

# Anthropology Book Forum

Open Access Book Reviews

HAMLIN, REBECCA. 2021. *Crossing: How We Label and React to People on the Move*. Stanford, California: Stanford University Press, ISBN: 9781503610606

Rebecca Hamlin's second book titled, *Crossing: How We Label and React to People on the Move*, proceeds with one central argument: the migrant/refugee binary is a legal fiction with obscuring qualities and destructive consequences when used by scholars, policy makers, and in public discourse. Hamlin shows that the binary term is brought to the fore in the bureaucratized mesh of international protection when various agendas are run by nation states and organizations such as the UNHCR. To begin, Hamlin establishes that implementation of the migrant/refugee binary builds on three main assumptions: first, it assumes that border crossings are undertaken either voluntarily or by force. Second, that those considered refugees are more deserving of protection than migrants. And third, that there is a lower number of people crossing borders involuntarily than voluntarily – that is, as refugees. The examples given to illustrate how these reductive assumptions take expression are rich and convincing.

While legal binaries are used for differentiating between people based on status, the parameters that go into navigating them by authorities greatly vary. Regardless of what kind of qualities are sought for to grant refugee status, these processes manifest power dynamics associated with global inequality. In this regard, the disempowering essentialism entailed in the labeling of people crossing borders – as either vulnerable or demonized, feeds into the dehumanization of certain groups of people that is central to the making of 'fortress' Europe (Sajjad 2018). This relates to how states can pursue a humanitarian reasoning by which their interventions are justified precisely because some are considered vulnerable and prone to suffer (Fassin 2012). Hamlin's work adds to a body of literature where state making through protection of certain groups is at focus. It also contributes with illustrations of how this takes expression against a perceived shared reality of international protection and points to how safeguarding of state interests expresses in the flux of international relations where security and humanitarianism

are held as leitmotifs. An important cue is that consequences are specifically burdening to those who are left in liminality. Hamlin further demonstrates that the migrant/refugee binary figure has equivalents in social scientific sensemaking of the organization and management of people who cross administrative borders. The binary sets off discussions in a specific direction because it establishes refugees as timeless phenomena with an assumed neutrality that simultaneously conceals (as knowledge, metaphors, and language in general does). In other words, the binary is obscuring, and *therefore*, generative to “knowledge production” related to migration. However, Hamlin does not take the chance to problematize any of the underlying notions to the migrant/refugee binary, such as motivation, free will, and deservingness. Consequently, the discussion remains rather affirmative of parameters such as intentions and merits being the necessary indicators for understanding border crossings. While a binary point of referencing can be problematized, any act of classification or characterization risk being made from unquestioned positions that seem “stay put” or from a methodological “above.” Analysis is fundamentally made in relation to some or other point of reference, but when focus remains established on nation states, administrative borders, or other legal conformities the risk of justifying rather than questioning the relevance of the same for understanding what goes on prevails. Legal frameworks, such as the refugee convention, requires interpretation - so what about those social agents who perform this form of labor? Critical social sciences have attempted to understand policy makers, *while* showing the impact of policies on those who are affected (Shore & Wright 2011). There are instances where successful challenging and changing of immigration policy have been achieved by those who are considered governed by the same (Però 2011). In sight of this, Hamlin’s request for scholarly thinking beyond binaries is in full effect when seeing that states and individual caseworkers might categorize people in various and localized ways.

The conflated critique directed at scholars, policy writers and practitioners, who supposedly have different agendas, seems promising because it accounts for their intrinsic alliances. But arguing that the twofold legal term is deficient supports the presupposition that legal justice is a prerequisite for social justice. We might ask whether a diversified labeling and the corresponding legal protection is sufficient for eliminating/overcoming the consequent suffering from uncapacious descriptions. This book gives reason to ask whether diversification of (legal) categories help making *both sense of and justice to* the broad range of accounts of border crossings? What does it imply to first argue the fictitious quality of law and then to remain with

making law an unquestioned figure of analysis or the given and necessary point of reference? The migrant/refugee binary is a key dimension of immigration law, the very logic through which law makes sense of people crossing borders and thus forcibly is made relevant – perhaps too well relevant. The critique can be related to discussions of processes that make legal concepts, or conceptualizations, work. The move towards perceived abstraction implies reduction, whether considered brought about through acts of entification (Larsen 2010) or equivalent processes. In this view, binaries allow processes of rationalization, and rationalization allows governance that perpetuates those schemes that set off the motions in the first place (ibid). Focus is cut out and made palpable out of a perceived reality and legal technicity makes law present through boundary making. Law is as ontologically productive of “the real” and potentially vehement as any move of language or depiction in force thereof. In this sense, binaries work because of the fundamental sense in which we make sense of things by experience of differences (Bateson 2015).

Hamlin’s ambition sets out from the want that there are, or at least *should* be, ways of describing reality to give people more accurate protection. Diversification of legal concepts seems justified in face of injustice, while legal instruments tend to remain in the hands of the powerful – by definition, rather than by virtue of the excellence of their users. And there are stakeholders who are more convincing in their tries to justify the ‘correct’ version than others. The quest to methodologically move beyond binary thinking risks remaining incomplete without an examination of what binaries are, what they are productive and efficient for – and for who?

Hamlin’s book (2021) indeed wakes interest for these aspects: what is that space called “beyond binaries” like and how are we to navigate it without use of other concepts that make sense in relation to their origin? A subsequent discussion would be intriguing to read because when Hamlin briefly ponders what might be done beyond binary thinking the discussion leads to a questioning of border practices, to suggesting attention to the division of responsibility and culpability, and to suggesting more careful use of language. At last, the suggestion to apply a “nonbinary reframe” as an alternative frame of protection makes clear that the instances allow reconsideration but nevertheless require data, and then one might ask: what data? Hamlin (2021:6) does take off from Derrida (2004), in accounting for the inherent hierarchy in binaries, and dives into the question of where and for whom binaries are in effect – in the sense that there are three chapters on geographical instances in the book. However, the questioning of immigration law remains a critique of law for what law fundamentally does if the grounding that lends the binary

technicity an illusory stability is disregarded. An added suggestion from Derrida's (1978) – that the center of a structure not only is substituted by yet another center, but also fundamentally establishes as an elapsing phenomenon, might lead the call for going “beyond binaries” further. Derrida's point (1978) on the engineer being another version of the sophisticated bricoleur (Levi-Strauss 1962), suggests proceeding from what is at hand is inevitable. Legal binaries disseminated to multiple categories nevertheless orientates around a rigid center that allows efficient organization of a shared reality – enlightenment out of looming chaos, but the *given* order remains destructive to some while productive to others.

#### Works Cited:

- Bateson, G. (2015) “Form, Substance and Difference,” *Etc.*, 72(1), pp. 90–104
- Derrida, J. and Bass, A. (2004) *Positions*. London: Continuum (Continuum impacts).
- Derrida, J. and Bass, A. (1978) *Writing and difference*. London: Routledge & Kegan Paul.
- Fassin, D. and Gomme, R. (2012) *Humanitarian reason : a moral history of the present times*. Berkeley: University of California Press.
- Hamlin, R. (2021) *Crossing*. Redwood City: Stanford University Press.
- Larsen, T. (2010) “Acts of Entification,” in *Human Nature as Capacity*. NED - New edition, 1. Berghahn Books, pp. 154–176.
- Però, D. (2011) “Migrants’ Practices of Citizenship and Policy Change,” in *Policy Worlds*. NED - New edition, 1. Berghahn Books, pp.244–263.
- Sajjad, T. (2018) “What’s in a name? ‘Refugees’, ‘migrants’ and the politics of labelling,” *Race & class*, 60(2), pp. 40–62.
- Shore, C., Wright, S. and Però, D. (2011) *Policy worlds*. 1st edn. New York, NY: Berghahn Books (EASA).

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