Bodies and persons: The politics of embodied encounters in asylum seeking

Jouni Hämäläinen and Kirsi Pauliina Kallio
Tampere University, Finland

Abstract
In this paper, we propose that there is a politics of encounters centered on the body at play in seeking asylum and refuge, and that it is critical to study how it unfolds from the point of view of both governing and agency. Building on existing work that looks at the role of embodiment in the political struggles of refugees, and leaning on Helmut Plessner’s original thinking about social embodiment, we develop a theoretical understanding of this political dynamic, illustrating how it can help us make sense of power relations and forms of governance and (latent) resistance involved in it.

Keywords
body object, destituent potential, embodiment, empathy, lived body, migration regime, Helmut Plessner

I Introduction
The agency of refugees\(^1\) in navigating the governing systems related to forced migration has gained increasing attention in human geography and neighboring disciplines. Seeking to understand this political dynamic, a scholarship has recently turned to the body, embodied knowledge and corporeal existence as its key dimensions. Calling for further attention on the body in the context of asylum and refuge, we follow Smith et al. (2016), Mountz (2018) and Hodge (2018), who point out that embodiment itself remains undertheorized, especially when it comes to the interplay between refugee agency and state-based migration regimes. Critical of approaches that separate the intimate and emotional from the governed spaces and scales of the geopolitical, a number of feminist scholars have sought to address the intertwinenent of territorial bordering practices, the migrants’ intimate (geo)political tactics and emotions, and the matter-of-factness of the human bodily being (e.g. Clark, 2017; Ehrkamp et al., 2019; Gilmartin and Kuusisto, 2019; Koopman, 2011; Martin, 2012; Mountz and Hyndman, 2006; Pain and Staeheli, 2014; Simonsen, 2013; Smith et al., 2016; Sharp, 2011; Väyrynen et al., 2016).

Building on insights coming from this emerging body of work, this paper seeks to develop a theoretical approach on the embodied encounters that characterize situations of asylum seeking in the context of transnational migration control. As recent work to conceptualize encounters shows, the term captures well both
the eventful coming into contact by bodily subjects and the broader contextual forces that mediate and shape these encounters (e.g. Nayak, 2017; Simonsen et al., 2017; Wee et al., 2019; Zaborowski and Georgiou, 2019). Analytically the term denotes situations characterized by ‘difference, rupture and surprise’ (Wilson, 2017: 452) and points to the topologies of ‘encounter as simultaneously a geohistorical production and an immanent spatial event’ (Cockayne et al., 2019: 10). For us this makes the embodied encounter a prime analytical lens for understanding the many kinds of relations that occur between refugees and their governing. In line with Sara Ahmed (2000: 9), we see that ‘encounters between embodied subjects always hesitate between the domain of the particular – the face-to-face of this encounter – and the general – the framing of the encounter by broader relationships of power and antagonism’. The way she links encounters with embodiment and surprise has been influential in much subsequent literature on asylum and refuge, and underlines the need to study the coming together of subjects across institutional power differentials.

To bridge existing approaches, and to theorize the political tensions present in these embodied encounters, we propose an analytical distinction between refugees as bodies and refugees as persons. Mindful of feminist scholarship on the body, we link this distinction into longstanding efforts to challenge, rather than reify, dualist thinking (Longhurst, 1997; Silvey, 2017). Our conceptual work draws from Helmut Plessner’s approach on social embodiment, stemming from his philosophical anthropology (Plessner, 1975, 2019). We consider it useful in deepening our understanding of embodiment as a duality rather than dualism, and in providing analytical possibilities for studying political subjectivity and agency as socially conditioned human capacities. Along with others who have identified specific potential in Plessner’s work regarding embodiment, we see that his philosophical ideas offer opportunities to develop new perspectives on the body (e.g. Coolen, 2014; Dijst, 2019; Emste, 2004; Henkel, 2018; Korf, 2008; Krüger, 2010).

In the next section, we introduce research that we have identified as pertinent to the role of embodiment in the context of asylum seeking. While in some studies the empirical focus is slightly different from ours (e.g. migration, multiculturalism, populism, ethnic discrimination), they all resonate with our quest to understand embodied political agency negotiated in relation to governing. We then provide an introduction to Plessner’s approach on social embodiment. After that, we turn to presenting how the duality in his conception of embodiment, and the subsequent distinction between bodies and persons seen through the conceptual lens of empathy, helps to take further theoretical understanding of the politics of embodied encounters in asylum seeking. In conclusion, we make suggestions on the potential of this theoretical approach for further research, as well as portray how it can perhaps be brought to inform humanitarian practices.

II Embodied encounters: Governing and agency

‘Refuge’ and ‘asylum’ are currently largely understood as policy-driven concepts, with origins in the international human rights development following the Second World War. Manifested by the establishment of the United Nations High Commissioner for Refugees (UNHCR) in 1950, common refugee rights are agreed upon by the majority of countries, and the governance of asylum seeking is included in regular state practices. While this has created an international refugee regime, a number of countries remain non-signatory and the actual policies and governing practices vary in different parts of the world (Gill, 2010). What being a refugee and seeking asylum mean, thus, fluctuates spatially and temporally, and reflects a
dynamism where the agency of those in escape forms a crucial factor in the recognition of refugee-ness as a subjective condition and societal position (Barnett, 2002; Chappell, 1999; Darling, 2014). During the 20th century, forced migration has become prevalent and there is now a growing literature that deals with the governing–agency dynamic, through which refuge and asylum acquire their contextual meanings.

A part of this research emphasizes the significance of embodiment in how refugee-ness is constituted. This is the case in studies that underline how refugees are described and confronted as a faceless mass of bodies with differences between people having little meaning, or as ‘floods’ flowing wildly and alarmingly into and over organized societies (e.g. Mountz, 2004; Papastergiadis, 2006; Van Houtum, 2010). Often the anonymous figure of the refugee is ambiguous, characterized on the one hand by victimhood and on the other hand by bogusness. In media the idea of a ‘deserving refugee’ in need of charity and protection is construed through images that target victimized refugee bodies, such as the now-iconic image of two-year-old Aylan Kurdi (Johnson, 2016; see also Lenette and Miskovic, 2018). As mere bodies, refugees appear like children completely dependent on and at the mercy of their carers (Bradley, 2014; Rivetti, 2013).

A sharp distinction between vulnerable victims and bogus asylum seekers acts as the moral backrest to the openly racist agenda that eventually has come to view all refugees ‘flooding our country’ as belonging to the latter group (Krzyżanowski, 2018: 88). Sometimes this is manifested in encounters between migrants and the local population, ‘performed, practiced and (re)negotiated in daily life’ (Haldrup et al., 2006: 175). Explicit focus on the corporeal dynamics, through which othering unfolds, brings the dimension of bodily objectification forcefully to the fore (Burrell and Hörschelmann, 2019; Dobson, 2004; Ehrkamp and Nagel, 2014; Simonsen, 2013). Tones of voice that render refugees as a mass of bodies have also been identified in supra-national policymaking and state practices in contexts ranging from Europe, to the US, Australia, Turkey, Saudi Arabia and beyond (Abid et al., 2017; Bettini, 2013; Esses et al., 2013; Gabrielatos and Baker, 2008; Pickering, 2001; Scheel, 2013). Indeed, research on the government of forced migration reveals that governing practices work relentlessly to contain, control and organize where, and the manner in which, refugees may appear in the realm of signification as well as physically on the borders and streets of the societies they seek asylum from (Ehrkamp, 2019; Hyndman, 1997; Mountz, 2011b; Ridgley, 2008; Spathopoulos and Carastathis, 2020; Tesfahuney, 1998).

The practices and situations where refugees actually meet with the migration regime have been studied with attention to the role of embodiment in such encounters. For Scheel (2013: 279) the refugee body lies at the nexus between ‘border regimes that try to render migrants’ bodies as a means of mobility control’ and the very practices through which people seek to appropriate mobility (also Kallio et al., 2019). Among the most charged points of contact in this regard is the status determination interview where the production, management and appropriation of knowledge, or rather different kinds of knowledges, is part of how refugees are governed. For the representatives of asylum institutions, it is decisive to be able to define the nature of their own and refugees’ knowledge to fit the expectations of the asylum assessment and decision making. To this end, institutional knowledge is deemed objective and thus disembodied from context, while the refugees’ knowledge is seen as subjective, embodied and based on their first-hand experiences only (Jensen, 2018; Kobelinsky, 2019; Kynsilehto and Puumala, 2015; Puumala and Kynsilehto, 2016). In this sense refugees’ own speech may end up being the least convincing form of knowledge, always
potentially corrupted by the endeavor to be recognized as a refugee (Fassin and d’Halluin, 2005; McGhee, 2000; Håkli et al., 2017). Moreover, the body itself (e.g. through traces of violence), and medical and psychological knowledge about the body (e.g. statements, examinations, assessment), often provide more powerful proof about admissible vulnerability than one’s own voiced expressions (see also Jaji, 2009; Rajaram, 2002; Puumala et al., 2018; Tomlinson and Egan, 2002).

In refugee camps and asylum centers refugees confront strong attempts to reduce their agency and silence its political elements through bodily containment that makes the subject passive and disempowered (Darling, 2014; Millner, 2011; Ramadan, 2013; Spathopoulou and Carastathis, 2020). In extreme situations, (political) agency as a human capacity may cease to exist almost completely – a development described as subjectification by those following a Foucauldian reading (e.g. Ansems de Vries, 2016; Fassin and d’Halluin, 2005; Gill, 2009; Puggioni, 2014), and as bare life in Agamben’s terms (e.g. Darling, 2009; Diken, 2004; Dines et al., 2015; Martin, 2015). Yet asylum seekers are not powerless in these situations if we consider domination and resistance in a Foucauldian sense as always coupled and co-constitutive. While their possibilities to act are often far from ‘manifestations of heroic resistance’ and closer to political practices of counter-conduct with ‘potentially transformative power’, as Conlon (2013: 136) argues, it is evident that the practices through which asylum seeking is governed reflect (explicitly or implicitly) the power vested in refugees’ embodied presence (Scheel, 2013; Sigvardsdotter, 2013; Ansems de Vries, 2016).

One form of protest, with embodiment in a particularly emphasized role, is agency growing from ultimate desperation in dehumanizing situations (Fiske, 2016). In these cases, refugees typically use their bodies as the messenger and the message when they have little other agential means left. Banu Bargu (2017) directs attention to what Behrman (2014) calls ‘desperate tactics’ and Raffaela Puggioni (2014) ‘extreme gestures’, two forms of embodied agency that refugees in different parts of the world employ as their final cry: hunger striking and lip sewing. In both cases, the attempt is to draw public attention to the inhumane treatment of refugees, to appeal to policy makers and public administration for changes, and to claim rights to be recognized as refugees with human rights – all common elements in refugee activism and protest (Conlon, 2013; Owens, 2009). Moreover, Edkins and Pin-Fat (2005) are right to point out that by using their bodies, refugees are able to express that which cannot be spoken or is unsayable, thus refusing engagement with the language of the migration regime and carving space for a political relationship.

Yet there is something specific in these forms of political agency. One can call them performative acts, as Michelle Pfeifer (2018) does, to underline that refugees stage their bodily selves to be gazed at, with the hope that someone might finally consider their subordinating positions unacceptable and salvage them, rather than allow them to perish. Self-harmed bodies can also be understood as ‘powerful tools’, as in Puggioni (2014), or ‘counterhegemonic tactics […] material and symbolic acts of defiance’, as framed by Gill et al. (2014: 375), exposing the fact that refugees are able to use their bodies forcefully to resist governing forces. For us these acts speak of a particular way of confronting migration control with embodiment at its core – an aspect that we discuss further toward the end of the paper.

Finally, embodied refugee agency has also been explicitly taken up in research focusing on the ‘end of agency’, that is, when people’s activities diminish to mere endurance, they lose their zest for life, and may seek to harm themselves or end their lives (Bodegård, 2005; Von Folsach and Montgomery, 2006). Such withdrawal has recently been found among adolescent detainees on the Micronesian island of
Nauru, testifying to the fact that self-harming and suicidal behavior is more common among detained asylum seekers (Cohen, 2008; Dudley, 2003; McCall, 2018). Here the body is not used to convey a message, but instead it seems to turn against oneself. Hence the political dimensions of such embodied situations build mainly through how institutions respond to refugees who are no longer communicating by anything else but their deteriorating bodies.

All these works are helpful for understanding the entwinement of governing and agency in the refugee context: how asylum seekers, as embodied subjects, encounter policies and discourses that seek to reduce them into governable bodies, and what forms of embodied agency, if any, they are able to negotiate in relation to governing. However, we feel that what is largely missing in the existing scholarship is a deeper understanding of why migration regimes are so preoccupied with the refugee body that they already govern in so many ways, as the literature clearly shows. Why is it, in other words, that the often residual and weak forms of embodied agency appear to provide asylum seekers with resources that call for such powerful ‘policing and containment’ (Mountz and Loyd, 2014: 176)? To account for these questions, that center on the critical role that the body plays in the politics of encounters between the migration regime and refugees, we turn to additional conceptual resources in Helmhut Plessner’s philosophical anthropology, and particularly the sophisticated understanding of embodiment that it offers. We begin with a brief introduction to Plessner’s thought and then move on to developing our own approach on embodiment in the encounters between refugees and the regimes seeking to regulate their mobility.

**III Plessner’s inquiry into social embodiment**

While Helmhuth Plessner’s philosophical anthropology has recently started to attract a growing interest across the social sciences (De Mul, 2014a; Dobeson, 2018; Ernst, 2004; Honenberger, 2015; Krüger, 2010), it is fair to say that his thought has hitherto been largely neglected in the Anglophonic world. A prolific writer and highly original thinker, his thought on the human condition and positioning in the world has found deep resonances with a number of debates that center on the classical question of what is the human (Henkel, 2018; Häkli, 2018; Korf, 2008; Pugliese, 2016). As a recent collection of essays on Plessner’s thought reveals, these questions range from ideas of being (e.g. Fischer, 2014; Krüger, 2014) to those arising from (bio)technological mediations that rework these ideas (De Mul, 2014b; Spreen, 2014). It is hardly surprising, then, that as various posthumanist philosophies are now proposing to shift profoundly our ways of thinking about human agency and positioning in relation to the natural world (Joronen and Häkli, 2017), Plessner’s philosophical anthropology is gaining new currency, boosted further by the long-expected translation of his major works into English (Plessner, 2018, 2019).

Perhaps the most original aspect of Plessner’s thought is his insistence on the need to reformulate the question of being as a human attribute. Whereas the critiques of Cartesian conceptions of the body/mind dualism have tended to lead either to the naturalistic de-differentiation of humans from the physical world, or to the constructionist reductionism of nature to signification (Dallmayr, 1974; Dobeson, 2018), Plessner (2019) carefully shifts the ground beneath the question by placing humans into a continuum, rather than a relationship, with organic nature (Greene, 1963; Henkel, 2018). This he does by approaching the question of being from the point of view of an organism’s relation to its environment, mediated by the body as its boundary and interface. Reframed as a question of positionality, Plessner (2019) is able to address all living organisms through types of differences in their exchanges with their
environment, ranging from dependency in the case of inmobile plants with an open form of organization, to the relative autonomy of humans and non-human animals with a closed form of organization that enables movement. By theorizing these differences ‘outside the anthropological circle’ (Krüger, 2010: 259), he also circumvents any categorical notions of human exceptionalism, while nevertheless showing how humans’ being in and relating with the world differs from the existence of non-human organisms. Plessner (2019: 286) contends that while ‘all living being stands in a relationship-with – that is, in a relation of accompaniment [Mitgehen], coexistence [Nebeneinander], and cooperation [Miteinander] [. . .] the human has a true relationship-against [Gegenverhältnis]’ that is specific to human life. Thus, in contrast to much contemporary posthumanist thought, Plessner offers an affirmative definition of humans as a very particular part of nature, yet without lapsing into categorical anthropocentrism (Pugliese, 2016).

Our discussion of Plessner’s philosophical anthropology cannot pretend to do justice to the breadth of his meticulously argued and complex thought. We therefore focus here selectively on how Plessner views human embodiment in terms of his ideas on positionality. On a par with non-human animals, humans both have their body (Körper) and are their body (Leib) through which they interact with their environment as centric beings. For non-human animals, the duality of having and being a body is an unproblematic and instinctive part of their concentric praxis fully absorbed into the ubiquitous here-and-now: ‘The animal stands in this relation, but does not grasp it’ (Plessner, 2019: 285). Humans cultivate a second mediating relationship to this dual bodily being, namely an awareness of and reflexive relationship to both having a body (as an object) and being a (lived) body. For Plessner this positional difference is a radical distinction but not a value judgement; while the reflexive ‘relationship-against’ is not available for non-human animals, so also humans have no access to animals’ purely immediate ‘relationship-with’.

For Plessner (1975: 365), the human being ‘is a body, is in its body, and at the same time outside its body as the perspective, from which it is both’. This threefold situation Plessner (1970) calls eccentric positionality (Exzentrische Positionalität), referring to the fundamental ambiguity of human existence that follows from lacking the possibility of unproblematic absorption in the environment (in the sense of an ecological niche, for example). Instead, the human is ‘homeless, he must [. . .] create his own equilibrium’ (Plessner, 2019: 288), that is, constantly position oneself in subjective, physical and social worlds as a person – as the intersubjectively constituting subject of one’s own experience (Plessner, 1969, 1975). As a person, ‘the human does not simply live [. . . as] he has to first make himself into what he already is, to lead the life he lives’ (Plessner, 2019: 288). Exactly this ‘excentric form of positionality gives rise to the shared-worldliness or sociality of the human, makes him a zoon politikon’ (p. 300). Homelessness, thus, is not a romantic existential condition, but a key to human historicity and sociality that grounds embodiment and personhood as fundamentally social notions.

Importantly for our purposes, excentric positionality manifests itself in the unending need for humans to reconcile themselves between existence as the subjective body and body object. Plessner (1970: 36–7) writes that ‘man can come to no decision between these two orders [but . . .] must nevertheless find a relation to them. For he is totally merged in neither.’ Hence, humans are fated to a dynamic movement between these two modalities of embodiment, stemming from the reflexivity through which people at once experience themselves as a self and objectify themselves as a thing among other things. This ‘dual aspect’ of embodied being sets Plessner’s (2019: 273) thought
apart from Merleau-Ponty’s (1962) phenomenology of the body where, according to Coolen (2014: 116), the body tends to remain ‘completely on the side of the perceiver [. . . with] an inclination to overemphasize the living body (Leib) at the cost of the body as a thing (Körper).’ With evident parallels to Merleau-Ponty, Plessner’s thought differs precisely in its insistence on the importance of how humans, as persons, perform and accomplish the unity of the corporeal and lived body (Krüger, 2010). It is the understanding of this intertwined dynamism that we wish to adopt from Plessner’s original thinking about human embodiment and its relationship with personhood, where meaningful theoretical notions are the reflexive duality of subjective and objective body (Leib/Körper) and the idea according to which it is in life as persons that humans accomplish the task of integrating these two modes of embodiment.

Reflexivity strips humans from the possibility of merging, once and for all, their lived and physical body, thus demanding us constantly to settle the ambiguity of being and having a body. Yet, people become explicitly aware of this duality only in certain occasions. As Plessner (1970: 37) puts it, ‘in the normal course of life, with its attachment to accustomed goals, this pressure for reconciliation is not conspicuous’. We normally engage with embodied agency effortlessly and, as persons, enact our body ‘as a grasping, thrusting, supporting, and conveying organ, as a means of locomotion, as a means of signaling, as the sounding board of emotions’ (Plessner, 1970: 34). ‘In unusual situations, on the other hand, [the reconciliation between having a body and being one] meets with difficulties.’ When interrupted in our routines, demanded to engage in unaccustomed activity, or pushed out of balance for one or another reason, we become aware of our ‘relation to the body’ (Plessner, 1970: 37). For example, when walking in a city, a person may realize that she appears not to belong. Casual walking then suddenly turns into movement on the street as a body object that stands out as if in the eyes of everyone else present. Passing on to a familiar part of the city, such pronounced bodily existence again fades into routine strolling.

As ‘the human way to be is so intricately intertwined with the human organism’, the body is not only the medium of our agency but also the locus of our fundamental vulnerability as persons (Plessner, 1969: 499; see also Van Grunsven, 2014; Tolone, 2014). This insight, we argue, is highly consequential for our efforts to understand political life in precarious life situations, such as asylum seeking. These involve encounters where people wish to be met as persons but are likely to find their personhood diminished in practices related to migration control, as well as in more mundane contacts. To conceptualize embodied politics in such encounters, in the next section we outline a theoretical approach based on our reading of Plessner’s theory of social embodiment.

IV Embodiment and empathy in asylum encounters

In our research with refugees, we have found that vulnerability as such does not necessarily entail the lack of capacities for political agency. Overt political protesting, such as sit-ins and demonstrations, is a case in point, but we argue that it is important also to notice more subtle forms of agency that may remain concealed by their embeddedness in the everyday and what is experienced only momentarily and transitorily (e.g. Ehrkamp, 2017; Gökariksel and Secor, 2018; Hughes, 2016; Ottosson et al., 2017). Key here, we contend, is sensitivity to political subjectivity that we conceptualize as the distance between people’s sense of self and the social identities through which they relate with their worlds (Häkli and Kallio, 2014, 2018; Kallio and Häkli, 2017; Mountz, 2011a; Witteborn, 2015). It is precisely the ability to experience
a relation to offered subject positions – either accepting, averting or renegotiating them – that animates political subjectivities. As we have shown elsewhere, this is the case also with various charged and contested subject positions related to asylum seeking (Häkli et al., 2017; Kallio et al., 2019; Kallio and Häkli, 2019). Among asylum seekers, there is a great deal of attentiveness to power relations vested in the ‘figure of the refugee’, and in particular, the expectations of what is required from potential refugees (Lacroix, 2004; Luker, 2015).

Leaning on Helmhut Plessner’s thought, we here address embodiment as a key dimension in this intersubjective political dynamism. Significant in any social interaction between human subjects, the body plays a particularly important role in the hierarchical encounters between refugees and regimes governing migration. The stress Plessner (1970, 1975) places on reflexivity in the constitution of human self-image and practical orientation to the world can be usefully linked with the idea of the body as a source and object of intuitive attentiveness or explicit awareness of positionality in such encounters (Henkel, 2018). To this end, we propose that there is a politics of encounters centered on the body at play in asylum seeking, and that it is possible, indeed critical, to study how it unfolds from the point of view of both governance and agency.

To approach this politics of encounters, we begin from Plessner’s idea of personhood as the mode of being in which people relatively unproblematically both are and have their bodies, yet without the possibility to ever settle the dynamism that this duality entails. This aspect of Plessner’s thought parallels Giorgio Agamben’s (2016) idea of ‘middle voice’ (neither active nor passive mode of agency) as the relation, or a ‘zone of indetermination [. . .] between the subject and the process of which it is both the agent and the site’ (Agamben, 2014: 68). Tracing the idea of subjectivity beyond established positions, identities and roles, he points at this indeterminacy as the condition of possibility to think human existence as ‘pure potentiality (potenza) that no identity and no work could exhaust’ and as ‘the affection that a body receives inasmuch as it is in relation with another body (or with one’s own body as other)’ (Agamben, 2014: 69).

We understand this condition in terms of embodied subjectivity that does not present itself as a problem or task, but nevertheless means that in social encounters people remain open to new relations with others, and experiencing their embodiment in relation to something that brings it up (see also Shusterman, 2010). As our discussion in the second section shows, embodiment can accentuate, for example, in situations of refugee status determination, detention, paperlessness, and border crossing, but manifest itself differently in each of these instances. In alignment with recent calls for attention to the body as a site and target of the politics of asylum and refuge (Clark, 2017; Hodge, 2018; Smith et al., 2016), we propose that the refugee body is the prime arena for the politicization of (forced) migration and the encounters it entails. This is so, we argue, because the body is at once the locus and the vehicle of political subjectivity – what Plessner calls ‘personhood’ and Agamben the indeterminate ‘form-of-life’. Comprising the lived body, the body object, and embodied subjectivity, the refugee body is the ineluctable interface between the migration regime and refugee agency, and commands attention, at times highly intensive, from both directions.

To account for the determination, with which migration regimes in different parts of the world attend to the refugee body, we have already pointed at the many forms of political agency that employ the body object (Körper) as the vehicle and site of protest and resistance. Yet, it is possible to identify a more latent politics vested in the embodied subjectivity of the lived body (Leib), a politics that is effective beyond practiced agency. To capture the ‘force field’
that migration regimes have no possibility but to attend and respond to, we link the Plessnerian idea of personhood as embodied subjectivity to Agamben’s (2014) notion of ‘destituent potential’ (*potenza destitutente*), and then identify empathy as a key dynamism through which these become operative in embodied encounters.

Embedded in the residual indetermination of life, ‘liberated from its “economy”, from reasons and purposes that define it’ (Agamben, 2014: 69), there is a specific *inoperative* politics that Agamben calls destituent potential. Instead of openly confronting or resisting ‘existing values and powers’, it threatens to reveal these as constituted social orders (Agamben, 2014: 70). Importantly for our purposes, destituent potential is the ‘greatest preservation of human power [precisely] when it is held in potentia’ (Murphy, 2019: 9). The destituent potential of embodied life nevertheless always remains in the horizon of the constituted power as its ‘unknown unknown’, possible surprise or rupture. In much the same way as Plessner (2019) views excentric human embodiment as fundamentally different from that of non-human animals, Agamben (1999: 182) writes that ‘[o]ther living beings are capable only of their specific potentiality […] but human beings are the animals who are capable of their own impotentiality’, that is, they have the possibility to turn away from what is possible in ‘the abyss of human impotentiality’. This abyss Plessner (2018: 46) views as the unfathomability of humans’ relation to the world characterized by ‘eternal refugibility or openness’.

We consider destituent potential a ubiquitous aspect of embodied human life. As Agamben (2016: 231) underlines, it is not defined by ‘what’ humans are but rather ‘how’ they are what they are in ‘the mode in which each person, in losing himself as subject, constitutes himself as form-of-life’. For Plessner (2019) the question of *how* relates to the constitutive lack of balance in human embodiment that leaves personhood always vulnerable to disruption. Bringing together potentiality and vulnerability allows us to understand how social embodiment is enacted and contained differently in at-distance and face-to-face encounters between refugees and the migration regime. In other words, we conceptualize the governance/agency dynamism in these encounters as a question of the degree to which migration regimes are exposed to the force field of the embodied presence of asylum seekers, and the measures they are invited to take to manage this exposure by way of strategically avoiding it or, where necessary, regulating the conditions under which it unfolds.

To understand how human embodiment operates in these encounters, we conceptualize the migration regimes’ exposure to asylum seekers’ personhood in terms of *empathy* (Cuff et al., 2016). With this notion, we do not refer to a volitional aspect of social interaction imbued with positive emotions (i.e. sympathy), but rather to the generic human capacity to understand the point of view of other bodily subjects that stand there in person (Walsh, 2014). Empathy brings together human capacity to understand and to be understood by the other. In Plessner’s (2019) words, humans live in a world ‘where the emphatic I and you merge into the we’ and where a person ‘stands where the other stands and the other occupied his place’ (Plessner, 2019: 286, 319). In this sense empathy marks a two-way path between the embodied subjects involved, one that does not unite but links them situationally. Embodiment is key here precisely because access to the other’s subjectivity depends on the possibility to validate assumptions about the other’s experiences in a situation of co-presence (Zahavi, 2010). While dealing with an asylum seeker’s case always occurs ‘within contexts of meaning that transcend the here and now’, to assess an asylum seeker as a ‘unique person’ with specific experiences, as asylum interviewing requires, there is
no alternative to face-to-face encounter (Zahavi, 2010: 301).

Importantly, access to the other’s experiences through empathy does not necessarily require ‘any positive regard for the other’ (Head, 2016: 175). It also sometimes occurs ‘toward those one dislikes, or at inconvenient times’ and leads to attempts at regulating or avoiding exposure to its occurrence (Chismar, 1988: 260). This is the case especially in institutional encounters where empathy functions ‘as a technology of access, providing an “insider perspective” on “the truth”’ (Pedwell, 2012: 172). However, empathy may also lead to the sharing of emotions and even sympathy (Cuff et al., 2016). Therefore, in hierarchical circumstances, such as those present in asylum interviews, it calls for means by which to ‘inhibit the emotional contagion [and] to extract from the intersubjective relationship’ (Berthoz and Thirioux, 2010: 37). In this regard the concept of empathy describes well the ‘force field’ constituted by the migration regime’s need to gain knowledge about the asylum applicant, and the asylum seekers’ yearning to be met as persons with experiential history and an open-ended future. Exposed to the destituent potential of this force field – the ruptures and surprises of embodied personhood – the migration regime thus seeks to avoid encountering persons, and where this is unavoidable, as in asylum application procedures, it makes every effort to regulate the situations in which empathy is at play (Dahlvik, 2018).

Empathy goes unnoticed in routine social interaction, but we contend that in circumstances characterized by stark power imbalances it animates a politics of encounters that, in our case, unfolds as a contestation over refugees’ personhood. This contestation builds from the tension between the embodied presence of refugees and the measures through which practices of migration control seek to regulate exposure to empathy (Hodges and Klein, 2001). At stake here is being encountered as, and encountering, bodies or persons – acts that perform a Cartesian cut between the subjective and objective body that may come to overshadow personhood by directing attention excessively to the body object (Körper) or the subjective body (Leib) in one’s experience of oneself or the other (Tolone, 2014; see also Simonsen et al., 2017).

V Objectivizing and subjectivizing logics of governing

We have identified two logics that work to contain the personhood of refugees, thus rendering them more governable subjects. Both take active stances regarding exposure to empathy and operate by provoking situations that hinder those in subordinate positions from appearing and responding as persons. The first manner, in which governing seeks to regulate its exposure to empathy, is through objectivization of the refugee body both at distance and in bodily encounters.

When policies, media representations and political rhetoric portray refugees as a faceless and anonymous multitude of people, their individual humanity is overlooked and they are ‘consigned to their body. That is, they are rendered speechless and without agency, a physical entity, or rather a physical mass within which individuality is subsumed’ (Rajaram, 2002: 251, emphasis in original). In this register, refugees may appear as ‘innocent, in need of charity and protection, and subject to events outside of [their] control’ (Johnson, 2016: 62), or as ‘sources and spreaders of infectious diseases, […] bogus queue-jumpers who are trying to take advantage of lax refugee policies […] and terrorists] trying to gain entry to western nations’ (Esses et al., 2013: 524–5). In Plessner’s (2019: 274) terms, they are considered ‘entirely appearance’, physical thing-bodies that exist as mere carriers of properties (Körper).

At border crossing points, in contacts with institutional actors, or when facing people with
anti-immigrant attitudes, the objectivization of
the refugee subject manifests in bodily encoun-
ters (e.g. Coker, 2004; Haldrup et al., 2006;
Ibrahim and Howarth, 2017; Scheel, 2013).
Also in such situations refugees may find them-
selves reduced into generalized bodies, abstracted
from personhood with needs, fears, preferences,
relationships, ethics, views, responsibilities, abilities, and desires (Clark,
2017; Hayden, 2006). Without personal attributes,
their experiences do not appear meaningful or in want of comprehensive understanding.
In such encounters people refrain from standing
‘where the other stands’ (Plessner, 2019: 319)
and thus refugees fall beyond empathy (Sve-
næus, 2016).

In concrete terms the refugee body may be
objectivized as the target of biometric surveil-
ance and forced fingerprinting (Davies et al.,
2017), or physical examination by migration
authorities and their advisors ‘as the place
that displays the evidence of truth’ about their per-
secution (Fassin and d’Halluin, 2005: 598), and
in medical encounters as ‘a symbolic locus for
the loss of social and individual self-determi-
ation’ (Coker, 2004: 415). Or conversely, the
reduction of the refugee to a body object may
manifest through alienating governing practices
that elude empathetic encounters altogether,
such as ‘the principle of denying rescue and
letting unwanted migrants die’ at border zones
(Schindel, 2018: 218), or the medical care that
‘functions as a technology of enforcement
[where] the sick and injured are cared for in
order to facilitate their timely deportation’ (Wil-
liams, 2015: 18). Emphasizing a striking with-
drawal of empathic relatedness, Davies et al.
(2017: 1263) refer to ‘deliberate political indif-
ference towards refugees’ as a form of strategic state inaction that seeks to uphold embodied
destitution among migrants and thereby ‘coerce
migrants to onward mobility’.

In the acts of objectivization at stake is the
reduction of migrants’ personhood into what
Plessner calls Körper, the body object, which
allows the migration regime to circumvent
empathy by holding a distance to refugees as
embodied persons. Avoiding the force field of
personhood altogether makes it possible for
regimes to separate practices of migration con-
tral from the provision of humanitarian assist-
ance and focus selectively on the former
(Walters, 2011). Conversely, in the logic of sub-
jectivization governing produces refugees as
excessively lived bodies (Leib). Also these prac-
tices work to manage the migration regime’s
exposure to empathy, but they do so by reducing
asylum seekers’ personhood into bare subjective
being in the present tense, often in the con-
text of probing into their subjective experiences
for governmental purposes.

Status determination interviews and other
practices of asylum case assessment are, indeed,
iluminative of how subjectivization works to
contain and manage empathy through its instru-
mental use as a technology of access to insider
knowledge (e.g. McGhee, 2000; Fassin and
d’Halluin, 2005; Paumala and Kynsilehto,
2016). The reduction here operates through
asymmetric interpretation of knowledge,
whereby refugees are considered now- and-
here subjects with subjective knowledge only.
When evaluated, their first-hand accounts of
vulnerability are by default considered subjec-
tive in the sense of being susceptible to self-
seeking bias (e.g. Kobelinsky, 2019; Wettergren
and Wikström, 2014). Even when given value as
evidence, asylum seekers’ accounts are firmly
bound with the remembering and witnessing
lived body that comes to disclose the reasons
for their persecution as directly experienced,
then and there. Diminished as persons excentri-
cally positioned in their worlds, the refugees’
knowledge on issues such as the general situa-
tion in their country of origin, the local circum-
stances that forced them to leave, and the
changing conditions of violence in the region
is dismissed as subjective and motivated by
tries to gain refugee status (Jensen, 2018).
Their knowledge is deemed ‘‘idle chatter” or
unauthorized speech-acts of an abject subject [...] the voice of hearsay [...] and] inauthentic knowledge’ (McGhee, 2000: 37).

What subjectivization means to refugee agency is detachment from everything except for the here-and-now. By individuating refugees into experiencing body subjects, governing practices cut them off from familial and amiable relations, social networks and communities, societies and cultures, known histories and expected futurities – from everything that attributes people as persons, that is, as intersubjectively constituting human beings capable of relating with themselves and others (Jensen, 2018; Kallio, 2019; Kallio and Håkli, 2019; Spotti, 2019). This form of governing thwarts refugees’ capacity to reflect upon their experiential and objective world, and to share their lives with others in their social worlds. It sustains the existing hierarchies and power relations between asylum seekers and their institutional assessors by pushing the former towards the position of body subject (Leib) who can only expect to be cared for or abandoned, and allowing the latter a neutral bureaucratic role where facts, proofs, evidences and truths are objectively handled (Gill and Good, 2019; Kynsilehto and Puumala, 2015).

Empathy here works as a productive dynamism of subjectivization employed in conditions managed and controlled by the migration regime. To succeed in gaining access to the asylum seeker’s intimate experiences, the case assessor’s demanding task is to create a trustful atmosphere for the interview and form an amicable relation with the interviewee, without being exposed to the transfer of emotions or ruptures and surprises that might compromise the ‘objective’ handling of the case (Dahlvik, 2018). Unsurprisingly, the conditions under which asylum interviews are carried out are carefully scripted and choreographed to minimize the possibility of intervening influences coming from the embodied presence of an asylum seeker as a person (Puumala et al., 2017). Practices with which exposure to empathy is regulated in these encounters include ‘mental resilience and the ability to distance oneself consciously from the emotional part of the work’ (Dahlvik, 2018: 56). When successful, the interview provides the best possible access to refugees’ experienced worlds, from where knowledge that serves decision making can be selected and re-contextualized, without being unsettled by the surprising destituent potential of embodiment. While amicable and emphatic to some extent, the situation is highly hierarchical in that it positions those involved according to different forms of knowledge rather than different norms of humanity.

While the two introduced modes of governing – objectivization and subjectivization – follow different logics and are often used in distinct situations, for refugees they do not appear disconnected forces. As Fassin (2011: 294) argues, ‘[such structural] forms of violence are often intimately related and difficult to disentangle’. Although with different modes of operation, they both manage the degree to which empathy, vested in the (mis)recognition of refugees’ personhood, may come to define their embodied encounters with the migration regime. As objectivization emphasizes the anonymity of the refugee body at the cost of personhood, and subjectivization moves to the other direction by over-emphasizing the embodied subject here and now, the reflexive, temporally multiple and dynamic person is torn apart. What often ensues in practice has been witnessed in a number of studies and critical reports by NGOs and journalists: despair, resentment, declined abilities to care for oneself and others, lack of prospects, mental health problems, and losing the desire to live – all instances of hindered agency and diminished personhood (Mountz et al., 2013; Schiltz et al., 2018).

However, people do not lose all their capacities to act once their personhood is challenged. As Plessner (2019: 302–3) posits, we always
seek to regain the dynamics between the lived (Leib) and the objective (Körper) body, as otherwise we would not be who we are, human beings relating with our experienced worlds through ‘one relationship’ [...] and not two neatly separated relationships running along next to each other’. This is true also in situations of asylum seeking where people evade, assert, and resist the governing targeted at them — or in Plessner’s terms, sustain their humanity by leading a life instead of merely living it, in circumstances that challenge the meaningfulness of doing so. We next discuss how the body, as an interface in the ‘struggle for personhood’, is central to such agency but also marks its limits.

VI Struggle for personhood

Being challenged as a person is inconvenient and troublesome, and it is safe to assume that in general people wish to be encountered as balanced persons rather than objectivized or subjectivized bodies. The governing practices that challenge personhood are thus experienced as fundamentally disturbing: they threaten refugees with a loss of integrity and the shrinking of their world into immediate existence. However, in seeking to be met as persons, whose point of view matters, refugees come to contest the reductionist politics of encounters in contextually specific ways. As Scheel (2013: 282–3) portrays, ‘it is a particular person in a particular body who tries to appropriate mobility in her encounters with the agents, devices, means and methods of [migration] control’. What we conceive of as a struggle for personhood takes many forms, some of which are visible forms of using and making use of the refugee body to resist and protest against inhumane treatment, while others are so banal that they easily meld into mundane refugee lives (such as any practices that sustain refugees’ possibilities of leading meaningful lives under destitute and unstable conditions).

We have already discussed the ways in which refugees use their bodies to achieve political ends. Seen as part of the struggle for personhood, these acts can be understood to employ the body object (Körper) to claim recognition as a person. When confined to the camp, asylum center or detention facility, or when empathetic encountering is denied them tout court and their voiced concerns are refused, refugees may resort to hunger strikes and lip sewing. They articulate an ‘uncontainable excess at the level of the body that subjugating strategies cannot control’ (Gill et al., 2014: 375) – ‘instances, in which migrants resort to their body as a powerful tool against subjugation and unjust deportation’ (Puggioni, 2014: 566). In our view, these self-harming practices provide a grim but undeniable case for Plessner’s notion of eccentric positionality as the basis of political agency. The fact that we are able to see ourselves from outside of ourselves, as objects among other objects in the observable world, allows us to make use of our bodies in an instrumental way, and thus engage in a struggle for personhood with the forces that seek to govern us.

However, there are more subtle ways in which refugees’ embodied presence partakes in the struggle for personhood and seeks to broaden the space for empathy in encounters with the migration regime and their host societies. A case in point is refugees’ simple embodied presence in the public, which means that they mobilize possibilities to movement and have certain resources available to sustain their lives (Darling, 2017; Garelli and Tazzioli, 2013; Millner, 2011). In public space ‘these actions are grounded fully in being present, and in being here’, with refugees claiming to be seen and encountered as part of the society as opposed to being contained in asylum centers at the fringes of communities (Johnson, 2016: 79; also Ataç, 2016; Darling, 2016; Mountz, 2018). Gill et al. (2014: 375), too, accentuate the significance of embodied co-presence between refugees and the people acting with them: ‘what was important for this activist group was physical, bodily presence in the same place, on the buses,
with the detainees and deportees’ (see also Hodge, 2018; Sziarto and Leitner, 2010). Overall, we see that through public presence refugees, perhaps non-intentionally, come to disclose the destituent potential of their embodiment. In so doing, they claim recognition as persons vis-à-vis the local civil society, which may help overcome the figure of the refugee reduced into a mere body (Nyers, 2007; Tyler and Marciniak, 2013). Such embodied encounters and ‘acts of citizenship’ open avenues for empathy and make it more difficult to overlook or deny the humanity of the other (Isin, 2009; see also Darling, 2014; Kallio et al., 2020; Siggardsdotter, 2013).

At stake in the struggle for personhood is more than embodied co-presence in eventful encounters. Scholars working on the agency of refugees largely agree that it is not an individual capacity in a narrow sense but that it develops intersubjectively and contextually amid one’s personal networks, and in close relations with other refugees, institutions and organizations enacting governing and/or providing assistance, and the communities where people live while seeking asylum (e.g. Fiddian-Qasmiyeh, 2016; Fontanari and Ambrosini, 2018). Far from well-resourced political actors, and often with very marginal citizen rights, refugees may have skills, know-how and economic resources that support the mundane practices through which they sustain ‘a life for which, in its way of living, what is at stake is living itself; and […] always and above all possibilities of life’ (Agamben, 2014: 73), or what in Plessner’s (2019) terms is holding on to one’s life as a person. While often not intended as explicit political agency, these life-sustaining practices may at times gain the meaning of what Joronen (2017: 92) calls ‘destituent play’ – a mode of resistance that takes shape as playful non-violent struggle to ‘resist, suspend and deactivate the power and techniques of existing governmental apparatuses’.

### VII Conclusion

Refugees come into contact with the actors, authorities and institutions that operate migration regimes through hierarchical encounters that place them into a subordinate position as bodies – bodies that are similar to each other, or particular in the sense of ultimate subjectivity; bodies that manifest conflicts carrying evidence of torture and violence; bodies that are kept at a distance, looked at and individuated; and bodies that should perform in particular ways but otherwise remain passive. In this article we ask why, indeed, is the migration regime so preoccupied with the refugee body that it already knows how to govern?

To account for this question, we have developed a theoretical understanding of asylum seeking as a struggle for personhood that sometimes manifests in overt protesting and bodily resistance, but more often merely reflects the destituent potential that each refugee carries in their lives as embodied persons. Because it is a potential to render power inoperative through ruptures and surprises that in most cases never actualizes, this form of power rests with personhood and, thus, cannot be targeted with counter measures similar to overt forms of protest and resistance – ‘it’ cannot be ignored or dealt with in practice because potential does not take part in the operations of constituted power. The only way to handle this intrinsic facet of personhood is by regulating the conditions within which embodied encounters between refugees and the migration regime unfold – where and how they may (not) take place, and the degree to which empathy may characterize these encounters.

In arguing for the refugee body as a site and stake in this politics of encounters, we do not suggest that attention should be directed to the physical body only. Rather we have sought to show that the handling of the ‘refugee question’ also involves the employment of power at distance through practices such as the
representation of refugees in policies, political rhetoric and media, and the management of empathy as part of how the migration and asylum regimes operate. In these practices, refugees are typically confronted as bodily objects or fully subjectivized bodies, but at times their politics of personhood gains agential dimensions as (attempted) resistance and (enduring) capacities to act, mobilizing in more or less explicit forms of political agency.

More conceptual and empirical research is needed to gain an in-depth understanding of embodied encounters as a struggle for personhood. We suggest that such work, building on Plessnerian thought on social embodiment, has a great potential to advance research on the dynamism of empathy in different situations and contexts related to asylum and refuge, and to render intelligible persistent problems of living with difference in the increasingly polarized and unevenly mobile world. We also believe that this line of research could inform the development of more human migration policies that recognize the importance of personhood as an attribute for people in vulnerable life situations, and allow empathy to facilitate perspective taking and the communication of contextual experiences, rather than subjectivization as a pathway to 'truth' that serves convenient ends.

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ORCID iD

Jouni Häkli  @ https://orcid.org/0000-0002-3033-2976

Notes

1. We refer to forcibly displaced people as ‘refugees’ and ‘asylum seekers’, including both those who have and have not (yet) claimed or acquired the official refugee status (as defined in the Geneva Convention).
2. While the conceptual vocabulary we adopt from Plessner (2019) overlaps to a great extent with Roberto Esposito’s (2012, 2015) recent philosophical discussion on the problem of the ‘person’, the two approaches stem from very different intellectual traditions and lead to almost opposite conclusions. Esposito (2015) opens his exegesis of the category of person by looking at the Roman law and the distinction it performs between ‘persons’ and ‘things’, and ultimately how this is reflected and reproduced as a dispositif with negative outcomes on how both bodies and persons are conceived of in the Western culture. For him, the category of person remains a fundamental problem approached through a ‘history of concepts’ (Esposito, 2012: 26), whereas in Plessner’s (2019) philosophical anthropology person refers to the unity of embodiment available for humans only. In the latter reading, that we adopt in this paper, personhood constitutes a political question as a source of our vulnerability – not as a ‘defective category’.
4. In excentric positionality, Plessner (2019) identifies three domains for human existence: the outer world (Aussenwelt), the inner world (Innenwelt) and the shared world (Mitwelt). In this article, we do not engage with this part of his theorization while we agree that it may offer useful analytical tools for distinguishing between different dimensions of agency (e.g. Van Buren, 2014; Krüger, 2014).


Author biographies

Juuni Häänli is a Professor of Regional Studies and directs the Space and Political Agency Research Group (SPARG) at Tampere University. His research lies at the intersection of political geography and global and transnational studies, with focus on political subjectivity and agency, forced migration, and humanitarian bordering. In
his recent work he has been particularly interested in the political agency of people in vulnerable positions.

Kirsi Pauliina Kallio is a Professor of Environmental Pedagogy at Tampere University. Her research focuses on contextual political agency and subjectivity, spatial socialisation and subject formation, refugeeness and humanitarian governance, and lived citizenship. She is also actively involved in the development of ethical open scientific publishing policies and practices.