed in this study are precisely situated on this largely unexplored blurred line, happening in seemingly non-violent settings, in border spaces *within* Switzerland, produced and governed by the Swiss asylum *dispositif*.

1.4   Traces of Violence, Forced Migration and Health

The data gathered during my fieldwork showed that cases of direct violence with an identifiable perpetrator are only rare compared to forms of indirect violence, which are most of the time characterized by their invisibility. In that sense, rendering them visible remains quite challenging. Nonetheless, as Edmond Locard (cited in Weizman 2014, 744) famously put it, "every contact leaves a trace". In our case, the *traces* that I will explore take the form of the usually mediated, visible or invisible, *impacts* left by the Swiss asylum *dispositif* on the bodies and minds of people seeking asylum. As put forward by Didier Fassin and Dominique Memmi (2015, 9), "the work of society on individuals, or the State's [work] on citizens is [indeed] made on the body and the mind".

A broad range of studies focused on the impacts that experiences post-migration have on asylum-seekers' health, emphasizing the prevalence of depression, stress, anxiety but also poor physical health in the asylum-seeking population (Léandre 2002; Beneduce 2015; Hynie 2018; World Health Organization 2018; Centre Primo Levi and Médecins du monde 2018; Solberg et al. 2020). At the same time, they put forward correlations between people's health and the *conditions d'accueil* in destination countries—related notably to the living conditions of people seeking asylum or linked to the asylum procedure in itself. Furthermore, other medical and psychological studies produced empirical data on the mental and somatic impacts of the asylum procedure as well as other post-migration stressors (Silove et al. 2007; Teodorescu et al. 2012; Jackson et al. 2019; James, Iyer, and Webb 2019).

In the context of this research, these studies and the essential data they provide will be combined with the data gathered during my fieldwork to explore the impacts of the Swiss

asylum *dispositif*. I will mobilize them to uncover the traces it left on people and to render visible the forms of violence they experienced during their asylum process.[4]

2.   METHODOLOGICAL APPROACH

This qualitative research adopts a multimethod approach combining semi-structured interviews, desk research and direct observation, inspired by grounded theory methodology (Glaser and Strauss 1967). Taking some liberty from the traditional inductive logic of the grounded theory, I used an iterative process to frame and conduct my research in the sense that I pursued a constant back and forth between the literature and the empirical findings and encounters in the field. This combination of methods and approaches provided me with the necessary flexibility to explore this complex and partly unexplored subject anchored in the observations and findings gathered from field experiences. At the same time, although I consider that saturation *per se* is unreachable in qualitative social sciences research, I stopped the data collection when it appeared that collecting more data would not significantly change my results (see Saunders et al. 2018).

While this non-linearity in the research method is particularly relevant to address a research topic connected to the field, it inevitably bears a range of limits quite common to most qualitative approaches. The main one is of course the uncertainty about when to stop the data collection and whether leaving aside saturation impacts the quality of the research. Considering this uncertainty, and as this research does not seek to present an exhaustive recollection of all forms of violence experienced by people within the Swiss asylum *dispositif*, I mitigated this limit by framing quite strictly my desk research in terms of sources, time and space and established a relevant sampling design for my interviews.

2.1   Semi-Structured Expert Interviews

During this iterative process, I conducted semi-structured expert interviews with two groups of people: the first one is composed of professionals working in institutions that support people during and after their asylum process. I chose to focus on people who are among the most represented professional groups in the field, namely jurists, lawyers, psychiatrists and social workers.[5] The interviews allowed me to gather second-hand empirical data on the impacts the asylum procedure has on people and to construct a network of actors working in the field of

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[4] The centrality of the notion of trace in my work as well as my interest and reflections on the conditions of (in)visibility of violence are largely influenced by the critical forensics approach of Eyal Weizman and others (see *inter alia*: Weizman 2014; 2017; 2019; Heller and Pezzani 2017).
[5] In addition to these interviews, I also repeatedly exchanged with a nurse, two physicians and a psychologist. Since it was outside pre-determined interview settings, I refrain from quoting them in this research. However, it is important to acknowledge their significant contribution to my reflections on the subject.

asylum and migration who all introduced me to other experts or institutions to continue my fieldwork.

My second group of experts is composed of people who experienced the asylum procedure in Switzerland. Drawing from Thomasina Borkman's (1976, 446) work on self-help groups, I observed that people who went through an asylum process acquire *experiential knowledge*, i.e., knowledge, information, know-how, "gained from personal participation in a phenomenon instead of isolated, unorganized bits of facts and feelings upon which a person has not reflected". It is after the first interview that I realized that people were quite keen on telling their stories as I was not considering them as objects of study but as full-fledged experts of the Swiss asylum procedure, as "active and critical subjects" (Cabot 2016, 648). With their personal experience, and also with the necessary knowledge they had to acquire on the process to monitor the evolution of their asylum claim, they were able not only to provide a thorough understanding of the procedure from within the system and from across the desk, but also to articulate relevant critical reflections on the Swiss asylum *dispositif*.

The experiential experts experienced the asylum procedure either after 2015 or after 2019.[6] Initially, I was seeking to meet with people originating from the seven most represented countries in the asylum-seeking population in Switzerland, namely: Afghanistan, Eritrea, Iraq, Somalia, Sri Lanka, Syria and Turkey.[7] I decided not to add Ukraine despite its over-representation in the asylum-seeking populations at the beginning of 2022 due to the lack of perspective it is possible to have on the exceptionality of an ongoing situation.

The interviews focused on their experiences with the Federal and Cantonal administrations in Switzerland and their peculiar temporalities and spaces, their conditions of living throughout the asylum procedure, the evolution of their health in relation to the different steps of the asylum process as well as the forms of violence they endured. The interviews were semi-structured but also comprehensive in the sense that, despite having an interview guide, I largely let people decide what they wanted to talk about, which allowed me to detect which elements and specific moments they were giving importance to. As an encouragement, but also to document the impacts the asylum process had on them, the question I often asked—which is also common in clinical research—was "how did you feel about that?" (Miles and Gilbert 2005, 71).

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[6] On the one hand, 2015 was marked by a significant increase in the number of arrivals of asylum-seekers in Europe and a shift in European and Swiss asylum politics. The same year, the Federal Office of Migration also became the State Secretariat for Migration, a step considered as an "upgrading" in status that "take[s] account of the growing importance of the SEM's work and its expanding range of tasks" (Affolter 2021a, 57). On the other hand, 2019 was marked by the entry into force of the latest revision of the Swiss Asylum Act, which, as we will see, led to major changes in the functioning of the Swiss asylum system.
[7] This selection is based on the SEM asylum statistical reports for the period 2015-2021 (State Secretariat for Migration n.d.). Those 7 countries were present every year in the 'top 10' ranking of the SEM.

However, it proved difficult to reach the initial objective in terms of interviews and countries of origin, and I had to focus on four people: Fikrey from Eritrea, Mouhammed from Syria, Nazari from Afghanistan and Ramazan from Turkey.[8] As there are ineluctably differences in experiences based on countries of origins, their lived realities and their critical analyses of the Swiss asylum *dispositif* largely overlapped. In that sense, without essentializing their experiences, the four people I interviewed can be taken as figures who embody the broader *communauté de destin* of people seeking asylum.[9]

I have identified at least two main reasons that can partly explain the difficulties I encountered in reaching the initial interview objective. The first is related to the over-solicitation of the asylum-seeking population for interviews by researchers but also journalists in Switzerland, leading them to constantly being asked to tell their stories without any apparent benefit for them (see Cabot 2019). In that sense, following Shahram Khosravi's call for a decolonized approach to the study of migration that should show "sensibilities toward migrants' fundamental right to opacity, that is, that not *everything* should be seen, explained, understood, and documented" (Khosravi 2020, 294), I never insisted when people refused to talk to me about their experience and I naturally did not include in this research any elements that I was told outside a pre-agreed interview setting.

The second—and related—reason that can explain this limitation can be linked to the interview setting in itself and the potentiality for the researcher to be considered as another actor who wants to "interrogate them". As Lena Näre (2020b, 984) also noted during her ethnographic research on asylum-seekers protests against bureaucratic violence in Finland, "[f]or the asylum seeker, the interview situation in itself reminds them, through its format, of an asylum interview, which is liable to create distrust toward the interview and its purpose". This further reinforced my will not to position myself as a subsequent burden for the people I wanted to interview, as their well-being was of paramount importance to me.

Furthermore, whereas women represent approximately 42 % of the total number of people who fall under the asylum system in Switzerland (State Secretariat for Migration 2022a, 9), the experiential experts I interviewed were exclusively people who identify themselves as men.[10] Despite the willingly non-exhaustive character of this research and its results, this constitutes a major limitation to address the intersectionality of people's experiences of violence during the asylum procedure. Further study could therefore build upon my research to take into account gender-specific experiences.

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[8] In order to ensure their anonymity, they are called by these first names of their choosing throughout the study.
[9] "The community of destiny is […] provoked by the realities external to the individuals and which imposes itself on them with force" (Ollivro 2009, 5).
[10] "People falling under the asylum system" ["Personnes relevant du droit d'asile"] includes people recognized as refugees (permit B or C), asylum-seekers (permit N), temporary admitted people (permit F), special cases and people who fall under a removal order (asile.ch 2015).

Finally, in terms of data analysis, I adopted a thematic method by gathering in categories the essential ideas emanating from the interview transcripts—such as "isolation", "health impacts", or "temporality". To do so, I performed a vertical analysis of each interview separately and then conducted a horizontal analysis of the different interviews to compare them and to look for similarities and differences in people's experiences, interpretations and analyses.

2.2   Desk Research

In parallel, I also conducted desk research to analyze primary sources such as laws, SEM documents, decision-making procedures and reports related to asylum in Switzerland. Drawing from document analysis methods (see *inter alia* Bowen 2009) allowed me to triangulate between the Swiss asylum system *de jure* or *de administratio*, the academic literature and the expertise and reality lived *de facto* by people I interviewed.

During this data gathering, I was confronted with a major limitation, namely the "black box" character of the SEM. As already stressed by other researchers working on asylum in Switzerland (Pörtner 2021, 24; Affolter 2021a, 28–29), the SEM is characterized by opacity, and gaining access to its internal documents, let alone to its employees and buildings, is particularly challenging. I notably had to wait three months to receive a part of the documents I had asked for through a formal demand based on the Federal Act on Freedom of Information in the Administration (2006, art. 6, al. 1), with very little information about the advancement of my demand. Interestingly, we will see later in this study that protracted waiting periods with significant lack of information about the advancement of a procedure are common practices within the SEM, be one a researcher or an asylum-seeker. To mitigate the impact of this limitation on my research, I nonetheless gathered a significant number of open-source documents (internal reports, texts of law, statistical data, internal manuals, policy papers, pictures, construction plans, etc.) of which I directly used approximately thirty.

2.3   Direct Observations

Finally, I have conducted direct observations on two occasions. One took place in May 2022 when I attended a national symposium on asylum organized by the Swiss Refugee Council (OSAR 2022). This event gathered professionals from most of the sectors working in the field of asylum in Switzerland as well as political authorities, activist groups and researchers. In addition to gathering specific observations that will be used in this research, it allowed me to have an overview of the diversity of actors working in the domain of asylum and to better grasp the interests of the different branches, from the SEM to private entities and activist groups. Then, I also conducted direct observation in a cantonal administration with a social worker who

accompanies people who fall under the *aide d'urgence* regime.[11] Whereas these administrative offices are usually described by people interviewed as one of "the spaces where the violence happens" (Interview with social worker 2022), the observation I conducted allowed me to perceive the diffused control of the Swiss asylum *dispositif* and to situate the administrative measures and bureaucratic practices at stake on the broader continuum of border violence, from the supranational to the federal, to the cantonal.

3.   SOCIOGENESIS OF THE SWISS ASYLUM *DISPOSITIF*

Sociologist Abdelmalek Sayad (1999, 6) famously argued that "*penser l'immigration, c'est penser l'État*".[12] He indeed considered that studying immigration was one of the introductions to the sociology of the State as it allowed to denaturalize it while showing its intrinsic discriminatory character—the distinction between the "nationals" and the "non-nationals" being its underlying and most prominent expression (Sayad 1999, 6). At the same time, it seems that to think about immigration is also to think about the *dispositif* that the State progressively constructs to govern non-nationals who are seeking to enter its territory and, in the case of this study, to claim asylum.

In Switzerland and elsewhere in Europe, asylum is governed by a complex multitude of supranational and national laws, administrative procedures, but also different actors, bureaucratic practices, specific temporalities and peculiar spaces, well described by the Foucauldian concept of *dispositif*. Drawing from the often-cited definition of the concept, I will take here the Swiss asylum *dispositif* as a heterogeneous ensemble, assemblage, of securitized political discourses, controlling spaces and institutions, "reglementary decisions, laws, [and] administrative measures [...]" (Foucault 1994, 299–300). I will use this concept of *dispositif* to reveal "how constraint is distributed across an array of components. In this way, the researcher can better perceive the human consequences of encountering these ensembles, rather than considering particular forms of constraint independently" (Dodier and Barbot 2016, 294).

As already noted by Ephraim Pörtner (2021) in his important work on the Swiss asylum administration, Foucault's concept seems useful not only because it encompasses this highly heterogeneous *ensemble* of elements that can all directly be linked to our case study, but also because it adopts a *relational approach* by putting together elements mentioned above in a network crossed by power relations. At the same time, a *dispositif*-based approach "can examine in what way and to what extent [these] component[s] [are] in fact supported by the

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[11] The *aide d'urgence*, or "emergency aid", is a highly precarious social aid provided to people whose asylum claim has been refused while they await their deportation. Further development on this can be found in subchapter 6.3.
[12] In English: "to think about immigration is to think about the State".

other elements of the *dispositif* to which [they are] connected" (Dodier and Barbot 2016, 294). While Pörtner reminds us that Foucault thought of the *dispositif* as a strategic response to an urgent need, he rightfully puts forward that "[i]n the case of asylum, [the Swiss asylum *dispositif*] can be seen to have emerged as a response to the (growing) problematization of people claiming rights of a State of which they are not citizens (on the basis of the Geneva Refugee Convention)" (Pörtner 2021, 58).

This problematization has a particular history that will be addressed in this chapter in order to better grasp the restrictive present of the Swiss asylum *dispositif*. After presenting what I consider as the *securitized humanitarianism* discourse on asylum, I will provide a necessarily partial sociogenesis of Switzerland's approach—some might say "tradition"— toward asylum and the restrictive path it followed.

3.1   The Securitized Humanitarianism Discourse

Asylum in Switzerland, and to a larger extent in Europe, is governed by at least two interrelated notions. On the one hand, *humanitarianism*, which constructs asylum both as a moral duty and as a favor done by a benevolent State to provide safety and alleviate the suffering of the persecuted foreigners (Ticktin 2011; Fassin 2010). Discourses surrounding asylum in Switzerland are indeed articulated around the narrative of the country's "humanitarian tradition" (Stünzi and Miaz 2020, 51) and used as one of the main components of the Swiss identity (Stünzi and Miaz 2020, 47), presenting it as historical heritage of hospitality for people who endured political and religious persecutions (State Secretariat for Migration 2019a). In comparison, whereas Miriam Ticktin (2011, 18) associates humanitarianism in the French context of asylum with "benevolence, compassion, and with making exceptions to respond to a moral imperative of emergency", Swiss humanitarianism deploys similar moral sentiments in its politics of asylum while most of the time not focusing on the exceptional and emergency aspects, in favor of the historical humanitarian tradition narrative.[13]

On the other hand, in Switzerland and elsewhere in Europe, this humanitarianism seems to be directly linked to the broader *securitization* of forced migration (Hammerstad 2016). By presenting asylum as a restricted good, an act of generosity from the receiving State that *only a few deserve to receive* (Fassin 2005, 376), it is most of the time used as "a cover for removing rights from the many in the name of the few" (Ticktin 2016, 261). As we will see, this securitization manifests itself in the Swiss asylum *dispositif* mainly through the progressive

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[13] As mentioned in the introduction, in the first half of 2022, Switzerland nonetheless used the exceptional aspect of the Ukraine-Russia War to implement emergency mechanisms in terms of *inter alia* legal status, permission to work and housing. In that sense, Switzerland's response to the arrival of Ukrainian asylum-seekers can be taken as an occurrence of Ticktin's moral imperative of emergency but cannot (yet?) be taken as the norm.

construction of borders *within* and their permanent spatial and temporal control over people seeking asylum.

From there, we understand that those seemingly opposed notions actually function in relation to one another, as "two sides from the same coin" (Ticktin 2005, 350), creating a *securitized humanitarianism* approach. As an illustration, the joint publication by Leyvraz et al. (2020) puts forward that while Swiss humanitarianism is indeed based on the constant and plural use of the humanitarian tradition argument as a component of the Swiss identity, the entire *dispositif* is constructed to "defend" the asylum system—and therefore defend Switzerland's humanitarian tradition—against abusers, "fake refugees", almost to the point of obsession (Stünzi and Miaz 2020, 58). As it can be found in a 2021 SEM report (2021g, 14), despite the fact that "in Switzerland the number of unfounded asylum applications *has always been relatively low*[,] reducing the number of such applications is […] one of the objectives of the restructuring of the asylum field […]" (emphasis added). In other words, while there has never been a high number of unfounded asylum applications in Switzerland—the so-called "abusers", "fake refugees"—the reforms of the asylum *dispositif* still aim at reducing those supposedly unfounded applications, imposing at the same time forms of control and exclusionary practices that can be detrimental for the health of every person seeking asylum.

In sum, in a mutually reinforcing manner, this *securitized humanitarianism* discourse has shaped laws and practices within the Swiss asylum *dispositif*, furthering and legitimizing its controlled and exclusionary aspects. As we will see in the next subchapter, this followed a restrictive path throughout the years and reached the point where the core objectives of the 2019 Swiss asylum reform can be described as "the acceleration of procedures, the reduction of Switzerland's attractiveness and the necessity to fight abuses regarding asylum" (Leyvraz et al. 2020, 9). Again, considerations for the *person* seeking asylum are largely sidelined to the benefit of procedural efficiency and a securitized approach against the constructed threat people on the move are deemed to represent.

3.2   The Evolution of Asylum in Switzerland

We understand that the current Swiss approach to asylum has a peculiar history anchored in the internal securitized humanitarianism discourses mentioned above. At the same time, we will see that it was directly influenced by the evolving geopolitical contexts and their related migratory movements throughout the second half of the 20th Century. By doing a (partial) sociogenesis of the current Swiss asylum *dispositif*, I will focus on distinguishing specific patterns, drawing from what legal studies called a "historic interpretation", i.e. the authorities' intention at the moment of drafting the different laws (see inter alia, *ATF 112 IB 465* 1986, c. 3.b). While bearing in mind the potential risk of being teleological, we will see that the Swiss

asylum approach since the Post-World War II period seems to follow a path toward an ever more restrictive approach to asylum.

3.2.1 *Peur du Rouge* and Partial "Open-Arms" Period

Post-World War II and after Switzerland ratified the 1951 Geneva Convention relating to the Status of Refugees in 1955 (United Nations High Commissioner for Refugees 2015, 4), the country experienced a period of openness toward refugees (Piguet 2019, 58–59). Driven by anticommunism and the commonly called *peur du rouge*, Switzerland indeed welcomed a significant number of refugees fleeing the repression of the communist regimes of Hungary, China, Czechoslovakia (Bertrand 2020, 34) while allowing the State to earn back its image of "land of asylum" (Parini 1997) after the "ambiguous position that Switzerland adopted with regard to Jewish refugees during World War II" (Bertrand 2020, 36). At the same time, multiple internal socio-economic factors related to the supposedly cultural proximity of European nationals, the need for workforce and the relative marginality of xenophobic political forces at the federal level, also need to be taken into account to understand this somehow "open-arms" period (Parini 1997, 57; Piguet 2019, 69; Bertrand 2020, 37).

Extending into the early 1970s, this period left the Swiss borders rather open to people seeking asylum, with the Federal Council even laying "the foundations of a future asylum policy aiming to be generous" (Piguet 2019, 64). Nonetheless, during the same period, the Swiss authorities' fear and reluctance in front of a potential influx of refugees fleeing the war in Algeria and the related repressions in France already seemed to foreshadow the future restrictive Swiss politics with regard to refugees (Piguet 2019, 67–68). This differentiated treatment can be interpreted in the light of at least three interrelated elements, namely the close diplomatic relations between Switzerland and France, the potential xenophobic sentiments present in the country against non-Europeans[14] and the fact that this conflict was largely detached from the bipolar Cold War context. The last two elements have a particular echo with the major paradigm change in Swiss asylum politics in the early 1970s.

3.2.2 Chile's Coup d'État and the "Attractiveness Narrative"

After the *coup d'état* in Chile in 1973, many people fleeing Augusto Pinochet's repression arrived in Europe to claim asylum. As non-Europeans, but also as opponents to the Pinochet regime or former supporters of Salvador Allende's government, their political ideology—considered close to communism—tended to be perceived as a threat by Swiss authorities,

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[14] As an illustration of potential xenophobic sentiments in Switzerland, Etienne Piguet (2019, 67) puts forward that "[a]lthough Switzerland was experiencing a labor shortage, Algerian immigration was not desired and Algerian workers were [not recruited], unlike the Italians [during the same period]".

which subsequently led to a major decrease in refugees admission (Bertrand 2020, 38–39). At the same time, this period marks the intensification of xenophobic political discourses targeting refugees, with arguments revolving around the necessity for cultural proximity while mobilizing the now common "attractiveness narrative" with "Federal Councilor Kurt Furgler declaring under the applause of the Federal Assembly […]: 'If we do not want to sentence to death our asylum policy, we must stop *attracting* refugees from every hot spot in the world.'" (Piguet 2019, 73, emphasis added). This progressive construction of a restrictive approach toward refugees in Switzerland and the differentiated openness of borders depending on the refugees' origins is also associated with an intensification of xenophobic turmoil and racist manifestations in Europe during the same period (Bertrand 2020, 39).

3.2.3   The First Swiss Federal Asylum Act: The Illusion of Openness

It is after this period of changes that the Swiss Federal Asylum Act (AsylA) was voted and entered into force in 1981. At first, it was "without the fear of an important afflux of refugees, and with a concern for openness faithful to the Swiss hosting tradition that the Parliament formalized, consensually, an asylum practice based so far on a single article of the law on foreign nationals, and its directives" (Piguet 2019, 75; see also, *Swiss Federal Act on Foreign Nationals* 1931).

However, the 1980s and 1990s were marked by a significant increase in asylum claims (Piguet 2019, 76), a transformation in the modality of access to the host territory—based henceforth less on resettlement programs and more on people's capacities to reach the European territory—and by a complexification of pre-migration contexts (Stünzi and Miaz 2020, 36–38). From there, asylum became increasingly securitized and discourses with strong xenophobic connotations "lumped together [asylum and migration] with other more traditionally 'scary' trends such as international crime" (Hammerstad 2016, 268–69). Mainly following a narrative that presented the receiving State as in need of securitized measures to protect itself from the potential threat asylum-seekers were supposed to represent (Garelli and Tazzioli 2013, 1008–9), States erected borders *around* the Schengen area to limit the access to the European territory and, in the continuity, constructed borders *within* countries through the implementation of restrictive asylum policies (Stünzi and Miaz 2020, 42). As put forward in a UNHCR report (2012, 9), this trend is still ongoing and "wealthier countries, geographically removed from crisis zones, have implemented numerous measures to deter and prevent the arrival of asylum-seekers and refugees".

3.2.4 "*Frénésie Législative*" and the Construction of Borders Within

From there, the Swiss Asylum Act started experiencing a real "*frénésie législative*"[15] (Piguet 2019, 73) with, to this day, around "thirty direct or indirect [legislative] modifications (Stünzi and Miaz 2020, 43). Again linked with geopolitical events—such as conflicts in Zaïre, Sri Lanka, Yugoslavia or Lebanon—and their related migratory movements, the legislative modifications were increasingly restrictive and the securitized administrative measures—that can be assimilated to bordering practices—such as the systematic taking of fingerprints or deportation policies with coercive measures, were implemented (Piguet 2019, 81). At the same time, the Swiss authorities started constructing other sorts of borders *within* the country, notably through treatment strategies that restrict the admissibility of reasons for asylum (Leyvraz et al. 2020, 265–67) and "less favorable conditions put in place […] [to] reduc[e] the "attractiveness" of Switzerland" and regulate migratory flux toward the country (Miaz 2017b, 3). At the same time, it created precarious status for those deemed ineligible for asylum.

There are at least two elements that can illustrate this approach. The first one is the implementation of the "temporary admission status" —or permit F—which created *de facto* precarious conditions of living for people "who have been ordered to leave Switzerland and return to their native countries but in whose cases enforcement of this order has proved unlawful (violation of international law), unreasonable (genuine risk to the foreign national concerned) or impossible (for technical reasons of enforcement)" (State Secretariat for Migration 2021a). As an illustration, in one of the interviews I conducted, Fikrey explained to me that he has had a permit F for 4 years and that his legal status continuously prevents him from living his life as he wishes. As he put it, "a normal person has a dream, but I only have many barriers" (Interview with Fikrey 2022). In addition to the fact that he is not allowed to have access to basic services such as a bank account or a phone plan, he was repeatedly refused jobs because hiring someone with a permit F is perceived as administratively complicated by many employers. This precarious legal status confines people in a limbo where they are not authorized to fully integrate Swiss society and cannot return to their country of origin or even move to another country since they already have a legal status in Switzerland. "I want to do normal things, have a family, work, go on vacation, but I cannot do all that. [Whatever I do, it is always] a daily reminder of my situation" (Interview with Fikrey 2022).

The second illustration, which will be addressed in more detail later in the subchapter 6.3, is the restriction of access to social welfare for people who were denied asylum. In 2008, following a clear will to encourage people to leave the country, it was indeed replaced by the highly precarious "*aide d'urgence*", which allows the State to remain in control of people

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[15] In English: "legislative frenzy".

through invasive administrative procedures while depriving them of any agency (Povlakic 2011; de Coulon 2019).

3.2.5 The 2019 Asylum Reform

The latest outcome of this legislative frenzy is the major reform of the Federal Asylum Act, voted by the Swiss electorate in 2016 and entered into force in 2019. It marked a particularly important shift in the ways in which the asylum claims were treated. Focusing on the acceleration of asylum procedures, it implemented temporal deadlines at every stage of the process and instituted a geographical concentration of all people and organizations directly involved in the asylum procedures in Federal Asylum Centers (FAC) where people seeking asylum are also housed.[16] Following a clear New Public Management approach (Pörtner 2017, 15), the SEM sees it as an opportunity to organize processes "more efficiently, which also allows to reduce costs" (State Secretariat for Migration 2018b). At the same time, following the restrictive and exclusionary path, it also aims at "improving the enforcement of the deportation of rejected [*déboutés*] asylum-seekers" (State Secretariat for Migration 2018a).[17]

The Swiss Secretariat for Migration put forward two main principles for this reform: the already mentioned acceleration of procedures, "and the assurance that they will continue to be conducted in accordance with the standards of the rule of law" (State Secretariat for Migration 2018a). The second principle is mainly assured by the provision of free legal representation for the person seeking asylum throughout the procedure. Mandated by the SEM, different non-governmental organizations, namely *Caritas, EPER, OSEO, SOS Ticino* (State Secretariat for Migration 2018d), provide systematically free legal aid in FACs as well as in the cantons from the preparatory phase to the moment the final asylum decision enters into force and the possibility of appeal is set aside by this legal representation (*Federal Asylum Act* 2021, art. 102h).[18] It has been described by professionals in the sector mainly as a compensatory measure to help people cope with the intensity and complexity of the accelerated procedure (Interview with legal aid jurist 2022). Whereas we will see in the following chapter how this procedure is concretely implemented on the ground, this Swiss approach and principles seem to fit Griffith's (2014, 1999) observation of "[g]overnments

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[16] Those spaces as well as the particular temporalities of the procedure will be at the core of our analysis in chapters 5 and 6.

[17] Interestingly, it is quite common to see in the SEM's internal documents "asylum" and "removal" put in a somehow dialectical relation. Whereas further documentary analysis needs to be done about this specific aspect, it could be interpreted as a way for the SEM to remind its employees and the person seeking asylum that the asylum law can also be a removal law, furthering the perpetual tension between integration and exclusion.

[18] It would be particularly interesting to conduct further research on the effects of those mandates on the Swiss asylum procedure and on how those organizations position themselves with regard to the SEM as entities paid by state authorities to control—among other things—the State's actions. On related issues, see notably the work of Jonathan Miaz (2023).

[which] frequently and explicitly portray speed as a sign of success, including in terms of the rates of deportation and asylum decision-making".

In sum, we understand that Switzerland progressively constructed its asylum law and the related administrative procedures in a highly restrictive manner, positioning at the center of its approach security, exclusion, control, deterrence and differentiated treatment depending on the people's countries of origin. At the same time, this evolution is concurrent with other European countries' approach to migration and asylum, which conducted a "*compétition à la sous-enchère*"[19] (Piguet 2013, 91) focusing on restricting the access to their territories and implementing measures to deter people from seeking asylum in their country rather than in another (Stünzi and Miaz 2020, 43). At the same time, following the analysis made by Chowra Makaremi (2020, 61) in her study of the French asylum procedure in border detention, it seems that in Switzerland, as in France and elsewhere in Europe, "legislative changes did not address real needs for procedural readjustment but rather directly reflect the role of immigration in global political power struggles. A new modality of ill-treatment and exclusion through administrative complexity has instilled institutional violence in the rule of law".

These legislative changes and the entire administrative journey have important implications for the lived experiences of people seeking asylum who are funneled through it and can produce different forms of violence. As put forward in one of my interviews by a social worker working in a psychiatric unit helping people on the move, "[l]ately […] we conclude certain debriefings with only this word in mind: violence. And really, this violence of *here* [*cette violence de l'ici*] is extremely serious from the point of view of what is done to the person who is completely subjected to an authority that is not benevolent" (Interview with social worker 2022).

4.   THE JOURNEY THROUGH THE SWISS ASYLUM PROCEDURE: AN EMBODIED EXPERIENCE

In a paper based on her fieldwork in asylum camps in Denmark, the Netherlands and Sweden, Kara Dempsey (2020, 7) put forward the fact that "[p]aradoxically, migrants reported that violence in host states surpasses what they experienced in previous geopolitical spaces". One of the most prominent forms of violence that people seeking asylum reported to her was what she calls "non-linear violence", namely "the violence of state practices regulating and controlling migrant bodies […] built into the structure of migrant legislation [and] concealed in the praxis of bureaucracies […]" (Dempsey 2020, 7). While this observation necessarily needs to be contextualized depending on the practices within the host country and the particular experiences of each individual, it is mostly congruent with the findings that emerged from my

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[19] In English: "competition for underbidding".

fieldwork. During the interviews I conducted, professionals with significant experience in the domain of asylum and migration in Switzerland indeed repeatedly insisted on "the interplay between the suffering linked to the migratory journey, often with PTSD symptoms, substance abuse, – [or] perhaps pre-existing elements – and […] the post-migratory [experience] that comes on top [of this suffering]" (Interview with social worker 2022).

In this regard, contrary to Dempsey's observation, the results of this research do not allow to affirm that the violence experienced in Switzerland by people seeking asylum surpasses previous experiences of violence. Nonetheless, administrative procedures within the Swiss asylum *dispositif* can be experienced as forms of violence that have an impact on the health of people. As a psychiatrist who worked in the domain of migration and asylum for more than a decade argued:

> Most of the time, when we saw them [people seeking asylum in psychiatric consultations], what made them sick was, on the one hand, the migration process itself, which could be traumatic in what they experienced during the journey, but [also on the other hand] especially [the experience] upon arrival, and there, it is really a matter of administrative violence (Interview with psychiatrist 2022).

Building upon these observations, this chapter will explore how the Swiss asylum procedure is concretely implemented on the ground. Focusing on the administrative journey people seeking asylum have to travel step by step after their arrival in Switzerland and the impacts it has on them, I will discuss, as announced, in parallel the procedure *de jure*, or *de administratio*, and the embodied experience of people *de facto*.[20] At the same time, we will see that this administrative journey is characterized by specific temporalities and peculiar spaces governed by a restrictive approach and a focus on control and exclusion, which can situate it on the broader continuum of border violence experienced by people on the move.

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[20] See Appendix B for a flowchart published by the Swiss Refugee Council (OSAR) that provides a visual overview of the Swiss asylum procedure.
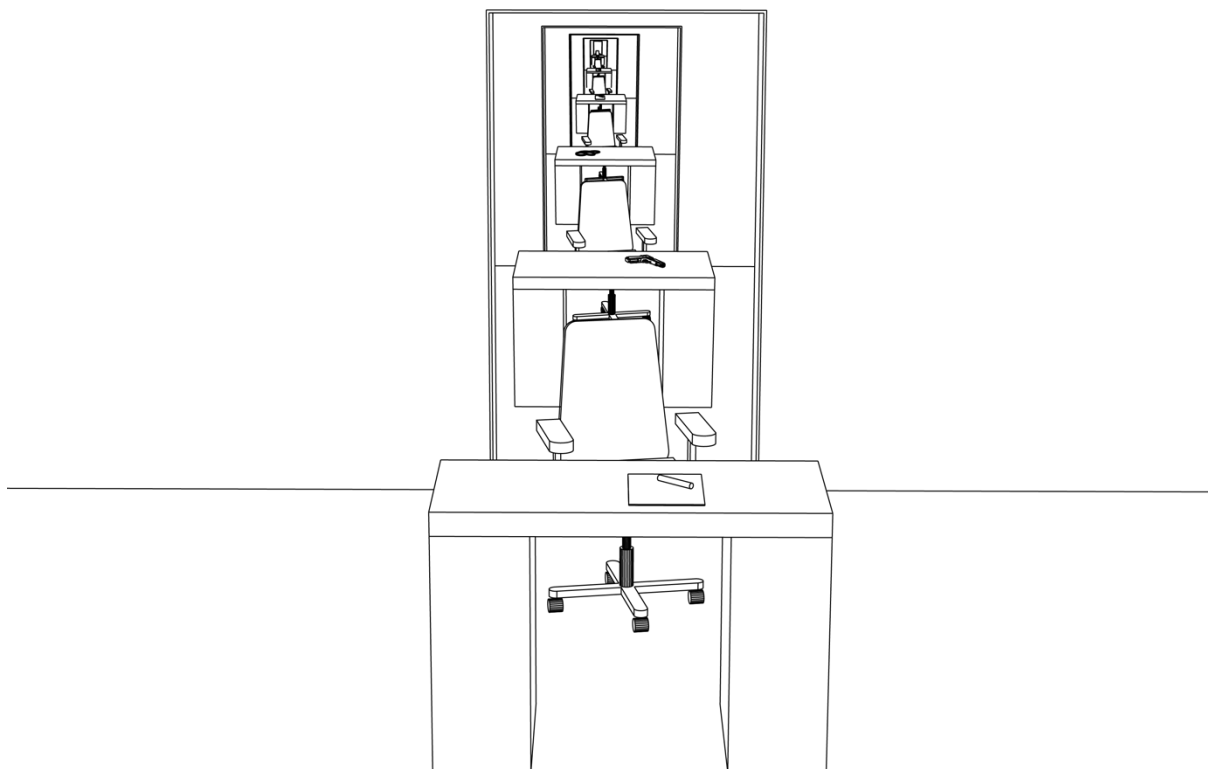
Figure 2 The Perpetuity of The Borders Within. Illustration by Iskander Guetta and Elio Panese (2022).

4.1 Preparatory Phase

The first phase of the administrative journey is called the preparatory phase and starts at the moment when the person claims asylum.[21] It aims at gathering the personal information and biometric data of the person seeking asylum to confront it to the Eurodac database and assess whether Switzerland is the country responsible for processing the asylum claim under the Dublin III Regulation[22] (*Federal Asylum Act* 2021, art. 26, al. 2). The SEM authorities seize all documents—from passports and driver's licenses to marriage and birth certificates—and keep them "during the asylum procedure and after its definitive closure as long as the person does not hold a residence or establishment authorization" (*Ordonnance 1 sur l'asile relative à la procédure* 1999, art. 2b, al. 3). People seeking asylum also have a medical visit and usually a first meeting with legal aid to have information about their rights and obligations. Under the

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[21] Geographically, the person is required to arrive from outside Switzerland's territory and apply for asylum "at a border control point at a Swiss airport, on entry at an open border crossing or in a federal [asylum] center" (*Federal Asylum Act* 2021, Art. 19, al. 1).

[22] The Dublin III Regulation (Regulation No. 604/2013) "lays down the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person" (art. 1). The principal criteria is commonly called the "first-country-of-entry criteria" which states that when "an applicant has irregularly crossed the border into a Member State by land, sea or air having come from a third country, the Member State thus entered shall be responsible for examining the application for international protection" (art. 13, para. 1). In that sense, it established "a system through which countries could send asylum-seekers back to their first EU country of arrival" (Caviedes 2016, 561).

Dublin procedure, this phase should last "no more than 10 days, and under other procedures no more than 21 days" (*Federal Asylum Act* 2021, art. 26, al. 1).

It is at that moment that the first hearing takes place, sometimes called the "road interview" by people seeking asylum (Interview with Ramazan 2022). It is a short hearing between the person seeking asylum and a SEM employee with the possibility of having an interpreter but no legal aid. As described by Affolter, "the asylum seekers are questioned about their personal data (e.g., family ties, education, place of residence, etc.) as well as their reasons for applying for asylum and their travel routes" (Affolter 2021a, 61). The SEM calls this interview the "Dublin interview" emphasizing the aim to determine whether the person has already claimed asylum in another State and assess the possibility to send the person back to this country under the Dublin III Regulation (State Secretariat for Migration 2019c, 6).

This first phase allows an initial *triage*, based on considerations about the likelihood of the person's information and the countries the person went through before arriving in Switzerland. At the same time, it makes already appear the peculiar temporalities of the procedure where every step has a deadline to ensure a fast and cost-efficient proceeding. Furthermore, we see that the logic of exclusion and control is present from the very beginning: the person seeking asylum is put in a situation where he or she is required to be completely transparent and submitted to the procedure, with the seizing of documents as a clear illustration of the control the SEM wants to exercise on people. It also reveals the underlying aim to assess very rapidly the possibility of people's exclusion—read: *deportation*—under the Dublin procedure.

4.1.1 The Asylum Claim: Violent Encounter and Differentiated Treatment

As put forward by the SEM, the "preparatory phase starts with the filing of an application for asylum" (State Secretariat for Migration 2019c, 4). More than an administrative formality, this performative act is usually the first interaction with the Swiss authorities for people seeking asylum. Concurrently, as it has been reported in different interviews I conducted, this may also be the first occurrence of violence experienced by them.

Ramazan, a Turkish national whom I interviewed, took a plane from Greece and claimed asylum upon his arrival at Geneva airport. In accordance with the special procedure at the airport, two airport police officers were in charge of gathering his personal and biometric data and conducting a search (State Secretariat for Migration 2019b, 4). Whereas such bordering practices are now common and standardized in airport zones, they are quite different when the purpose of a person's presence is to claim asylum. People seeking asylum are indeed not allowed to formally enter Swiss territory before the authorities have controlled the admissibility of their asylum claim as well as the possibility for direct deportation, notably

according to the Dublin Regulation (State Secretariat for Migration 2019b, 6). Hence, the initial steps of the preparatory phase are all undertaken at the airport, which sometimes leads people to be housed in the transit zone or in a SEM facility next to the airport for up to 60 days (State Secretariat for Migration 2019b, 4).

One of the two policemen who were assigned to Ramazan's case asked him angrily: "Why did you come here?!" Ramazan answered this question by mentioning that he was claiming asylum because he had "problems in Turkey". The airport officer responded: "It is not my problem. Why didn't you stay in Greece?" Ramazan was shocked by this interaction and, as he had not been given any information about the procedure or the role of those police officers in his asylum process, he was left in a state of incomprehension, unsure whether he needed to answer the questions he was asked (Interview with Ramazan 2022).

The procedure then mentions that the person needs to be searched but does not provide further information about the type of search that should be conducted. In the case of Ramazan, he was asked to remove all his clothes, including his underwear; a practice much more intrusive than common searches conducted at airports for non-asylum-seeking travelers (Interview with Ramazan 2022). As such strip search is substantially regulated by Swiss law, it can only be conducted, according to a Swiss Federal Supreme Court ruling (2019), if there are "serious and concrete indications of danger to himself or to others […] [which] may result from the crime of which the person is accused". In any case, the Federal Supreme Court argued in the same ruling that such indications could be largely dismissed with a physical pat-down over the clothes without the need to order the removal of clothes (*ATF 1B_115/2019* 2019). However, the particular geographic location—the transit zone of Geneva airport—and the fact that Ramazan was claiming asylum engendered a differentiated, and potentially illegal, treatment.

Furthermore, Ramazan described this situation after I asked him whether he experienced or witnessed forms of violence during his asylum procedure. Drawing from his interpretation of the situation, I consider it a clear occurrence of border violence not only because it happened in the border zone of Geneva airport, but also because it is the result of the specific bordering practices within the Swiss asylum *dispositif*. The violence is both direct— the strip search being considered in itself as violent—and structural because this practice is inscribed in the *dispositif* and further, or assert, the unequal power relation between the authorities and the person seeking asylum.

4.2   Accelerated Procedure and the Second Hearing

After the preparatory phase, the person enters the accelerated procedure which "follows a cadenced rhythm with an imperative deadline for each step" (State Secretariat for Migration

2019c, 1). It is at that moment that a second and more detailed hearing is held. Sometimes perceived as an interrogatory by people who experienced it (Interview with Nazari 2022), it focuses on the grounds for asylum (*Federal Asylum Act* 2021, art. 29) and the "possible obstacles to removal" (State Secretariat for Migration 2019d, 1). During this hearing, two SEM employees are present; an asylum caseworker who conducts the hearing and another employee who takes the minutes of the interview. On the other side of the table, the person seeking asylum is accompanied by a legal representative and, if necessary, a translator. This interview usually lasts a full day and is conducted within a Federal Asylum Center. During this short period of time, people seeking asylum are required to tell their story and to provide plausible elements to show that they fulfill the conditions to be granted asylum. At the same time, asylum caseworkers question those elements and are pressured by productivity and speed requirements to take a decision within the imperative deadline. This sometimes leads to errors in asylum decisions or incomplete establishment of facts for certain files (humanrights.ch 2020; Graf et al. 2021).

Whereas the SEM (2019d, 4) considers that "[f]or a large majority of asylum applications, the decision on asylum and removal is essentially based on this hearing", this situation is usually highly stressful for the person seeking asylum. As a jurist who accompanies people during these hearings put it,

> It is a mixture of fear, apprehension, and also impatience [depending] on the situation. […] [S]ome people want to get to this audition, want to tell their story, want to go forward. Others, on the contrary, are very anxious, very fearful […]. It is such a particular ordeal [*épreuve*] where people […] tell their life story to a public servant [*fonctionnaire*], [opening] boxes related to things they have lived (Interview with legal aid jurist 2022).

Hence, we understand that the SEM controls the temporality and sequences of the process, the time spent on each asylum case and the waiting period or acceleration in a highly unequal power relation. As depicted above, this situation and the subsequent decision that "tells a single story, from one perspective, which becomes in a powerful and potentially violent way 'the definitive story of that person'" (Pörtner 2021, 81), appear to have a negative impact on people, marking them through fear, anxiety and uncertainty about the future.

4.2.1   Uncertainty and the Pressure of the Accelerated Procedure

During one of the interviews I conducted with Ramazan, he told me about his second hearing. Ramazan reported that, whereas this detailed hearing usually lasts an entire day, the asylum

caseworker who interviewed him announced at the beginning that they needed to be done by noon "because in the afternoon [she would] translate documents […] [and that] [she] may call [Ramazan] after 2-3 months for an additional interview […]." To stay within this pre-set timeline, the asylum caseworker "frequently cut [Ramazan's] speech [saying] 'no, [if we continue] like this we cannot finish before noon', [and] she did not allow [him] to explain in details [his] situation" (Interview with Ramazan 2022). Here, Ramazan "tried to give all the information [he could] within the limited time period" (Interview with Ramazan 2022) and experienced what Griffith (2014, 2000) called "a frenzy, in which time accelerates quickly and rushes out of control […] [which] is disempowering and overwhelming for the individuals concerned".

Furthermore, bearing in mind that at that moment Ramazan had not yet completed the last stage of the accelerated procedure—*i.e.*, the second interview—this situation can be considered questionable with regard to the procedure itself. While an additional hearing after the second one is only possible during an extended procedure (State Secretariat for Migration 2019d, 4), the fact that the asylum caseworker had already mentioned an additional interview indeed seems to indicate an informal pre-decision to send his case to the extended procedure before hearing his grounds for asylum. In that situation, he might have experienced one of the conclusions pointed out by an independent evaluation mandated by the SEM on the new asylum procedure, namely that "[i]n many cases, it seems that the deficient establishment of facts is attributable to the pressure of time" (Graf et al. 2021, 4).

After doing some research about Ramazan's case, I found that the SEM regularly mentions in its reports that asylum applications from Turkish nationals like Ramazan "require very long specific clarifications" (State Secretariat for Migration 2021g, 12). As explained during an interview by a lawyer providing legal aid in the domain of asylum:

> the SEM needs quite a lot of time to analyze [the Turkish asylum applications as they] have for the most part a lot of means of proof, […] a lot of documents to translate and analyze, which means that often it is a work that the SEM cannot do in the accelerated procedure and so it passes in extended procedure (Interview with legal aid lawyer 2022).

In that sense, there seems to be a rationalized bureaucratic explanation for what happened to Ramazan during his second hearing, based on the common impossibility of the SEM to treat certain cases in the accelerated procedure. Nonetheless, Ramazan did not receive clear explanations and his file entered the extended procedure without further information. This made him enter a state of "protracted uncertainty" described by Horst and Grabska (2015, 6) as the state "of being in between, both in a temporal and spatial sense, [which] also comes

with a fundamental lack of knowledge about one's situation and a profound sense of unpredictability about the future – as long as the present is not accepted as permanent by states and the people affected".

4.2.2 The Dominant Culture of Disbelief

The different hearings that people seeking asylum are required to go through are also notably governed by *suspicion* and what has been considered a "culture of disbelief" (Affolter 2022, 1069). Asylum caseworkers indeed tend to treat the person seeking asylum "as a suspect, before his/her sincerity is proven" (Miaz 2020, 201). Furthermore, whereas "tales of suffering" (Good 2011) are particularly valued by the asylum caseworkers, being required to tell personal stories of violence or persecution in such an interrogation-like setting can *de facto* be experienced as a subsequent form of violence and can have a highly negative impact on the person's well-being and health.

As reported by the anthropologist and psychiatrist Roberto Beneduce (2015, 558), "[d]enying the truth of their experience to a man or woman who has been tortured and humiliated is a real psychological apocalypse, which dramatically reiterates the traumatic experience of the past, and shatters any residual 'trust in the world'". In one of his articles, Beneduce explores the case of Michel, an asylum-seeker who was denied asylum in Italy because his story was deemed not credible. In the weeks following the decision, Michel's gastric ulcer and knee pains, both previous pathologies, worsened and he started suffering from depression (Beneduce 2015, 558). While Beneduce does not put forward a medically documented causal link, there seems to be at least to be a strong correlation here. The asylum decision and the particularly violent culture of disbelief present in Italy's asylum system seem to have generated a physical reaction and worsened Michel's health condition.

Whereas none of the people I interviewed reported similar correlations with visible traces left on their bodies, they usually described their experience during the second hearing as difficult, as an experience that impacted their well-being. For instance, Nazari, an Afghan national I interviewed, told me that his second hearing "was stressful, it was long, she [the asylum caseworker] asked a lot of questions, she asked questions unrelated to the interview, [the questions] went far. [The asylum caseworker] was just like that [Nazari imitates the person by looking down at the table, putting on a serious face and miming blinders]. She was too serious. When I finished the interview, my head almost exploded, I was not well" (Interview with Nazari 2022).

4.3   Extended Procedure

Finally, coming back to the procedure *de administratio*, if further information about the facts and information gathered during the second hearing are deemed necessary, the case leaves the *accelerated procedure* and enters the *extended procedure*, aimed at further investigating the asylum claim (*Federal Asylum Act* 2021, art. 26d). People are attributed to a canton and, from that point on, the cantonal authorities are responsible for the housing, social benefits, integration or the return of the person seeking asylum. The key steps during the extended procedure are potential subsequent hearings and the possibility to provide further elements with regard to the asylum claim (*Ordonnance 1 sur l'asile relative à la procédure* 1999, art. 52h). At the same time, it is also during this phase that people can experience a prolonged waiting period and a significant lack of information about their procedure.

In sum, this overview of the journey through the Swiss asylum procedure already reveals the important implications it has on the lived experience of people who are funneled through it. It confines people in the violence of a *dispositif* within which administrative measures and bureaucratic practices are embedded, furthering fear and uncertainty about the future in new spaces. At the same time, as said, it participates in the construction of a continuum of border violence in the sense that people are confronted with securitized and repressive mechanisms aimed at controlling and excluding people in order to regulate, among other things, migratory flux to Switzerland. Whereas the external borders encountered in previous spaces throughout their migration journey, with their fences and security apparatus, influence the routes of people on the move and exclude them from certain spaces, the borders *within*, produced by asylum *dispositifs*, subsequently influence the migration journey and the experience within the country by deeming who is allowed to stay and who is required to go.

In the next chapter, I will come back to the elements put forward above through the prism of temporality used as a strategy of control over people seeking asylum. More specifically, I will expand upon the prolonged waiting period before the decision under the extended procedure—or simply the prolonged wait under the pre-2019 Asylum Act. We will see that it encloses people in a limbo filled with uncertainty and deprives them of agency and information about their files; a situation that has particularly detrimental impacts on their health.

5.   THE OPAQUE TEMPORALITIES OF THE BORDERS WITHIN

The question of temporality is at the core of the asylum governance and border regimes in the Schengen area. Managing the time and pace of (im)mobilities indeed constitutes a power instrument that allows States to govern migration movements and to remain in control of people entering their territories to claim asylum. As Tazzioli (2018, 4) put forward in her work on

temporal borders, "time is not only object of mechanisms of control – control *over* time – but also a means and a technology for managing migrant[s] – control *through* time".

Throughout their journey, people on the move are confronted with multiple technologies and practices which alter their planned journey and disrupt their relation to time. They can materialize in peculiar spaces like border zones or detention centers, but also in laws and administrative measures inside countries of arrival. While the externalized borders of the European Union in Turkey, Libya, but also the border zones of Ceuta and Melilla, all aim at retaining people at the border and preventing the arrival of (usually illegalized) people in the EU territory, the borders within Schengen Member States materialized in laws and their related administrative measures prevent in similar ways the mobility of the people within. By subjecting people to protracted waiting periods but also sudden accelerations during the asylum procedure, asylum administrations indeed use similar border practices of time management and exercise power over people to maintain them at the border *within*. Put in a "state of limbo with an ambiguous and impermanent immigration status" (Bhatia 2020, 278), the control over time ensures that people seeking asylum do not pursue their lives in the country before being filtered by the asylum procedure and sorted between the ones who are deemed in need of protection and the ones who need to be deported.

Whereas issues around temporality in asylum systems are neither new nor peculiar to Switzerland, the data gathered during my fieldwork show that temporality is at the center of the Swiss asylum *dispositif*. By addressing the ways in which the temporalities of asylum are articulated, I will also reflect upon how they are lived by people seeking asylum and whether they can be considered as post-migration stressors (World Health Organization 2018, 7) which have a violent impact on people.

5.1   Heterogenous Temporalities

Whereas the accelerated pace of the Swiss asylum *dispositif* can have negative consequences for the people seeking asylum, as we saw with Ramazan's experience, focusing merely on it is insufficient to grasp how temporality is enacted in the context of Switzerland's asylum procedures. The Swiss asylum system is indeed governed by "heterogenous temporalities" (Tazzioli 2018, 9) determined by the procedure under which the asylum claim is assessed. The experience of time finds itself in perpetual tension between the *rapid pace* of the Dublin procedure and the accelerated procedure and the *protracted wait* that usually occurs when cases enter the extended procedure.[23] According to the latest data available, represented in

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[23] Based on the total number of asylum procedures in 2020, "[t]he latest modeling carried out for the restructuring of the asylum field foresaw the following distribution: 40 % Dublin procedures, 32 % accelerated procedures and 28 % extended procedures" (State Secretariat for Migration 2021g, 11).

the figure below, they respectively last on average 55.1 days for the Dublin procedure, 64.8 days for the accelerated procedure and 233.7 days for the extended procedure, with an expected augmentation of the duration in the future "depending on the asylum-seekers' profile" (State Secretariat for Migration 2021g, 11).

Figure 3 : Durée moyenne (en jours) écoulée entre le dépôt de la demande d'asile et la décision rendue en première instance, par catégorie (cas relevant du nouveau droit uniquement)[9]
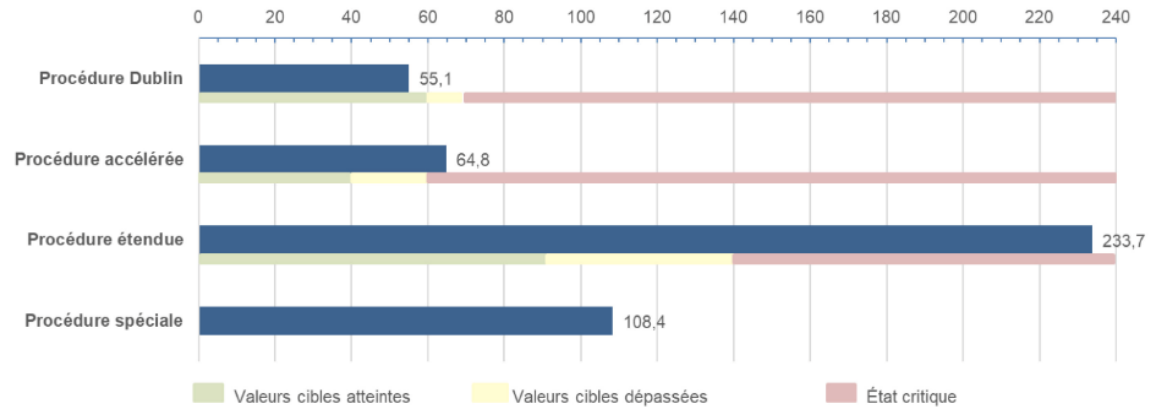
Source : SEM

Figure 3 Average time (in days) from application to first instance decision, by category (State Secretariat for Migration 2021g, 11).

From the beginning, time is therefore determined by a triage based on legal and procedural requirements over which people seeking asylum have no control; a situation which reinforces what Roberto Beneduce (2015, 559) described in the context of the Italian asylum system as the "complete powerlessness" of the asylum-seeker experience.

Furthermore, forms of harm differ depending on the procedure under which people's asylum claims are assessed. Based on the interviews I conducted, people who fell under the Dublin procedure were considered as one of the most represented populations in cantonal psycho-social consultations,[24] and they usually experienced fear of deportation and uncertainty about their future (Interview with psychiatrist 2022; Interview with social worker 2022). Then, during the accelerated procedure, people experienced uncertainty and were highly impacted by the violence of the hearings—as we saw with the cases of Ramazan and Nazari. Finally, it is during the extended procedure that the form of harm is most clearly related to temporality. The prolonged wait and the lack of information during these periods are notably used as tools of power and control by authorities who "engage in an active usurpation of time for the purposes of migration control" (Andersson 2014, 796).

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[24] Nonetheless, since 2019, people under the Dublin procedure have remained most of the time in Federal Asylum Centers and have been removed to another country quite rapidly. They are therefore less present in cantonal psycho-social consultations than before.

5.2   Waiting and the Effect of Power

In his *Pascalian Meditations*, Pierre Bourdieu (2000, 228) addresses the relation between time and power and describes *waiting* as "one of the privileged ways of experiencing the effect of power". According to Bourdieu (2000, 228), "[w]aiting implies submission: the interested aiming at something greatly desired durably—that is to say, for the whole duration of the expectancy— modifies the behavior of the person who 'hangs', as we say, on the awaited decision". His approach has unsurprisingly been used in studies on borders, migration and asylum (see notably Lucht 2011; Andersson 2014) not only because the experience of waiting is highly diffused in these contexts, but also because it allows the unveiling of power relations that produce—and are produced by—unequal distributions of capitals. In the case of asylum in Switzerland, it appears quite clearly that people seeking asylum are in a dominated position in relation to the Swiss authorities, being most of the time deprived of social, political as well as economic capitals while awaiting the highly desired (positive) decision on their application.

At the same time, this position is reinforced by the fact that during the procedure, the people seeking asylum are granted a permit N. This precarious legal status only allows them to remain on the territory for the duration of the procedure and renders them completely dependent on the State's social aid and housing facilities as they are not allowed to engage in a paid activity—except for rare cases *de jure* which I have never encountered *de facto* (*Federal Asylum Act* 2021, art. 80). As Mouhammed, a Syrian national I interviewed, described it, "this permit N, us refugees we say that it is the '*permis Nul*'[25] because we cannot do anything with it, we do not have any rights, and nothing is clear. Every time we ask something to the social workers, they say, 'No, you do not have the right to do that […].'" (Interview with Mouhammed 2022). Mouhammed's asylum claim was assessed under the pre-2019 Asylum Act which had longer waiting periods than the current extended procedure. He had to wait three and a half years in different cantonal facilities before receiving a decision that granted him asylum with a permit B. Despite being highly active in associations and volunteering for multiple initiatives, the last year of his waiting period was experienced highly negatively. He entered a depressive state which made him question all the things he had accomplished so far. "When [the wait] was very long, I was telling myself 'why did I learn French? Why do I make all these efforts for nothing?' […] [When you have] no information, no precise date, [when you just] wait, wait, wait, this also hurts [*ça aussi ça fait mal*]." (Interview with Mouhammed 2022).

Multiple studies have indeed put forward the fact that prolonged waiting periods during the asylum procedure create a feeling of uncertainty and insecurity (Fontanari 2017), fear about the future (El-Shaarawi 2015), coupled with the impossibility to anchor oneself in a

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[25] In English, this pun can be translated to "the lame permit".

present that is "simultaneously indefinite and temporary" (Griffiths 2014, 2005). More than neutral outcomes of public policies, long asylum processes and extended waiting periods intersect with the precarious conditions under which the experience of waiting is lived, constructing it as a prolonged period of suffering that can function as a post-migration stressor "negatively associated with developing depression and other mental disorders" (World Health Organization 2018, 7; see also Gleeson et al. 2020). As put forward by Esaiasson, Lajevardi and Sohlberg (2022, 3477) in their survey-based longitudinal study on the effects of the waiting period and the asylum decision on asylum-seekers' health and well-being in Sweden, "personal well-being while waiting in limbo is just as bad for asylum seekers as actually learning that one's application has been rejected".

In sum, the asylum *dispositif* that produces those prolonged waiting periods exercises a form of *violent inaction* (see T. Davies, Isakjee, and Dhesi 2017) by letting people hang without providing them with the means to improve their conditions of living. Whereas Davies, Isakjee and Dehsi (2017, 1281), in their work on Calais encampments, argue that "the deadly decision to stop rescuing refugees out at sea […] can be put on a continuum of violent inaction in which the squalid conditions of the Calais camps form an inherent part", I propose to extend, or enlarge, the continuum so that it encompasses also (in)actions furthered by asylum *dispositifs* in different spaces.

5.2.1   Ramazan: Unexplained Wait and the Perpetual Quest for Information

The act of waiting can also resonate with previous experiences lived pre- and during migration. In Ramazan's case, his asylum claim was assessed under the procedure of the 2019 asylum reform. After 54 days of accelerated procedure, he was sent to a canton in early March 2021. This marked the beginning of the extended procedure for his case, which lasted until March 2022 when he was eventually granted asylum (permit B). During this entire year, he repeatedly tried to contact the SEM, sending letters and emails to inquire about the advancement of his procedure and to provide additional documents that he thought were useful as means of proof for his file. At the time of my interview with him, he had not yet received the decision and was facing a complete lack of information. He was spending a lot of time and energy trying to understand the reasons why the assessment of his asylum application was taking longer than others. At some point, Ramazan even went back to the Federal Asylum Center where his interview took place and asked to see the SEM employee who interviewed him, something which was refused to him. He explained to me that the resilience he had—in his own words— was not only something he developed during his past experience when he was imprisoned in Turkey, but also a necessity given that his wife and children were still in Turkey and that he needed to receive a decision to organize the next steps to get them out of the country.

After all these attempts and six months of complete silence from the administration, he received a letter from the SEM confirming that they had received the documents but informing him that they would not answer any other inquiries in the future and that they were "treating files following their internal priorities" (Interview with Ramazan 2022). This illustrates the SEM's "art of 'taking one's time', […] of making people wait, of delaying without destroying hope, of adjourning without totally disappointing, which would have the effect of killing the waiting itself, [which] is an integral part of the exercise of power" (Bourdieu 2000, 228). Although Ramazan was relieved that all his letters and emails had indeed been received by the SEM, he still felt uncertain about when he would receive his decision, trying to understand by himself what the administration did not want to tell him.

> When I look objectively, I see that my file is one of the most complete and concrete files among other […] people who escaped from Turkey [for the same reasons that I did]. […]. So, from all points of view, I don't see any reason which puts me in a disadvantaged position compared to others who got their decision – positive or negative – in a short[er] period of time. *So it is really significant for me to understand the reason why I am waiting.* In all my letters and emails, I said, 'Please, if it is necessary, you can give a refusal, it is your decision, your authority […], but I just want a decision.' I don't say necessary 'give me a [residence] permit', I just want to see my future, I want to see ahead, so I need [their] decision (Interview with Ramazan 2022, emphasis added).

Whereas this prolonged wait is presented by the SEM as imputable to the internal functioning of the decision-making process, it also echoes the argument put forward by scholars working on administration and bureaucracy that "[t]he simple act of waiting communicates that the state believes that individuals' time is of little value" (Herd and Moynihan 2019, 27).

At the same time, Ramazan's experience is congruent with what is commonly endured by people seeking asylum in Switzerland, namely the *experience of not knowing*. It is indeed not only the wait in itself that has an impact on him, but also the lack of information about the reasons why he is waiting, which in turn shapes how he experiences the temporality of his asylum procedure. As already mentioned, during the interviews I conducted, people who went through an asylum procedure proved to be experiential experts with a thorough understanding of the Swiss asylum system. Nonetheless, their extended expertise about the asylum process reaches its limits when confronted with the "black box" (Pörtner 2021; Affolter 2021a) of the SEM and the opacity of the asylum decision-making process. This experience of not knowing makes the burden of waiting heavier, as it further deprives people of the ability to act upon

their situation and anchors them in an almost absolute state of uncertainty about the present and the future. In his perpetual quest for information, Ramazan tried on the one hand to seek information by repeatedly contacting the SEM and, on the other hand, to overcome the informational limits imposed by the SEM by comparing his situation to the situations of others. He indeed tried to understand the reasons why *his* application was taking so long by mobilizing the applications of *others* as the only available key to understanding his own situation. Whereas people seeking asylum are most of the time housed in shared facilities during their asylum process, it is indeed quite common that they "bear witness to rulings on others' applications [while they] await decisions on their own" (Dempsey 2020, 8). This can notably have the perverse effect of reinforcing the burden of wait and can lead people to perpetually question their chances of being granted asylum while fueling their feeling of uncertainty by projecting themselves into the experiences of others. Similarly, Nazari, who waited 3 years to receive a permit F under the pre-2019 procedure, told me that "the asylum procedure in Switzerland is weird because there are people who do not have any paper from their countries, nothing; they just tell a story [and then] why are they given a positive response?" (Interview with Nazari 2022).

Coming back to the procedure *de administratio*, while the SEM justifies these waiting periods using a bureaucratic narrative of "order of priority" deliberately not communicated to Ramazan nor Nazari, a publicly available SEM document on the "treatment strategy" (2019e) clearly lays out the authorities' order of priority.

L'ordre de priorité applicable à l'issue de la phase préparatoire, obligatoire pour tous les requérants d'asile, est le suivant :

1a. Procédures Dublin
1b. Procédures accélérées pour les personnes provenant de pays pour lesquels le taux de protection est faible
1c. Procédures accélérées pour les personnes provenant de pays pour lesquels le taux de protection est élevé
2a. Procédures étendues pour les personnes provenant de pays pour lesquels le taux de protection est faible
2b. Procédures étendues pour les personnes provenant de pays pour lesquels le taux de protection est élevé
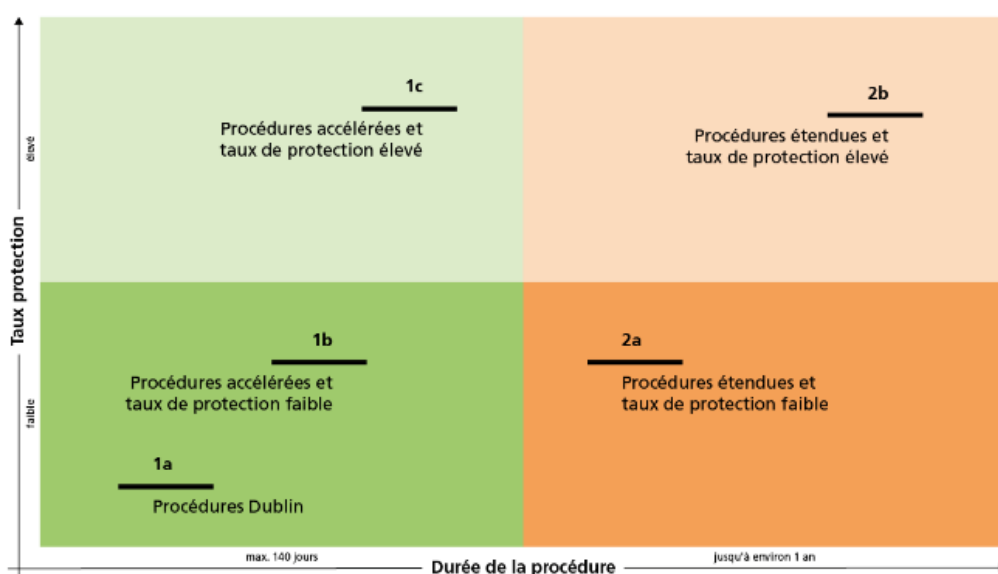
Représentation graphique des priorités de traitement au SEM

Figure 4 Priority order applicable at the end of the preparatory phase, mandatory for all asylum-seekers (State Secretariat for Migration 2019e, 3).

According to this model, we see that the SEM prioritizes cases on which a decision can and needs to be taken rapidly—*i.e.*, cases that may lead to the deportation of the people seeking asylum—taking into account the "legal time limits for processing, the situation in the countries of origin, whether or not the applications are manifestly well-founded, and the conduct [*comportement*] of the applicants" (State Secretariat for Migration 2019e, 1). Accordingly, we understand that Ramazan's case fell into category 2b, i.e., an extended procedure for people from countries with a high protection rate.[26] Therefore, while the SEM "'rationalize[s]' the decisionism of bureaucratic categories because arbitrariness is anathema to rational legal rule" (Eckert 2020, 20), this rationalization is not communicated to the people concerned,

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[26] In 2021, 87.4 % of Turkish asylum-seekers were indeed granted asylum or temporary protection in first instance, the highest rate in Switzerland compared to other populations (State Secretariat for Migration 2022a, 19).

emphasizing the idea that they are not full-fledged actors in the procedure but merely files that need to be dealt with.

In sum, I consider this protracted wait as well as the opacity and unequal access to information as the indirect and invisible forms of violence *par excellence*, as they do not require any action from the SEM to enact its power over people by depriving them of their agency and the possibility to improve their situation. The borders *within* have indeed "created new spaces of confinement – both physical and psycho-social" (Fontana 2022, 466)—that trap people in *temporal confinement* that can be detrimental to their health. As Ramazan explained: "[H]ere, I experienced for the second time a situation like prison [...]. It is like a second prison in terms of being away from my family [and] psychologically being in a difficult position; this situation is like a second imprisonment for me" (Interview with Ramazan 2022). In other words, the administrative borderscape in which Ramazan was stuck created a situation where "[e]choes of the past and uncertainty about the future invade a present in which experiences of life [...] at once overlap and clash" (Mezzadra and Neilson 2013, 134).

Hitherto, we have seen that the temporalities and the practices of control and exclusion of the Swiss asylum *dispositif* associated with the borders *within* are enacted through administrative procedures and bureaucratic practices. In that sense, apart from the impacts they have on people it can appear that they leave "little material trace" (Fontana 2022, 469). Nonetheless, we will see in the next chapter that the Swiss asylum *dispositif* is also associated with specific *spaces*, the material manifestations of the borderscapes mentioned above, which not only render possible the practices we addressed so far, but also further different forms of violence that unequally affect people that interact with them.

6.   SPACES OF VIOLENCE / VIOLENCE THROUGH SPACES

It is perhaps a truism to mention that asylum has an ontologically spatial dimension. By being displaced, on the move, and then replaced—most of the time non-linearly—people seeking asylum are indeed constantly *interacting with* and *impacted by* a wide range of physical but also juridical, social and political spaces. At the same time, those different spaces have specific functions, usually constructed to regulate the conditions of mobility as part of broader securitized *dispositifs*. In this chapter, I will explore three distinct spaces within the Swiss asylum *dispositif,* namely: 1. The *Federal Asylum Centers (FACs)*—the Swiss reception centers where the initial steps of the asylum procedure are undertaken; 2. The *cantonal housing facilities for asylum-seekers* when they enter the extended procedure or when their claim is refused and they are awaiting deportation; and 3. The *cantonal offices for population and migration,* in charge of providing the so-called "*aide d'urgence*". Each of these spaces appears at different moments of the procedure and not every person seeking asylum will be

confronted with them. As a note, whereas providing an exhaustive analysis of those three spaces is beyond the scope of this research, I willingly chose to provide a necessarily incomplete analysis of each of them to further emphasize the continuous aspect of the violence experienced by people. At every step, a new space appears with spatial tactics[27] that further specific forms of violence.

It is again with a focus on both the functions and functioning of those spaces and their distinct infrastructures as well as on the lived experiences of people within those spaces that I will explore the violent impacts the *dispositif* can have on people. Following Rodgers and O'Neill (2012, 404), "infrastructure is not just a material embodiment of violence (structural or otherwise), but often its instrumental medium, insofar as the material organization and form of a landscape not only reflect but also reinforce social orders, thereby becoming a contributing factor to reoccurring forms of harm". At the same time, I consider those spaces as physical manifestations of the borders *within* and their related bordering practices (Fontana 2022, 469) that can be situated in the continuity of borders encountered by people on the move throughout their journey. Those spaces indeed result from what Achille Mbembe (2019, 9) called:

> "borderization", that is, the process by which certain spaces are transformed into uncrossable places for certain classes of populations, who thereby undergo a process of racialization; places where speed must be disabled and the lives of a multitude of people judged to be undesirable are meant to be immobilized if not shattered.

6.1 Federal Asylum Centers: Switzerland's *Hotspots*?

Since the 2019 reform of the Swiss Asylum Act, Federal Asylum Centers hold a central role in the Swiss asylum *dispositif.* Managed at the Federal level by the SEM, those infrastructures "are intended for the accommodation of asylum seekers and persons in need of protection and for carrying out asylum and removal procedures" (Federal Department of Justice and Police 2018b, art. 3 al. 1). When people claim asylum in Switzerland, they are indeed put in one of the six centers of the country, called "FAC with processing facilities" (State Secretariat for Migration 2021c). Those spaces bring together housing facilities, classrooms for asylum-seeking minors "as well as offices for interviewers, interpreters, document examiners and lawyers" (State Secretariat for Migration 2021c).[28]

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[27] Spatial tactics is taken here as "the use of space as a strategy and/or technique of power and social control" (Low and Lawrence-Zúñiga 2003, 30).
[28] While I will focus here on FACs with processing facility, other spaces such as "FAC without processing facilities", facilities at the airports of Geneva and Zurich and "special centers" also constitute particularly interesting cases for further research (State Secretariat for Migration 2021b; 2021c).

Described by a person who works as a jurist for the legal aid service in a FAC as "a kind of world apart, a special kind of *entre-soi*" (Interview with legal aid jurist 2022), this centralization "under one roof" was thought to provide the material possibility to fulfill the speed requirement of the Swiss Asylum Act "efficiently, which also allows to reduce costs" (Federal Department of Justice and Police 2018a). At the same time, it also seems to follow a will to control the movements of people seeking asylum as a control strategy of keeping them at the same place and rendering them available to the administration at all times during the procedures, as required by law (*Federal Asylum Act* 2021, art. 8, al. 3). The internal functioning of those infrastructures is highly securitized and every aspect of life is restrictively regulated by administrative law and internal rules (see Federal Department of Justice and Police 2018b). In that sense, those infrastructures can also be considered vectors of control and producers of violence.

Furthermore, when situating the FACs in the broader European approach to asylum, their functions as well as the issues they raise are reminiscent of some features of the European Union's *hotspot approach*. Framed as a response to "exceptional migratory flows" (European Commission 2015), the European Union implemented "frontline infrastructures for incoming migrants' identification through enhanced mechanisms of intra-governmental control" (Tazzioli and Garelli 2020, 1010). Already existing reception facilities, mainly in Italy and Greece, were indeed transformed into spaces aiming at "swiftly process asylum applications, enforce return decisions and prosecute smuggling organizations [...]" (Associazione per gli Studi Giuridici sull'Immigrazione 2022). As essential features of the EU border regime, the hotspot facilities are sometimes situated in Europe's "constellation of camps" (T. Davies and Isakjee 2015, 93) and are even referred to as "refugee camps". At the same time, notably due to their strategic situation along the main migratory routes at the Schengen external borders, it is quite common for people on the move to cross those spaces. Among the people I interviewed, Ramazan and Nazari experienced life in an EU hotspot facility in Greece. Quite interestingly, they were both referring to the EU hotspot facilities *and* the Federal Asylum Centers as "camps" (Interview with Ramazan 2022; Interview with Nazari 2022). More than an issue of language, it indeed seemed that they were assimilating their experience in FACs to previous experiences in different facilities along their journeys.[29]

In sum, by taking the Federal Asylum Centers as the clearest occurrences of the materialization of the borders *within*, I also consider that they resemble *mutatis mutandis* to

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[29] This phenomenon has notably already been identified by a psychology study conducted in Italian asylum centers in 2017: "[T]he Centers were represented by our participants as "camps", which symbolically recall in our memory the horrors of "other camps" [...]. In particular, [our study] shed light on the structural dynamics of asylum seekers' reception centers which, similarly to what has been observed in detention sites [...] ultimately end up prolonging asylum seekers' uncertainties and thus serving as a means to control and dominate them." (Tessitore and Margherita 2020, 84).

the EU 'hotspots' facilities with their geographical centralization of administrative procedures as well as their securitized approach focused on containment.

Figure 5: Buildings of the Lampedusa EU hotspot (Squire, 2016).

Figure 6: Buildings of the Federal Asylum Center with Processing Facilities in Boudry (Switzerland) (Frauchiger, n.d.).

6.1.1 Spaces of Containment and Controlled Freedom

As Tazzioli and Garelli (2020, 1010) argue in their work on the EU hotspot system, "containment" refers to "the effects of mobility disruption, spatial fixation and temporal suspension that are generated through measures of confinement that do not coincide with detention". Similarly, the Swiss Federal Asylum Centers contain people seeking asylum during the initial steps of their procedure in isolated, semi-closed and highly surveilled spaces. During my interviews, people usually spoke about their experience in FACs using a carceral narrative, describing it as a "special experience. [...] I felt like I was in prison. I was not free anymore; I had no idea how things would go [...]. When I arrived [in the FAC], they took all my belongings and documents; it was a bit like entering prison" (Interview with Mouhammed 2022). Nonetheless, despite the carceral-like features of those spaces, it does not coincide *de jure* with detention and people housed in those centers are rather experiencing what we can call *controlled freedom*.[30]

Rather than understanding them as carceral environments, I will then understand FACs through Foucault's (1994, 755–56) notion of *heterotopia*, taken broadly as spaces that are "in connection with all the others, [...] [but] outside of all places even though they are effectively localizable". Their particular functioning as well as their functions within the asylum *dispositif* indeed puts them outside of all places, remote from the normal order of things.

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[30] In other cases, Swiss law provides the possibility to administratively detain non-nationals. "Unlike detention for the purpose of enforcing a sentence or a measure, administrative detention under aliens law does not sanction a reprehensible act. The purpose of this measure is to guarantee the execution of the removal decision pronounced by an authority against foreigners who have no right of residence in Switzerland" (National Commission for the Prevention of Torture 2020a). However, the FACs analyzed in this research are not used for administrative detention.

If we first look at their geographical location, the Federal Asylum Centers are situated away from urban centers, public facilities, services and associations nexus, which further a clear isolating function that diminishes the possibility for people to have social interactions outside the centers, to seek medical help or to potentially create a solidarity network (Interview with social worker 2022). People seeking asylum are indeed put in an administrative silo largely disconnected from the environment outside their administrative procedure. In a quite similar manner as the EU 'hotspots', FACs seem to "have also been used for redistributing migrants already present on the national territory, and particularly for removing their unruly and contested presence from highly visible sites" (Tazzioli and Garelli 2020, 1010).

Then, the focus of the internal functioning of the centers is put on perpetual control and security. FAC residents' comings and goings are indeed controlled and registered; they are searched systematically when they re-enter the center (Federal Department of Justice and Police 2018b, art. 4; National Commission for the Prevention of Torture 2020b, 8–9) and are subjected to internal regulations in terms of "domestic work" [*sic*], and mandatory presence for the fulfillment of obligations during their asylum procedure (Federal Department of Justice and Police 2018b, Section 4). At the same time, this control is exercised with the perpetual threat of disciplinary measures that can be taken if people infringe the rules—such as deprivation of daily allowance, prohibition to leave or enter the FAC, or, in most extreme cases, confinement into the euphemistically called "reflection cells"[31] (National Commission for the Prevention of Torture 2020b, 7–9). In other words, if a person is not back to the FAC within the pre-determined hours[32] or if one refuses to conduct mandatory tasks within the FAC (Federal Department of Justice and Police 2018b, art. 17, al. 2), administrative measures that further restrict the person's freedom are taken. Despite recommendations calling in the sense of "limiting as little as possible asylum-seekers' freedom of movement" (National Commission for the Prevention of Torture 2020b, 7), Federal Asylum Centers remain restrictive and infantilize people by putting them in a dependency relationship with the authorities simply because they are asylum-seekers. Coming back again to the idea of FAC as borders(capes) *within* Switzerland, those spaces concentrate people who have not yet been fully allowed to remain on the territory, stuck in heterotopias as if, despite their physical presence on Switzerland's territory, their border crossing were not over.

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[31] The so-called "reflection cells" take the form of rooms or large containers outside the FACs in which people are locked up for a certain period of time. For instance, if a person arrives at the center after the *horaires de sortie* and/or is under the influence of alcohol or other substances, the security personal along with the accompanying staff can prevent the person to enter the FAC and obligate them to stay, sometimes for the whole night, in the "reflection cell". This practice notably led to a grave case of hypothermia in Boudry (Neuchâtel) which was highly mediatized (Nicol and Rocchi 2022).

[32] Usually between 9am and 5pm but, in accordance with the communes, the majority of the FACs apply extended *horaires de sorties* (National Commission for the Prevention of Torture 2020b, 7).
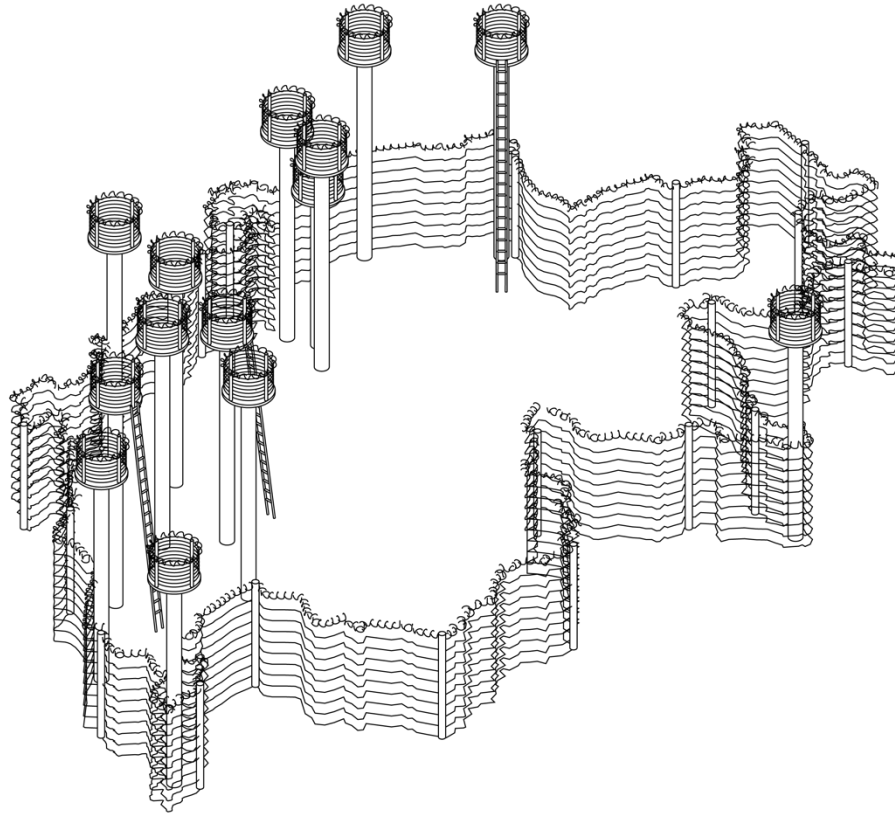
Figure 7: The Federal Asylum Centers As Heterotopian Borderscapes Within Switzerland. Illustration By Iskander Guetta and Elio Panese (2022).

In sum, the securitized settings of the FACs, along with the restrictions imposed on the freedom of people housed in them, create an environment in which people are deprived of their capability, in Amartya Sen's (2005, 153) sense of "the opportunity to achieve valuable combinations of human functionings — what a person is able to do or be". As we will see in more details in chapter 7 of this work, the violence of this environment, understood in Judith Butler's (2020, 138) sense of "an attack on the structure of being", clearly impacts the health of people seeking asylum. Different studies indeed put forward that there is "some evidence to suggest an independent adverse effect of detention on the mental health of asylum seekers" (Filges et al. 2015, 7). Nonetheless, in some cases, these effects on mental health can be highly diverse and linked to precedent pathologies and life experiences and it is quite difficult to draw causal relations. As put forward by a jurist who works in an FAC:

> [I]n a certain number of situations, to put it simply, the stay in a federal center [and] the follow-up of the procedure can really have an effect, a destructive impact, on the mental health [of a person], on the situation of one person or another depending on the predispositions or the experience of the person prior to his/her arrival […] (Interview with legal aid jurist 2022).

6.2   Cantonal Facilities, Bunkers, and the "Minimalist Biopolitics"

Switzerland is a Federal State and one of its main principles is the tasks repartition between the *Confédération* and the 26 cantons. Asylum is also dealt with according to such principles. Under the 2019 Asylum Act, cantonal structures are responsible for hosting and fulfilling the basic needs of asylum-seekers when their cases enter the extended procedure, when they are provisionally admitted (permit F) and when their asylum application has been dismissed (commonly called in French *déboutés*) (*Federal Asylum Act* 2021, 26, 27, 80a). Before 2019, people seeking asylum were spending limited time in Federal Asylum Centers and were generally attributed to a canton after a few days, where they awaited their decisions. It was therefore the experience in cantonal facilities and the sometimes insalubrious and inhuman conditions of living that mostly impacted the health of people. Whereas the situation in cantonal facilities improved post-2019, two people I interviewed experienced particularly difficult conditions of living pre-2019 that can be taken as illustrations of the detrimental impacts spaces can have on the health of people.

In 2015, Switzerland experienced an increase in the number of people seeking asylum (State Secretariat for Migration 2016) which saturated housing facilities all over the country (State Secretariat for Migration 2015). In this context, cantonal authorities implemented *ad hoc* solutions to provide accommodation for people seeking asylum. During the asylum process but also while awaiting deportation, people were most of the time housed in civil protection shelters, or in other words, bunkers.[33] Different NGOs raised awareness on the housing conditions in the bunkers and criticized what came to be seen as a *deterrence policy* by Swiss authorities (Amnesty international Switzerland 2015). At the same time, reports notably considered them as "not suitable for prolonged stays […] due to the lack of natural light and insufficient fresh air supply" (National Commission for the Prevention of Torture 2018, 6).

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[33] It is quite difficult to date the exact beginning of the use of bunkers to house people during their asylum process and before their removal. As the situation is peculiar to each canton, cases of people housed in bunkers were documented in the Canton of Geneva already in 1999 (humanrights.ch 2015), but earlier cases are not excluded and this practice is still ongoing as this thesis is written.

Figure 8: Civil Protection Shelter (Bunker) of Perveuils (Galley, 2014).

A significant number of people were indeed literally put underground, in cramped and usually overcrowded spaces, sometimes for a prolonged period of time, and were confronted with what Redfield (2005, 344) called "minimalist biopolitics", i.e., "the temporary administration of survival within wider circumstances that do not favor it". By merely meeting the people's basic survival needs in terms of sleeping accommodation and food, this situation put numerous people in a highly precarious state which was detrimental to their health. As described by a psychiatrist in one of the interviews I conducted, at the time of the increased use of the bunkers, "we saw an explosion of psychic decompensations, sleep disturbances, but also cases of people who had difficulty breathing – this was a very frequent symptom – because they simply felt suffocated in these living spaces where they were crammed in" (Interview with psychiatrist 2022). By putting people in environments where "their actual somatic and mental realizations are below their potential realizations" (Galtung 1969, 168), the cantonal authorities were clearly exercising violence that impacted the health of people seeking asylum. For the psychiatrist I interviewed,

> it was obvious that there was a correlation [between their living conditions and their symptoms]. Some of them had to move from flats to asylum-seekers residences, then from residences to bunkers, and each time it gave rise to psychic symptoms, [...]

coupled with the anxiety of being sent back to their country (Interview with psychiatrist 2022).

In an interview, Nazari explained to me that he was moved around housing facilities similarly between 2015 and 2018. While he waited for the decision on his asylum claim, he spent 13 months in a bunker and his daily life was highly precarious:

> In the morning we had to leave at about 8-9 am and we had to return at about 6 pm. We had breakfast and dinner in the bunker and were given a bag with food for lunch. You know, the situation we had in the bunker, we did not think that we would have this situation when coming to Switzerland. We could not even sit on the bed because they were three-tier beds, and you did not have the height to sit on them (Interview with Nazari 2022).

After 13 months, he was moved into an apartment, but soon after he received a negative asylum decision and was forced to move back into another bunker for a few weeks before being housed in an asylum-seekers' residence—commonly called in French *"foyer".* During this period of limbo when the authorities refused his asylum claim but could not deport him due to the security situation in Afghanistan—his country of origin—his psychological state deteriorated, and he started being followed by a psychologist. As Nazari explained to me that he did not have any pre-existing psychological conditions and that he would never have thought of going to a psychologist before, these precarious living conditions along with the fact that he was not allowed to work, did not have access to French courses and was entirely dependent on the accommodation and stipend provided by the canton can be considered as determinant factors explaining his poor mental health. Moreover, as Nazari finally received a permit B in 2018, he started working and stopped his therapy. As he described it to me, "I was feeling better and [wanted] to stop [seeing a psychologist] to get used to this new situation [where] I feel good. I have a job and I got my driving license. Now it is ok [*maintenant ça va*], it is better than before" (Interview with Nazari 2022). This seems to further highlight the impact the precarious living conditions had on Nazari's health as he noticed a change in his health once his situation improved.

In sum, while we will further develop the impacts of living conditions during the asylum procedure on the health of people in chapter 7, the situation in the bunkers seems to be the paradigmatic environment of violence to which people seeking asylum are—or have been—confronted in Switzerland. These subsequent borderscapes at the cantonal level governed by similar mechanisms of control and a "minimalist biopolitics" funneled people into a continuum

of border violence. They indeed multiplied precarious experiences of living from the beginning of their migration journey to Switzerland until their subsequent administrative journey within the country.

6.3   Cantonal Administrations: The Precarious Experience of the *Aide d'Urgence*

As we have seen, the asylum journey in Switzerland is a securitized experience shaped by numerous internal borders aimed at controlling and excluding people seeking asylum. So far, I have mainly addressed those internal borders in a Foucauldian sense of infrastructures that further disciplinary control (see notably Foucault 1975). But those internal borders are also shaped by control in a more diffused way, as a part of what Gilles Deleuze (1990), departing from Foucault's *sociétés disciplinaires*, called the *sociétés de contrôles*.[34] The Swiss asylum *dispositif* indeed also exercises a "continuous form of control" (Deleuze 1990, 3) which supplements forms of control furthered by the infrastructures of the FACs or the bunkers. Control indeed does not only operate through bounded spaces of confinement but also, again, through laws and administrative measures. Whereas diffused control is present throughout the administrative journey, I will address here one of its clearer occurrences: the *aide d'urgence.*

When the administrative journey of a person results in a negative asylum decision, the person is no longer allowed to receive social aid and enters the regime of *aide d'urgence* (*Federal Asylum Act* 2021, art. 82). As the situation depends on the policies of each canton, this "emergency aid" usually provides the person with a renewable *papier blanc* ["white paper"] that allows them to have a place to sleep, a small financial allowance and/or food tickets until their deportation can be executed—which can sometimes take years depending on the cases. While it has been repeatedly denounced as a way to create a "regular illegality" (de Coulon 2019; Organisation suisse d'aide aux réfugiés n.d.) and presented as a deterrence strategy that clearly puts people in highly precarious conditions of living (Povlakic 2011), it is accompanied with an invasive administrative apparatus and bureaucratic practices that exercise disproportionate control over people. As described by a social worker who notably assists people who are under the *aide d'urgence* scheme, "in the emergency aid regime, everything is designed to reduce every millimeter of room for maneuver that people may have, [...] to annihilate someone's ability to exist and act. This is the most impactful and violent element in terms of mental health or even mental survival" (Interview with social worker 2022).

During my fieldwork, I was authorized to accompany this social worker in the Canton of Vaud's *Service de la population,* the administration in charge of the *aide d'urgence.* This is where people are required to go to renew their *papier blanc* to continue receiving "emergency aid". They can be asked to renew their paper daily, or bi-weekly, and this decision is at the

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[34] In English: "disciplinary societies" and "control societies".

discretion of bureaucrats in the *Service de la population*. At the same time, this is also where people receive their deportation order and where the cantonal police force fetch them for a forced deportation ("Field Notes Service de La Population" 2022). For the social worker I interviewed, "in every canton, this is the prime location of the reproduction of administrative violence [*le haut-lieu de la reproduction de la violence administrative*]" (Interview with social worker 2022).

Figure 9: Offices of the *Service de la population* in Lausanne (État de Vaud, n.d.).

Whereas excellent studies thoroughly analyzed the *aide d'urgence* and the highly detrimental impact it has on people (see notably Povlakic 2011; de Coulon 2019), I merely take here this highly precarious administrative scheme as the somehow paradigmatic expression of the exclusion and control logic of the Swiss asylum *dispositif* where *control* fill the gap between exclusion and inclusion that the *borders within* dug. In the case of the *aide d'urgence,* the authorities indeed *exclude* people by not granting them asylum but are legally required to help people in emergency situations (*Swiss Federal Constitution* 2000, art. 12). Consequently, they do so while exercising *control* over them to make sure that they do not integrate and do not disappear administratively so that the deportation can be executed. In other words, the

authorities control people in order to maintain them excluded. This interrelation between exclusion and control is quite common in *dispositifs* that govern the undesirables (see *inter alia* Bernardot 2011). It has notably been theorized in critical studies on prison and penal institutions where criminalized people are *excluded* from the society by being put into prison by the State which, at the same time, must maintain those people excluded through mechanisms of *control* (see Dolovich 2011).

Finally, the functioning of the *aide d'urgence* allows to further situate the administrative measures and bureaucratic practices at stake on what seems to be to this point a never-ending continuum of border violence, from the supranational spaces to the federal and cantonal ones. While borders are ubiquitous, their control and violence are diffused and seem to continuously stick to people seeking asylum.

7.   SEEING THE INVISIBLE: REGISTERING THE TRACES OF VIOLENCE

The violence within the Swiss asylum *dispositif* is most of the time indirect, built into—and by— the structure of the *dispositif*, which led me to understand it through a structural violence lens. Whereas we saw that those forms of violence are characterized by their invisibility, they also undergo a certain invisibilization by authorities. In recent years, different cases of direct violence in Federal Asylum Centers, mostly between the security personnel and people seeking asylum, have been mediatized (see notably Nicol and Rocchi 2022). This led the SEM to conduct an internal audit (von Arb and Litwan 2021) and to mandate an external report (Oberholzer 2021). Both concluded that while half of the cases of violence indeed constituted cases of potentially illegal and excessive use of force, there was no evidence of the systematic aspect of violence that NGOs and media put forward in their own investigations (State Secretariat for Migration 2021f). Similarly, in an earlier plan on the prevention of violence in FACs, the SEM provided their understanding of violence as follows:

> Violence is not limited to the direct action of physical force but also results from the consequences of social, political, or economic imbalances (structural violence). Insofar as the processes and internal regulation of the FACs are governed by laws, ordinances and directives of the federal authorities, they are legitimized by democracy and are therefore subject to control by the rule of law. This is the reason why we do not apply a broad definition of violence (State Secretariat for Migration 2021d, 4).

This tautological reasoning by the SEM, coupled with the conclusions drawn from the audits on cases of direct violence within FACs, seems to reveal the SEM's negation and invisibilization of the structural and systematic aspect of violence within their *dispositif.*

Whereas this stance is quite common and politically useful for institutions that are reluctant to reforms, it can also constitute a form of violence in itself and seem to create favorable conditions for the perpetuation of violence. As argued by Eyal Weizman (2019):

> Negation is a particular kind of rhetorical act. It is not only an intervention into the field of political representation but is entangled with the very violations it seeks to mask. Just like hate speech, it is an act of violence in itself, and the precondition for it to continue. When nothing has happened, or when crimes are not recognized as wrong, violence can be continuously perpetrated.

From there, we understand that a reflection on how forms of violence within the Swiss asylum *dispositif* can be rendered visible not only has an epistemic value for the study of violence but also a political relevance to combat its perpetuation.

7.1 Conditions of Invisibility

The conditions of invisibility of the violence at stake are at least related to two main elements. The first one is the character of the violence itself. We understood that it indeed results from the asylum *dispositif* and encompasses not only administrative procedures, dictated temporalities and securitized spaces of control, but also politically and socially unequal structures. In that sense, the absence of "a visible perpetrator who can be held responsible and to whom blame can be apportioned" (Winter 2012, 198) renders it challenging to see the links between the violence and the harm.

The second reason for its invisibility—and in this case its invisibilization—is not only related to the SEM's act of negation put forward above, but also to the more general covert and opaque environment of the Swiss asylum *dispositif*. The asylum procedures indeed occur in spaces that are usually inaccessible to outsiders, whether it is Federal Asylum Centers, cantonal administrations or cantonal housing facilities (Federal Department of Justice and Police 2018b, art. 3, al. 1). At the same time, the difficult access to data on the issue—or absence thereof—further invisibilizes their practices and their impacts on people.

Interestingly, the possibility of rendering visible traces of violence experienced by people seeking asylum has been at the core of debates among the different actors working in the asylum domain for decades, in Switzerland and elsewhere. As argued by Fassin (2011b, 287), "[i]n the host country, [the asylum-seeker's] body has become the site of the search for truth, via the traces proving these persecutions. Torture produces corporeal marks, and it is this imprint that bears witness for abuses". The related discussions mainly catalyzed around the necessity to prove one's suffering for the asylum decision-making process, with the medical

certifications as the "ultimate evidence" (Fassin and D'Halluin 2005, 600) that testify to the violence and trauma experienced and validate the traces they left on the bodies and minds of people seeking asylum (Fassin and Rechtman 2009, 221; Beneduce 2015, 564).

While acknowledging the ethical concerns that arise when "the search for suffering and violence is reduced to a mere collection of causes, circumstances, and evidence" (Beneduce 2015, 553), I will explore the extent to which traces of violence are visible—and most importantly *are made* visible—through testimonies and through the traces that the violence leaves on their bodies and minds. For the latter, medical and psychological literature were particularly useful to complement my social sciences approach and to find a way to make the bodies speak differently. At the same time, while a certain "medicalization and psychologization might act as a strategy of recognition" as Beneduce (2019, 716) argues, I will avoid that it "translates the project of reducing suffering and its treatment down to only one perspective". In other words, while the impacts may be somatic and psychological, the violence remains structural, and its harm is social and political.

7.2   The (Spoken) Testimony and Its Limits

Throughout this research, spoken testimonies of experiential and professional experts have constituted a highly valuable material to understand the forms of violence produced by the Swiss asylum *dispositif.* More than a mere collection of "tales of suffering" (Good 2011), they offered thorough analyses of the functioning of the *dispositif* based on lived experiences. In addition to the usual—and necessary—use of testimonies as evidence that reveal the violence people endured, they also participated directly in framing my understanding of this violence. At the same time, they allowed me to overcome the absence of data on those indirect forms of violence and their impacts. Nonetheless, the spoken testimonies of people inevitably include limits.

The first one can be related to what Eyal Weizman (2014, 10) describes as "the complexities of the subject, the ambiguity of language, and the frailty of witness memory". This limit is particularly put forward in forums constructed as necessitating the corroboration of testimonies with other material evidence to establish precise facts about specific events—such as in a court of law or an asylum hearing. Nonetheless, as this study did not pertain to such forums—and actually even critically assessed the problematic effects of their functioning—the limit put forward by Weizman is addressed differently. Instead of seeking to establish "the truth" about specific events, I rather used the testimonies to understand the subjective experience of people within the Swiss asylum *dispositif* and to propose a certain approach to the violence at stake in this context. The testimonies were corroborated to distinguish specific moments in the

procedure when the violence was present, and their ontological subjectivities provided a valuable means to assess the impact it had on people.

The second limit is not related to the testimony in itself but its reception in different forums. The immigrants and refugees, "those who, more than others, are considered suspicious" (Beneduce 2015, 560), indeed tend to be discredited, not believed or silenced depending on the forum in which they are heard or the people who are listening (See *inter alia* Das 2007, 330).

As an illustration, in May 2022, I attended a Swiss symposium on asylum that gathered the main professionals working in the asylum sector in Switzerland.[35] During one of the plenary sessions, the organizers presented a short clip in which a person was talking about her asylum process. The video started with the person saying: "*For me, the [asylum] procedure was a very difficult period.*" At that moment, a person sitting in front of me turned to the people next to me and rolled her eyes demonstratively, visibly annoyed by this statement. Other people in the same group kept shaking their heads throughout the short video, trying to show their disapproval of the person's testimony ("Field Notes OSAR 8ème Symposium Suisse Sur l'asile" 2022). Unfortunately, I have not had the possibility to discuss with this group of people afterward and I do not have any information about their jobs or the reasons behind these reactions. Nonetheless, it seems to illustrate the common ways in which people seeking asylum's testimonies can be received negatively by people who, by their presence in that symposium, are connected to the asylum domain.

At the same time, this marginalization of people's voices can also lead to the problematic will to amplify or validate people's experiences through the more authorized voices of others, whether they are researchers, journalists or activists (see *inter alia* Cabot 2016). Whereas such action is most of the time done to overcome the marginalization of people's voices, it can bear problematic power dynamics that can further deprive people of their agency and do more harm than it is supposed to alleviate.[36]

In sum, spoken testimonies are useful material to overcome the invisibility and invisibilization of violence, especially in contexts crossed by unequal power relations. Nonetheless, testimonies need to be addressed reflexively as they bear a wide range of internal limits that might render difficult, or even biased, the investigation of violence. At the same time, testimonies are also limited by the outside context, in which they are conveyed and confronted with disbelief, or even hostility, from a wide range of actors who, most of the time,

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[35] OSAR, 8th Symposium on Asylum, Berne, 19-20.05.2022, https://www.osar.ch/offre-de-formation/offres-pour-adultes/symposium-suisse-sur-lasile (Accessed 18.06.2022)

[36] This research is inevitably confronted to the same ethical problem. Whereas I framed my approach in order to avoid doing any harm, it does not solve the issues around the unequal power dynamics between the voices that are heard or read and those that are silenced.

have an interest in silencing them. As argued by Fassin (2011b, 294), structural violence—as the one that is at stake here—"has no immediate visibility – but there are also more interests at stake in keeping it invisible, since its systematic unveiling could have unexpected consequences on the social order". In that sense, exploring the possibility to complement, maybe entangle—but not bypass—the spoken testimonies by addressing the concrete impacts this violence has on the bodies and minds of people who endure it constitutes an interesting path to follow. Sometimes, indeed, "[a]s their voices are silenced, it is their bodies that speak" (Fassin 2011b, 288).

7.3   Body as Bearer of Traces

Bodies are privileged sites of investigation in the field of social sciences. Quite similarly to investigations where geophysical spaces can be taken as simultaneously sensors of violent events and implicated in them, the body and the mind can function as sensors and producers of violence (see Weizman 2014, 16). In that sense, the relation between the subject—the individual victim of violence—and the object—their body—becomes blurred and particular forms of mediation are used to make the traces "speak". Drawing upon—*mutatis mutandis*—Marc Bloch's (1952) classical distinction between *voluntary* and *involuntary* testimonies,[37] we will see that traces of violence can either be directly created by the subject with the aim of informing about his/her condition (the *voluntary testimonies*) or can appear without the subject's conscious intervention, without the will to inform about his/her condition (the *involuntary testimonies*).

7.3.1   Voluntary Testimonies and Cases of Self-harm

One of the most studied forms of voluntary traces done on one's own body is self-harm, defined as "all non-fatal intentional acts of self-poisoning or self-injury, irrespective of the degree of suicidal intent or other types of motivation" (Hawton et al. 2016, 8). Self-harm is a complex phenomenon covert by a large body of research which put forward the multifaceted and socially, culturally and geographically situated character of its causes and its interpretations (Interview with psychiatrist 2022), rendering impossible to generalize them (for a systemic review, see Gargiulo et al. 2021). Nonetheless, there seems to be a prevalence of such behavior in the asylum-seeking population in Switzerland and elsewhere (Sanchis Zozaya and Gaultier 2021, 3) with multiple precipitating factors that can be associated with the asylum

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[37] In his book *Apologie pour l'Histoire ou Métier d'Historien*, Marc Bloch (1952, 24–5), explains that historians are confronted to two types, or classes, of testimonies that, according to him, should be addressed complementarily. The *voluntary, or narrative, testimonies*, "stories [récits] deliberately dedicated to informing readers" such as Herodotus' ancient historical books, mémoires, but also public discourses or newspapers articles. And the *involuntary testimonies*, "these clues [indices] that, without premeditation, the past drops [*laisse tomber*] along its path" such as private diaries or personal letters.

dispositif in itself, from the conditions of living in asylum centers to the asylum procedure and the resulting decision (Hedrick 2017).[38]

Some scholars working on asylum considered self-harm as tentative by people seeking asylum to "escape their liminal existence" (Bhatia 2020, 286) and "as acts […] that seek to make visible the effects of the bureaucratic and structural violence of the state" (Näre 2020b, 986). In that sense, it can be understood as a form of *voluntary testimony*; the self-harm occurs as a result of the violence and allows people to "express conflicts and feelings that are usually hard to represent in a different form" (Gargiulo et al. 2021, 190). People seeking asylum indeed sometimes use these traces on their bodies to mediate the violence they endure and to communicate it to those who are listening. While no specific cases of self-harm have been reported in detail during my interviews, some data and information can be found on cases of self-harm in FACs and taken as illustrations of the ways in which these forms of voluntary testimonies may function.

In 2019, journalists investigated a suicide case in the Federal Asylum Center of Boudry. In that context, they interviewed Djibril, an asylum-seeker housed in the FAC at the time. After talking about a suicide case that happened in the center, Djibril explained that he himself had attempted suicide and claimed: "That place, Boudry, is not part of Switzerland, I can tell you. When people try to kill themselves… [*pause*] *I can show you my arms.*" As we see in the image below, Djibril shows his left forearm to the camera, revealing scarifications. "This place [the FAC] is like a prison, you are destroyed, and they try to break you more." (Canal Alpha 2019, emphasis added).

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[38] While I will merely focus here on cases of self-harm, it is important to note that over the years, European and Swiss media also reported numerous cases of suicide of people who lived a prolonged and difficult asylum-seeking process (Qureshi 2020) whose asylum claim was refused (Coordination asile.ge 2018; ANSA 2020) or who were deported (Deutsche Welle 2018). As they could be interpreted as the direct results of asylum dipositifs, further research is needed to explore this in detail.

Figure 10 Screenshot taken from "Minimag" on the local TV Channel Canal Alpha (2019).

Putting forward the same carceral narrative as Ramazan or Mouhammed did during my interviews with them, along with the exceptionality of the FAC as being outside Switzerland—"not part of Switzerland" —Djibril uses the multiple scarifications he has on his left forearm as voluntary testimonies, as traces, material proofs of the detrimental environment of the FAC in which he and others live. At the same time, it allows him to overcome the difficulty of speaking about the situation he experienced, represented by the pause in his statement. In other words, "[w]hen there are no words, when oppressed and dispossessed minorities find themselves on the outskirts of public visibility, one recourse is to use the body as a communicative tool" (Womersley and Kloetzer 2018, 1).

The case of Djibril—further emphasized by the peculiar setting of a televised interview—is a clear occurrence of the demonstrative aspect that self-harm can have. This "resilient attempt to overcome invisibility" (Womersley and Kloetzer 2018, 1), related to a situation of distress and an experience of violence, is indeed "sometimes, for some people, the only means available to show their suffering" (Interview with psychiatrist 2022).[39]

Furthermore, whereas these voluntary testimonies in the form of self-harm allow to mediate and render visible forms of invisible violence, it is interesting to look at similar cases more broadly and to explore the possibility to register them and reveal the breadth of the

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[39] Cases of self-harm through immolation by people seeking asylum also repeatedly happened in Switzerland (see inter alia: L'Orient-Le Jour 2015; RTS Info 2016; Le Matin 2017; Busslinger 2020). Although I consider those acts as prominent forms of embodied (political) expression (see Butler and Athanasiou 2013, 143–44), I will not address them in this study due to space and time limitations. Nonetheless, I refer the reader to Womersley and Kloetzer's (2018) relevant study on the self-immolation of an asylum-seeker in Switzerland in 2016.

phenomenon. In April 2021, the SEM put out a tender for research on suicide prevention in three Federal Asylum Centers. In this unpublished document—obtained on request—the SEM claimed that "[i]f suicides are relatively rare [in FACs] (1 to 2 cases per year), suicide attempts and self-harm are frequent (*up to several times per week*), in the 3 main centers of the Region (Boudry, Giffers [Chevrilles in French], Vallorbe, excluding Geneva airport)" (State Secretariat for Migration 2021e, 2, emphasis added). In December of the same year, a report was published by a research consortium mandated by the SEM and composed of experts from the University Centre for General Medicine and Public Health (UNISANTÉ) and the psychiatric department of the Lausanne University Hospital (CHUV) (Sanchis Zozaya and Gaultier 2021). In this report, whereas the exact number of self-harms in the three Federal Asylum Centers studied is deemed under-evaluated, 37 cases of suicidal gestures over 9 months are reported (Sanchis Zozaya and Gaultier 2021, 27) among the 980 people housed in the three centers when they are at full capacity.[40] Whereas studies on self-harm in French-speaking Switzerland are rare and the data is incomplete, a 2019 study commissioned by the Federal Office of Public Health conducted in the emergency departments of the Lausanne and Neuchâtel hospitals over a 10-month period put forward a self-harm rate per 100'000 inhabitants of 220 in Lausanne and 140 in Neuchâtel (Ostertag et al. 2019) which gives respectively a ratio of 2.2/1000 and 1.4/1000. While there is no statistical relevance in comparing the ratio put forward in the 2019 studies with an estimated ratio of the number of self-harm cases in Federal Asylum Centers, Sanchis Zozaya and Gaultier's report seems to point toward the fact that there is a clear prevalence of suicidal behavior in the asylum-seeking population compared to the general population. Using national and international research as well as data internal to the SEM related to self-harm, the report interestingly puts forward that, in Switzerland,

> asylum-seekers manifest more frequently suicidal thoughts associated with aggressive behaviors than the local population […]. [This] converges with other European studies, based on hospital or psychiatric emergency data, reporting a high incidence of suicidal behavior among asylum seekers, *residing in reception centers* (Sanchis Zozaya and Gaultier 2021, 3, emphasis added).

Again, while suicide and self-harm are complex phenomena that cannot be causally attributed to a single determinant, we see that there is at least a strong correlation—already observed notably in the Australian context (see inter alia Hedrick 2017)—between a period spent in the detention-like conditions of an asylum center, coupled with demanding and stressful

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[40] Boudry: 480 places; Vallorbe: 250 places; Giffers: 250 places (State Secretariat for Migration 2018c).

administrative procedures, and the disproportionated occurrences of self-harm cases compared to the local population.

In sum, exploring the voluntary traces of violence on the bodies of people seems to provide interesting material to unveil invisible violence. By focusing on the impact that the Swiss asylum *dispositif* has on people's mental health and how it influences self-damaging behaviors, it can allow to register occurrences of violence. Nonetheless, further research on the possibility to draw causal relations based on these data needs to be done while taking into account the inherent biases that can appear.

7.3.2 Involuntary Testimonies and Politico-Administrative Pathogenic Agents

Forms of violence produced by the Swiss asylum *dispositif* can also make people's bodies and minds react and consequently create traces without the conscious intervention of the person, nor the conscious aim to inform about the harm endured. With some liberty taken from Marc Bloch's aforementioned distinction, I will consider them as *involuntary testimonies* of the violence endured. To make the argument clearer, I will address them through a Social Determinants of Health (SDH) framework that focuses on the non-medical factors that affect health, or in other words, the "social and structural forces that shape population health beyond individual knowledge, attitudes, and behaviors" (Chang and Wallace 2016, 20). This framework has been extensively used in research related to the determinants of mental health of refugees and asylum-seekers (for a critical review, see Hynie 2018). It also addressed more generally the experiences of people on the move "which ultimately affect their health particularly in settings where they face a combination of legal, social, cultural, economic, behavioral and communications barriers [or, in the context of this study, *borders*] during the migration process" (Davies, Basten, and Frattini 2006, 4). At the same time, the SDH framework has been reshaped and extended to coin new approaches, such as the particularly interesting notion of "infrastructural determinants of health", that

> refer[s] to the specific elemental ways in which systemic or structural forms of illness such as racism, documentation, and occupational injury are produced and by whom […], [calling] attention to the concrete practices that lay the groundwork for the injurious structural determinants of health (Dubal, Samra, and Janeway 2021, 2).

In that sense, the authors try to uncover "the underlying causes of […] *social pathogenic agents* [that they] recognize as documentation status, poverty, or gang violence, among many others" (Dubal, Samra, and Janeway 2021, 3, emphasis added).

In the context of the Swiss asylum *dispositif,* we have seen that its different components such as the administrative measures, bureaucratic practices but also peculiar temporalities and spaces, can have an adverse effect on people's health. Following Dubal, Samra and Janeway, I propose to consider them as *politico-administrative pathogenic agents* since they result from specific policies and are enforced by administrative law and procedures. In that sense, it clearly identifies them as elements that influence health.

Coming back to the *dispositif,* we have seen that throughout the asylum-seeking journey, people are subjected to an asylum process governed by exclusionary mechanisms. They are most of the time housed—or contained—in precarious, securitized and sometimes insalubrious environments where they are subjected to rules, disciplinary measures, and invasive bureaucratic control. All those politico-administrative pathogenic agents impede people's capabilities (Sen 2005) and impact at the same time their health. Throughout my interviews, people indeed described cases they witnessed of people who, during their asylum process or after their claim was refused, had sleep disturbances, developed depression, anxiety "along with all the physical symptoms that accompany anxiety states like palpitations, dizziness, headaches" (Interview with psychiatrist 2022). Some people were also described as "sleeping all day long, just waking up in the evening to cook something easy and there it was, they [had] nothing else" (Interview with Mouhammed 2022). Whereas those cases would need to be analyzed independently, taking into account the particular medical history as well as social and physical characteristics of each individual, it seems here that they coincide with the studies put forward above. The spaces in which people live, along with the protracted wait and uncertainty of their procedure indeed seem to be politico-administrative pathogenic agents in the sense that they impact people's health and well-being. At the same time, the pathologies, addictions or unusual behaviors that resulted from them seem to be their "bodily inscription" (see Fassin 2011b, 293), the *involuntary testimonies* of their impacts, and the traces of the broader violence of the Swiss asylum *dispositif.*

To further illustrate this point, I will finish with two examples. The first one is from an interview I conducted with Mouhammed when he described the insalubrious conditions of living in a cantonal housing facility in which he was housed. When I asked him whether he thought the conditions of living impacted him, he told me that he had lost 17 kilograms in 3 months, explaining that "actually, I was not very sad because I am a strong person, but I know that it is not normal to lose 17 kilograms, or even a little more, in 3 months" (Interview with Mouhammed 2022). Whereas again it is merely possible in the context of this research to draw a correlation between his experience in the cantonal facilities and his significant weight loss, it seems that the space of the cantonal facility, this insalubrious environment of living, coupled with the

uncertainty about his procedure can all be considered in that case as the results of adverse determinants of health and as the *involuntary testimony* of the violence of the *dispositif*.

The second example that can be mentioned here to illustrate the adverse effect of asylum procedures is the particularly well-documented cases of so-called "resignation syndrome" in Sweden. This term depicts occurrences of adolescents seeking asylum with their families in the country who fell into a sort of coma for several months or years directly after their family had been denied asylum. Whereas different models have been put forward to explain those cases (see inter alia Sallin et al. 2016, 4–5), the asylum process in itself and the related administrative decision clearly seem to be among the determinant factors that make their bodies "resign" (Sallin et al. 2016; Thomas 2017; Santiago et al. 2019; von Knorring and Hultcrantz 2020; D. G. Butler 2020). Despite their seemingly exceptional aspect and their largely unexplained geographical concentration in Sweden, cases of resignation syndrome can fuel further research on the physical impact of asylum *dispositifs* and the *involuntary testimony* of violence they may represent.

In sum, a broad range of studies in various disciplines offers an avenue to further investigate the impact of the asylum-seeking experience on the health of people who are required to go through it. At the same time, those same studies are particularly useful to unveil partially invisible forms of violence at stake in asylum *dipositifs.* Here, I proposed to use the voluntary and involuntary traces that can be left, or put, on the bodies and minds of people to reveal and register this largely invisible violence. Again, while rendering visible the traces of violence through the partial collection of various health data related to occurrences of psychopathologies, body injuries, or cases of self-harm and suicide attempts, provided a first glimpse into the violence at stake in the Swiss asylum *dispositif* and the impact it has on health, drawing clear causal relations between the *dispositif* and the harm experienced is largely beyond the scope of this research. Nonetheless, the non-exhaustive recollection of cases that I put forward throughout this research can encourage further research on the topic. For instance, it is interesting to think of an interdisciplinary longitudinal study that would follow a representative sample of people seeking asylum between the moment of their asylum claim and the months following the final asylum decision. During that period, the changes in their physical and mental health could be registered at regular intervals and put in relation with the different steps and spaces they navigate throughout their asylum-seeking journey. Inspired by Engel's (1978) biopsychosocial model[41] and using a social epidemiology methodology, such research could allow to relevantly assess the concrete role the Swiss asylum *dispositif* plays

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[41] Engel (1978, 175) described his biopsychosocial model as "a framework within which can be conceptualized and related as natural systems all the levels of organization pertinent to health and disease, from subatomic particles through molecules, cells, tissues, organs, organ systems, the person, the family, the community, the culture, and ultimately the biosphere".

on the health of people seeking asylum and would provide strong data that could be used in a comparative perspective with other populations in different contexts.

CONCLUSION

This research explored forms of violence experienced by people seeking asylum throughout their administrative journey in Switzerland. As we have seen, it allowed to bring different interdisciplinary perspectives together to address this complex issue which pertains to different fields of study. Undoubtedly, this work could have taken many forms and could even have been narrowed down to one space or to a specific moment of the Swiss asylum procedure. But my aim was truly to address the Swiss asylum *dispositif* as a whole, to reveal its history, the continuous form of its violence and the depth of its impacts. During my inquiry, I indeed came to realize that this securitized and exclusionary *dispositif* was omnipresent in people's lives, controlling them at every step of their asylum-seeking journey, impacting their bodies and minds as if its functioning was sometimes rendering them sick. I indeed wanted to show that an administrative *dispositif* in seemingly non-violent settings could exercise violence over certain categories of (undesirable) people and that it needed to be addressed in the same manner as other forms of violence experienced throughout the migration journey.

In that sense, I situated this violence on the continuum of border violence experienced by people on the move. Whereas borders are ubiquitous and can be found "wherever selective controls are to be found" (Balibar 2002, 84), the Swiss asylum *dispositif* indeed produces subsequent borders *within* Switzerland, governed by similar mechanisms that differ mainly in their spaces and materialities. In other words, it is not the border zone or the fence that prevent the people seeking asylum from fully entering the country but the Federal Asylum Centers or the administrative procedures which prolong the border crossing despite people's physical presence on the territory. In a similar way, it is not the barbed wire that marks their bodies but the structural violence of the asylum *dispositif* that impacts their health.

Finally, whereas "those seeking asylum [tend to] suffer from higher rates of mental or psychological distress when compared to the overall population of the host country" (Bhatia 2020, 278), we have seen that causes are manifold. Therefore, I refrained from putting forward a monocausal explanation for the harm people endure. Nonetheless, I tried to show that correlations can be drawn between the harm done and the politico-administrative pathogenic agents *created by* and *experienced in* the Swiss asylum *dispositif*. From there, further research would be highly relevant to confirm those initial correlations. Moreover, while I was unfortunately unable to address the intersectional aspect of the experience of violence within the *dispositif*, I can only further stress the importance to take into account pre-existing social and medical conditions, previous life experiences but also the ways in which the asylum-

seeking journey interacts with one's gender or country of origin, when exploring these forms of violence. From there, I would like to offer two concluding thoughts which may be relevant for future research on the subject.

Harm as a Policy Outcome: A System That Reaches Its Objectives?

The first one is related to the issue of intentionality and responsibility in the harm done *by* and *in* the Swiss asylum *dispositif.* As we have seen, the *dispositif* has been historically constructed in a highly repressive manner that has been interpreted as a clear will not only to deter people from claiming asylum in Switzerland—and to a larger extent in Europe—but also to prevent them from staying after they were deemed deportable (see *inter alia* Comité d'experts "Procédure d'asile et hébergement" 2012, 6; Leyvraz et al. 2020). When looking at the historical evolution of the Swiss and European approach to asylum and migration, this interpretation seems to be quite tenable. However, the issue becomes more complex when looking specifically at the impacts of this *dispositif* on people's health and raises the question of whether it can be considered as a fortuitous consequence of this restrictive *dispositif*, or a planned outcome framed by policymakers. In the light of this study, I can only encourage to overcome this false dichotomy. While "not all policy outcomes are planned, and nor are their consequences necessarily attributable to a single actor or group of actors" (Rodgers and O'Neill 2012, 402), further thinking should indeed be done on the possibility, and implications, to attribute the responsibility to the Swiss asylum *dispositif* as a whole.

Differentiated Treatment and the Ukrainian Counter-Factual

The second, and related, concluding thought comes back to the opening paragraph of this research. Since the beginning of the war between Russia and Ukraine in late February 2022, an unprecedented number of people have fled the country to seek refuge, mainly in Europe. As a response, the European Council "triggered for the first time" the Temporary Protection Directive, "an exceptional measure to provide immediate and temporary protection in the event of a mass influx or imminent mass influx of displaced persons from non-EU countries who are unable to return to their country of origin" (European Commission 2022). A week later, Switzerland activated a similar mechanism—the permit S—aiming at granting "rapidly a right to stay without having to go through an ordinary asylum procedure" (State Secretariat for Migration 2022b). While such protection schemes as well as worldwide movements of solidarity toward Ukrainian refugees have been saluted, this has also raised questions about the differentiated treatment they experienced compared to other non-Ukrainian people seeking asylum. As of May 2022, 51'631 people from Ukraine were granted the temporary protection status S in Switzerland (State Secretariat for Migration 2022c). In comparison, in 2021, 54'368

people were considered "in the Swiss asylum process" (State Secretariat for Migration 2022a). In that sense, almost as many people were granted asylum in a period of 3 months than the total number of people navigating the administrative journey of the Swiss asylum *dispositif* the year before. This situation can be used cautiously as a counter-factual which proves Switzerland's and Europe's capacity to implement rapidly an asylum procedure freed from securitized practices and exclusionary mechanisms. At the same time, it shows that the violence of the Swiss asylum *dispositif* analyzed throughout this research is avoidable and that its eventual perpetuation in the future might not be fortuitous.

APPENDIX

Summary Table of Residence Permits (Asylum)

Permis de séjours asile

Livret N – requérant-e d'asile

Durée	Tant que dure la procédure d'asile indépendamment de la validité du livret.
Regroupement familial	Non, mais si la famille se trouve déjà en Suisse, elle ne devrait pas être renvoyée séparément.
Travail	Oui, après trois mois depuis le dépôt de la demande et seulement en procédure ordinaire. Interdiction si débouté.
Voyage	Non, sauf autorisation spéciale (rarissime)
Divers	Si débouté, aide d'urgence. Plus de livret N, éventuellement une attestation disant que la personne est en procédure art. 14 al. 2 LASI.

Aide d'urgence pour personnes déboutées ou Non Entrée en Matière NEM (attestation)

Durée	En attendant le renvoi
Regroupement familial	Non, mais les membres de la même famille doivent être en principe renvoyés ensemble
Travail	Non
Voyage	Non
Divers	Assistance minimale soit en nature, soit Fr. 9.50/jour. Centre ou foyer d'aide d'urgence obligatoire.

Permis C

Durée	Indéterminée, sauf atteinte à l'ordre public (motifs pénaux et d'assistance).
Regroupement familial	Oui Conditions : travail et logement
Travail	Oui
Voyage	Oui, avec un document de voyage établi par le SEM ou avec un passeport national valable.
Divers	Fin du permis en cas de séjour de plus de six mois à l'étranger.

Point d'Appui mai 2022

Livret F – admission provisoire

Durée	Tant que l'exécution du renvoi est inexigible, illicite, impossible. B humanitaire en cas de bonne intégration après 5 ans au moins
Regroupement familial	Oui, au plus tôt trois ans après la décision d'admission temporaire
Travail	Oui, sur autorisation
Voyage	Non, sauf autorisation dans certaines circonstances à examiner avec le SPOP (voyages scolaires dans l'UE, visite familiale de type fin de vie)
Divers	

Livret F – réfugié

Durée	Idem que F ci-dessus, octroyé quand il y a reconnaissance du statut de réfugié, mais pas de l'asile. Les préjudices encourus en cas de retour sont postérieurs à la fuite (art. 54 LASI)
Regroupement familial	Oui, au plus tôt trois ans après la décision d'admission provisoire
Travail	Oui, sur autorisation
Voyage	Oui, sous conditions. Demande d'établissement d'un titre de voyage auprès du canton et le SEM l'établit. Validité 5 ans. Le SEM est compétent pour établir une liste de pays interdits.
Divers	

Permis B – réfugié reconnu

|	
Durée	Fait suite à une décision du SEM. Permis annuel renouvelable, sauf révocation de l'asile.
Regroupement familial	Oui, la famille proche (conjoint, enfants) d'un réfugié obtient en général le même statut et reçoit un permis B.
Travail	Oui
Voyage	Oui, avec un document de voyage établi par le SEM.
Divers	Un voyage dans le pays d'origine ou des contacts avec l'ambassade peuvent mener à la révocation de l'asile

*SEM = Secrétariat d'État aux Migrations

Permis B humanitaire

Durée	Permis annuel, renouvelable
Regroupement familial	Oui, à condition de pouvoir entretenir sa famille et de la loger.
Travail	Oui, hors contingent. Autorisation de travail nécessaire pour chaque prise d'emploi.
Voyage	Oui, avec un passeport national valable
Divers	Permis hors contingent octroyé par le canton mais qui doit obtenir l'accord de l'autorité fédérale.

Statut de protection S

Durée	Validité limitée à un an, mais peut être prorogée. Après cinq ans, les personnes à protéger reçoivent une autorisation de séjour B qui prend fin au moment où la protection provisoire est levée.
Regroupement familial	Oui
Travail	Oui
Voyage	Oui
Divers	Nouveau statut délivré aux ukrainiens. Droit à l'aide sociale et aux soins médicaux.

Appendix A: Plateforme asile Vaud, "Tableau des différents permis de séjour", May 2022, https://plateforme-asile.ch/permis-de-sejour-en-suisse/.

Overview of the Swiss Asylum Procedure (Flowchart).
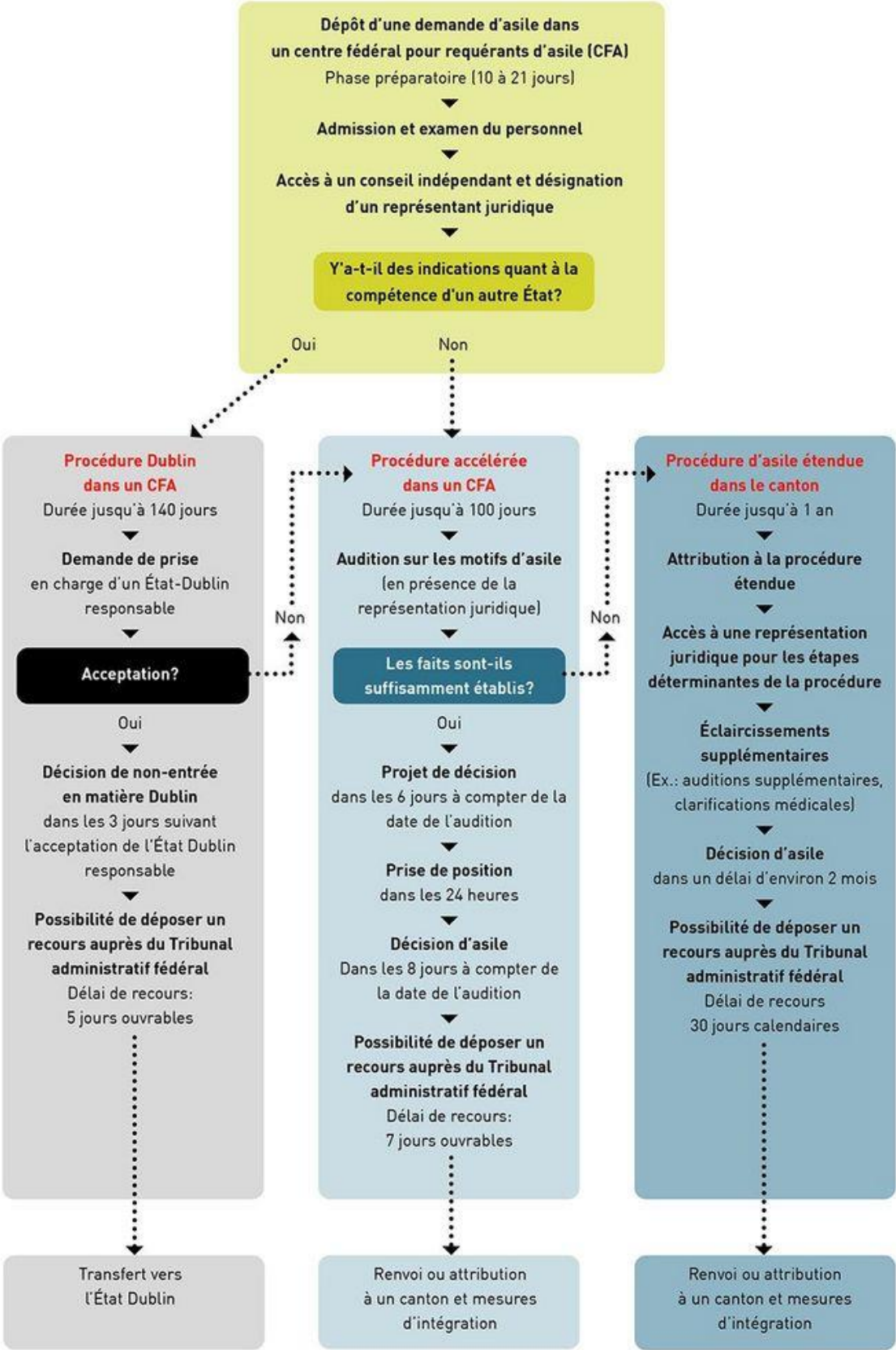
Appendix B: Swiss Refugee Council (OSAR), "Déroulement de la procédure d'asile", 2019, https://www.osar.ch/themes/asile-en-suisse/la-procedure-dasile.

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