

Disturbing Intimacies: The Pathopolitical Governance of Mixed-Status Families in Times of Return



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ABSTRACT

In Denmark, many illegalised migrants are subjected to open-ended detention at ‘departure centres.’ Based on qualitative data collected during 2017–2022, this article examines instances where detention leads to the separation of mixed-immigration status families. Drawing on concepts of deportability, detainability and in/visibility, the article argues that departure centres constitute a border spectacle that simultaneously renders people hyper-visible as ‘illegal,’ unattached individuals about to depart and invisibilises them as parents and spouses. The analysis shows that detention in departure centres disturbs rather than interrupts intimate relations, and enables mixed-status families to resist separation through tactics of travelling on, moving nearby, or commuting. These tactics produced by the return system increase the vulnerability of illegalised migrants and amplify the pain of deportability. In this paper, I propose the term ‘pathopolitics’ to enable the description and analysis of the power directed at illegalised refugees and migrants in and beyond Denmark. I argue that the practise of separating families should be understood as one of several pathopolitical power techniques used to induce return. This practise works through temporal and spatial measures and inflicts high human costs on illegalised migrants and their families.

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I meet Hadra, an Afghan woman of around 30, in the common room of the women's ward of Kærshovedgård Departure Centre on a cold spring afternoon in 2018. We sit on mattresses on the floor next to a makeshift kitchenette, built using the cheap composite oriented strand board available in the centre's wood workshop. Hadra speaks neither Danish nor English, but she has something to tell me. On her smartphone, she shows me a photo of her seven-year-old daughter and plays me an audio recording of the girl speaking at length in flawless Danish: *'my mummy didn't get a residence permit. I want my mummy, I have no use for my daddy, my mummy does everything ... I cry, I'll die ...'* The misery and despair clinging to the haunting digital imprint of the child's voice are deeply unsettling.

In 2016, a new asylum centre was added to Denmark's fluctuating landscape of accommodation centres. Kærshovedgård Departure Centre was opened to increase the capacity of the asylum system while being tough on the least popular people of migrant¹ background in Denmark: 'criminal aliens' with a non-executable deportation order and other persons on 'tolerated stay.' Then Minister of Integration, Inger Støjberg of Denmark's liberal Venstre party, introduced the new centre as a means of *'making life intolerable for persons on tolerated stay in Denmark,'* not least by *'putting an end to the normal family lives that some of them have been leading in and around Copenhagen'* (Christensen 2016). However, despite the political framing of its residents as 'criminal aliens,' most of the people being moved to Kærshovedgård in the years after its launch have been of a kind less suited for provoking moral panic: mundane failed asylum seekers and would-be family migrants like Hadra, whose main transgression consisted of unsuccessfully trying for a life in Denmark. For them, being placed in a centre said to house 'criminals' means being placed within a symbolic structure that frames them as 'criminal and illegal aliens.'

Previous research drawing on postcolonial studies has argued that Denmark's departure centres are sites of bureaucratic violence (Abdelhady, Gren & Joormann 2020), designed to degrade their residents (Canning 2019; Lindberg & Edward 2021), and that departure centres manifest a regime of rights restrictions (Lindberg 2020) akin to a system of apartheid (Suárez-Krabbe & Lindberg 2019). Lindberg and Edward (2021) treat the visibilities created by departure centres by specifying that rejected asylum seekers are subjected to symbolical criminalisation when placed in institutions run by the Danish Prison and Probation Services (*Kriminalforsorgen*). Victoria Canning's (2021) analysis of temporal harm inflicted on asylum seekers in the Danish asylum system concludes that this harm is the direct outcome of toxic policies that suspend autonomy, induce poverty and create temporally harmful conditions under which security for the future is increasingly dissolved for those needing it the most.

In this paper, I aim to contribute to this literature in three distinct ways: first, I theorise the affective governance of departure centres designed to make their residents' lives intolerable by coining the concept of pathopolitics. Second, I fill a gap in the above literature by elucidating that departure centres do not only make migrant criminality and illegality visible. They also invisibilise the intimate social connections tying some of their residents to Denmark. I do so by unpacking the everyday consequences of deportability and detainability for mixed-immigration status families (henceforward:

1 In this paper, 'migrant' designates any non-citizen in Denmark, regardless of whether migration is forced or voluntary.

mixed-status families) who have been or are at risk of being separated by immigration authorities to further the state's return agenda. This population has largely been ignored in previous research, which seems to implicitly replicate a binary categorization of departure centre residents as either single or accommodated together with their families.²

Through a thematic analysis of data from field visits and interviews with illegalised migrants, staff and volunteers, I analyse the practise of using departure centres to induce return to show how this governmental technique affects some of the people who are subject to it. Second, I show how mixed-status families resist forced separation through tactics of travelling on, moving nearby or commuting and demonstrate the high human costs of governing return by disturbing intimate relationships. Finally, the article contributes to the literature on deportability and the family (Andreasson & Herz 2022; Griffiths 2015; Griffiths & Morgan-Glending 2018; Sager 2016) by investigating how mixed-status families are affected and react when one parent is rendered deportable and detained at a departure centre, a facility that is neither a closed detention centre nor an open accommodation centre.

In the next section, I provide background information on the policies and practises behind the separation of mixed-status families, followed by a section on methods, sampling and ethics. Then I introduce the concepts of deportability, detainability (De Genova 2002; De Genova 2013) and in/visibility (Bjarnesen & Turner 2020; Kofoed 2007), which have guided the analysis, and propose the concept of 'pathopolitics' to describe the governmental strategy aimed at increasing deterrence and return by making deportable people miserable. The first part of the analysis focuses on temporal aspects of pathopolitics as experienced by Syrian refugees whose temporary protection status is currently being re-evaluated by the Danish immigration authorities. The second part of the analysis investigates spatial aspects of pathopolitical governance to elucidate how the family relations of illegalised migrants are affected by separation and distance, and the third traces the resistance tactics of mixed-status families with young children and illustrates the sometimes debilitating consequences of the pathopolitical government of family life.

ILLEGALISED MIGRANTS AND THE TURN TOWARDS DETERRENCE AND RETURN

The past 30 years have seen an increased politicisation of asylum (Gammeltoft-Hansen & Tan 2017). Denmark's restrictive turn towards immigration has, in part, been driven by nationalism and in part by concerns over the cost of immigration to the comprehensive Danish welfare state (Mouritsen & Olsen 2013; Østergaard-Nielsen 2003). In 2019, Denmark's migration policies scored significantly lower on the Migration Policy Index than the other Nordic states', for example, regarding access to permanent residence and political participation. As for Denmark's family reunion rules, they are among the strictest not only in the Nordic region but in the world (source: mipex.eu).

Since the turn of the century, European states have been increasingly concerned with the return and deportation of refused asylum seekers and other illegalised non-citizens (Cleton 2022; Scalettaris & Gubert 2019). Denmark has introduced several

² The report A Firm Hand is an exception (Bendixen and Refugees Welcome 2021).

return ‘motivation enhancement measures,’ such as replacing cash allowances for asylum seekers with food packages (Bendixen & Refugees Welcome 2021) and housing refused asylum seekers at departure centres like Kærshovedgård (Arce & Suárez-Krabbe 2018). Whereas refused asylum seekers in Sweden are left without access to food and board (Lindberg 2020), Denmark’s departure centres offer mandatory housing under circumstances experienced as carceral, although residents are free to come and go, placing them in-between ordinary asylum accommodation centres and prison-like migrant detention facilities such as the Danish Ellebæk Centre for Foreigners³ and the Norwegian Trandum Detention Centre. Humanitarian actors have warned that the conditions at Kærshovedgård infringe the rights to privacy and mobility to a degree reminiscent of illegal detention (Den Danske Helsinki-Komité for Menneskerettigheder 2017). Nevertheless, the Ombudsman deemed the treatment of refused asylum seekers lawful because this target group is considered free to leave (Folketingets Ombudsmand 2017).

At the time of the study, single illegalised migrants were housed at Kærshovedgård (capacity 400) in Jutland, while families were housed at Departure Centre Sjælsmark (capacity 400) north of Copenhagen. Unlike other asylum centres, both departure centres are operated by the Danish Prison and Probation Service (*Kriminalforsorgen*). Most residents receive no allowances but get three daily meals at the cafeteria. They can leave the centres at will but must spend the nights there and report to the police several times a week. Residents are allowed weekend visits to family upon application twice a month, with transport paid by the immigration authorities. Since 2019, breaking the reporting duty or the nightly curfew has been punishable by imprisonment, deportation orders and Schengen entry bans.

Since 2015, legislative amendments to Denmark’s Aliens Act have shifted refugee policy away from permanent protection and integration towards temporary protection and return (Tan 2021), rendering an increasing number of migrants deportable. A new temporary protection status (§7.3) was introduced for persons granted protection on grounds of the general situation in their country of origin rather than individual persecution (Tan 2021), in practise affecting Somali and Syrian nationals. Syrian women, unaccompanied minors and the elderly have to a larger degree than men been granted this temporary protection status, which is easier to withdraw compared with other residence permits granted to refugees (Bendixen & Refugees Welcome 2021). Since 2019, all asylum-related residence permits have been granted with a view to temporary stay, and attachment to Denmark is given the least-possible weight in the assessment of renewal (or cessation) of refugee permits.

Therefore, hundreds of Syrian refugees are having their residence permits re-assessed by the Immigration Services and Refugee Appeals Board, some waiting over a year to learn if they are allowed to stay another couple of years. Denmark does not collaborate with the Assad regime and is not presently enforcing removals. Instead, the Syrian refugees who lose their residence permits but refuse to go to Syria are stripped of rights and sent to departure centres designed to make them return ‘voluntarily.’ In 2022, the Danish Institute for Human Rights (Filskov et al. 2022) found that the rights to family unity and privacy are given insufficient weight in assessments of whether parents can be separated from young adult children and criticised the

3 For more information on Ellebæk and the Danish deportation landscape, see: Report to the Danish Government on the visit to Denmark carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 3 to 12 April 2019. Download at: <https://rm.coe.int/1680996859>.

lack of transparency in this practise. Unlike parents sent to Kærshovedgård following a prison sentence or parents who have started a family without fulfilling the strict Danish family reunification rules, the Syrian refugees are not separated from children under the age of 18.

METHODS, DATA AND ETHICS

The data used in this paper was collected by the author in connection with two separate qualitative research projects. The Carceral Mobilities Project (CAMP) (2017–2021), focused on how departure centres affect their residents (Kohl 2022). This project used a combination of documents, observation and informal interviews with residents collected during 16 field visits to two Danish departure centres, as well as 20 semi-structured interviews with staff, volunteers and other stakeholders conducted between 2017 and 2019. The second project, the ongoing Boundary Work Project (2021–2024) conducted by a partnership of the University of Copenhagen, the Red Cross, and the Danish Refugee Council, examines the effects of uncertainty on refugees holding temporary residence permits. The data collected so far includes 50 semi-structured interviews and about 11 months of ethnographic fieldwork by the author and colleagues.

The Boundary Work research team carried out fieldwork in Boundary Work's local volunteer initiatives and recruited participants for semi-structured interviews through our project partners, the Danish Refugee Council and the Red Cross. CAMP project participants were recruited via mutual contacts and social media, and additional participants were snowball sampled. Snowballing enables the researcher to draw on the credibility of the mutual connection (Streeton, Cooke & Campbell 2004), in my case, researchers, volunteers and refugee advocates with high social standing. There is likely to be a selection bias because the residents who have connections outside the camp often possess the social and cultural capital necessary for forming and upholding social relations. I sought to include a broader range of migrant experiences and perspectives by asking my initial informants to introduce me to other residents and by talking to people I met during field visits.

All participants in both projects gave oral or written voluntary, informed consent. In both datasets, names and other identifiable characteristics were altered to maintain confidentiality. Both studies follow international standards as described in the principles of professional responsibility of the International Association for the Study of Forced Migration (IASFM) code of ethics (2018) and the Danish Code of Conduct for Research Integrity (Ministry of Higher Education and Science 2014). Both projects were approved by the Danish Data Protection Agency.

Doing research with extremely vulnerable migrants, many of whom are experiencing mental health problems, requires special protections over and above those required normally, as well as responsiveness to their rights and welfare (Shaw et al. 2019). Although the departure centre operator *Kriminalforsorgen* requires that researchers sign a standard agreement satisfying their procedural ethics, this does not satisfy an ideal of ethics in practise (see also Hopkins 2007). There was an ongoing need to adapt ethical considerations to the situation at hand, for instance by ensuring my participants knew that participation was voluntary and confidential and ascertaining that records of my visits were not kept on file by *Kriminalforsorgen* (see Surmiak 2018). In some cases, I chose not to visit (or re-visit) participants to

avoid adding to the stress of an already fragile existence (see Liamputtong 2006: 33). Some participants told me about their mental distress, but I learned of the most glaring examples of suicidal behaviour and admission to mental healthcare from interviews with the people around them, often volunteer contact persons. While talking with the afflicted themselves would add depth and detail, I deem these second-hand descriptions sufficiently thick and trustworthy to not warrant further contact with deeply distressed families, following the principle of ‘first, do no harm’ (IASFM 2018).

DEPORTABILITY, IN/VISIBILITY AND PATHOPOLITICS

Illegalised individuals are inversely produced by the terms of legal movement and residency created by immigration systems (Dauvergne 2009). The Danish policy turn towards temporariness and return is an example of how deportable and detainable populations are produced. It affects people who have been unable to meet the criteria for residence as well as 25,000 people with recognised refugee status who are at risk of being deported if the situations in their home countries are deemed sufficiently improved (Jørgensen 2020).

De Genova (2002) defined deportability as the condition of living with the constant possibility of being removed from the space of the nation-state. For not-immediately deportable migrants, deportability often in practise takes the form of *detainability*: often indefinite detention is imposed ‘on the basis of little more than [migrants’] sheer existential predicament as “undesirable non-citizens”’ (De Genova 2016). As demonstrated by Griffiths and Morgan-Glending (2018), deportability makes the individual poorer, sicker and unhappier, and places mixed-status families at the forefront of longstanding, racialised and gendered debates about the nation, mobility and the boundaries of belonging. The deportability of parents and other migrants deeply emotionally and socially embedded in the deporting state has ramifications for their relatives and broader communities (Brekke, Birkvad, & Erdal 2021). If realised, deportation often does not result in their permanent absence as many deportees return to be close to their loved ones left behind (Dreby 2012; Hagan, Eschbach & Rodriguez 2008; Horsti & Pirkkalainen 2021).

The departure centre is Denmark’s apparatus of choice for the management of illegalised migrants (Kohl 2022). Unlike the detained migrants at Ellebæk Centre for Foreigners, departure centre residents are allowed to have phones and computers, can receive invited visitors, and are free to leave. Yet, notwithstanding the lack of locks, departure centres are carceral in the sense of being specific spatial configurations intended – and experienced – as detrimental to their residents (Moran, Turner & Schliehe 2018). By banning meaningful activity, for example, cooking (Whyte & Kohl, 2003), departure centres aim to govern the decisions of illegalised migrants by making their lives as intolerable as legally possible (Christensen 2016; Kohl 2022). Therefore, departure centres are best understood as embodiments of a politics of exhaustion (de Vries & Guild 2019).

This practise of making life intolerable, I contend, can best be understood as a sub-form of bio-power and psy-politics (Foucault 1978; Wahlberg 2007). I propose the term ‘*pathopolitics*’ to designate such attempts to govern formally free individuals

by making them experience misfortune to negatively affect their emotional state.⁴ Whereas psy-politics emerged hand-in-hand with expert knowledges that made the human psyche their object of intervention, pathopolitics as a disciplinary technique cares little for the interiority of the people it addresses beyond establishing the conditions deemed necessary to aggravate their social deprivation. Rather than carefully examining and intervening in migrant individuals to foster (or disallow) life (Foucault 1978), pathopolitics uses temporal and spatial techniques of governance such as encampment and prolonged waiting in uncertainty to achieve its disciplinary aim. Thereby, pathopolitics turns the adverse conditions of the refugee regime, such as involuntary passivity and other debilitating and disempowering aspects of life in a refugee camp, into tools of affective governance (see also Vammen & Kohl 2022).

Technologies of migration control serve purposes beyond influencing the decision-making of individual migrants. Border policing, the enforcement of immigrant detention and deportation produces a spectacle that enacts a scene of exclusion and thereby renders an often racialised migrant 'illegality' visible (De Genova 2002; De Genova 2013). Crucially, such spectacles not only constitute visibility, but they also create invisibilities by hiding aspects of reality (Bjarnesen & Turner 2020). When Denmark housed asylum seekers in tent camps in 2016, Whyte, Campbell and Overgaard (2020) argued that these camps possessed a 'spectacular obscurity': The military spectacle of the camps conveyed to asylum seekers that they were not welcome and obscured both the humanitarian work going on inside the tents and the fact that Denmark had one of the EU's highest asylum approval rates at the time.

Upon entering the departure centre, the new resident is assigned to a symbolic place of hyper-visibility, a border spectacle. Through being spatially ordered and separated from the population at large, illegalised migrants are rendered visible as deportable, socially unconnected, illegal lives on the verge of departure (Kofoed 2007). However, as noted by de Genova (2002), people affected by deportability do not inhabit hermetically sealed communities but are invariably engaged in social relations with people who are citizens or have residence permits. The spectacular image of 'the illegal alien' obscures any social connections illegalised migrants may have in Denmark. Disturbing intimate relations through practises of confinement and geographical dispersal not only invisibilises attachment but also increases migrant deportability by disturbing and undermining family relations and thereby attachment claims (Griffiths 2015).

This article contributes to the literature on deportability by demonstrating how it works in tandem with detainability to produce populations stripped of rights. By tracing the reactions and tactics deployed by families affected by the pathopolitical attempt to exhaust them into submission and return, I aim to elucidate and nuance the burdened choices (Dunn & Cons 2014) of deportable parents and their families to learn how they adapt to, engage with or avoid the pathopolitical government of the return regime.

⁴ In Greek *pathos* refers to phenomena related to experiencing misfortune, suffering and emotion. Source: <https://www.merriam-webster.com/dictionary/pathos>. Within medical sociology, the term pathopolitics has been used by Atuk (2020) to designate the pathologies that are produced and sustained by pharmaceutical industry actors engaged in the politics of treating and/or reproducing pathologies. This differs from pathopolitics as used here, which is derived from pathos and focus on state inflicted migrant suffering.

SUSPENDED DEPORTABILITY AND DISREGARDED INTIMATE RELATIONS

The study participants are all affected by deportability and detainability, but not in the same way. In late 2021, some had already spent more than four years in the departure centres, while others remain outside but live with the suspended possibility of losing the right to stay. In this first part of the analysis, I will show how the deterrence and return paradigm affects Syrian refugees whose lives have been suspended in time by ongoing cessation proceedings.

I encountered Renas, a Syrian in his 70s, during fieldwork at a counselling service run by local volunteers in 2021. Renas had been alerted to his precarious status by a recent letter from the immigration authorities stating that his residence permit had been withdrawn because the security situation in the Damascus area had improved. This prompted his visits to the counselling service to request help to avoid being sent to a ‘refugee camp.’ Unless one of them succeeds in the appeal process, the next step for Renas and his wife Revin – who suffers from several ailments, including dementia – would indeed be a departure centre.

Renas’ and Revin’s case is an example of the hyper-precarity of some of the Syrians who have been granted temporary protection status. If sent to a departure centre, they will not only lose their home: they will also lose access to elderly and medical care beyond the necessary, urgent and pain-relieving assistance available in the asylum system. Furthermore, while the letter from the immigration authorities mentions only the married couple, Renas and Revin do not exist in a social vacuum, they live in a town where family members with residence in Denmark care for them emotionally and practically. Therefore, the threat of losing their right to stay adds new layers of precarity to Renas’ and Revin’s situation. Characteristically, the pathopolitical attempt to induce return affects not only Renas and Revin but also other members of their mixed-status family like their son, whose attachment manifested itself in the form of tears and a migraine attack during a telephone counselling session with the Return Agency a few days after our meeting.

When I first met him at the volunteer counselling café, Renas called up his son, asking him to explain the couple’s situation to the counsellor. The son said:

They cannot return to Syria because everyone in the family is an opponent of the Syrian regime. They are in a bad situation and suffer from a lot of illnesses, they need medication and homecare.

Where the immigration authorities disregard the relevance of family relations beyond the married couple, their son argued that they should be allowed to stay because of the family they belong to and because they need the medication and home care available to them in Denmark. The Danish return regime operates with a narrow definition of family, including only children under 18, and neither young adults nor the frail and elderly are considered legitimately dependent on family members. By placing elderly people in remote departure centres without access to sufficient care and disregarding the relevance of family members, illegalised deportable elderly persons are subjected to physical and emotional suffering. While their detainability remains potential as long as their case is still being processed, Renas and Revin and many other Syrian refugees are caught in an in-between time where it is uncertain

whether their future lies with their family or inside a departure centre. This situation is in itself highly stressful for the couple and their family and open-ended insofar as any residence permit they are likely to be granted will be of short duration.

In the spring of 2022, I met Dila and Adnan at their house. Dila had fled the greater Damascus area during the Syrian Civil War and had subsequently been reunited with her husband and two sons in Denmark. The sons are now in their early twenties, speak Danish, have jobs and are headed for college. Both boys live with their parents, whose finances are tight because Dila can only work part-time while Adnan is over the age of 70 and has not been in Denmark long enough to be eligible for a pension.

Seven months before my visit, Dila had been called for an interview with the immigration services to evaluate whether she should be returned to Syria. She tapped her chest to show how nervous she was during the interview. Dila was told that she would receive the decision in about six weeks, but it had yet to arrive. Ever since the interview, Dila has had trouble sleeping. If she loses her right to stay, the family will lose their home, and Dila will lose the flexible job and the disability allowance, which she has finally secured after years of working unpaid internships and doing part-time work without compensation for her reduced working capacity. Dila and Adnan, who suffer from a serious heart condition, will be sent to a departure centre. But worst of all, Dila and Adnan's detainability entails separation from their two sons, who are of the age of Syrian military service and thereby eligible for protection independent of their mother's residence permit. 'But I would like to stay with them. I do not have anyone else' Dila told me, tearing up:

We are a small family, all we have is each other. There is nobody left in Syria, they are all gone. [...] If we cannot stay here, my son and I will go to another country. Sweden or Germany. But that is not good, because he goes to high school. Learning another language takes a long time.

Around 16 months after Dila's first cessation interview with the Immigration Services she received notice that the authorities had decided to withdraw the couple's residence permits. The final outcome remains uncertain, as about 70% of the Syrians who had their residence permits revoked by the immigration authorities have regained them at the Refugee Appeals Board. At the time of our interview, we did not know what the Immigration Services would make of Dila's case. Yet, the threat of deportability weighed heavily on Dila as she, month after month, ruminated on their situation during long sleepless nights. The family even considered travelling on to another EU state together with their sons if the final decision were negative, although this would entail forfeiting their residence permit. Their example illustrates the toll pathopolitics and looming separation from family exacts on people even in cases where deportation remains potential, and shows the dilemmas of parents left with the burdened choice (Dunn & Cons 2014) of keeping their family together by travelling on or leaving their children behind to protect the progress they have made.

VISIBLE ILLEGALITY, INVISIBLE INTIMACIES

This part of the analysis focuses on the tactics of mixed-status families where the detainability of one parent has been effectuated through detention at Kærshovedgård Departure Centre. I will show how this pathopolitical practise affects individual illegalised migrants and their family relations.

Iranian Babak was in his seventies when I first met him in Kærshovedgård in 2017. He is a survivor of torture, afflicted with severe respiratory problems and opioid addiction. Babak was granted refugee status by the UNHCR around 1990, after which he and his family (his wife, children, brothers and mother) came to Denmark. After a couple of decades in Denmark, Babak accompanied his elderly mother to Iran where she wished to be buried. When Babak returned to Denmark, his residence permit had expired and the Danish immigration authorities considered his stay in Iran, incongruent with a continuous protection need. Consequently, at the time of our first meeting, Babak had spent seven years in the Danish asylum system, most of them in Kongelunden special centre for vulnerable asylum seekers. He had recently been moved to the new care ward of Kærshovedgård.

The move to Kærshovedgård meant that Babak was removed from his social connections in Kongelunden, and from his family, who had relocated to be close to that centre. In Kærshovedgård, Babak felt harassed by other residents who came to him begging for cigarettes and money, and would place his used inhalators on the windowsill to show that he is sick and should be left in peace. Babak's eldest daughter, Ava worked relentlessly to support her father. She sent him money, she called him every night and she brought him home-cooked dinners when he still lived in Kongelunden. Ava worried a lot as Babak had fallen and hurt himself several times in the year before the move to Kærshovedgård, and because his medicine made him drowsy and thereby ever at risk of falling asleep while smoking. During Babak's first six weeks in Kærshovedgård, he was showered only twice and he had trouble eating the food. Ava struggled to get him the care and nourishment he needed while also working with the advocacy organisation Refugees Welcome and a prominent asylum lawyer to get Babak out of Kærshovedgård. Still, Ava told me, she felt inadequate:

[...] I really only call him once a night, every night for eight years, and talk to him for about an hour ... but I spend 24 hours thinking about how I cannot do [s***] for my dad. [...] sitting 300 kilometres from your dad, isolated in a prison like a monkey in a cage. [...] To set an example to the world outside. Although we all know that he does not deserve this. That this is the highest degree of humiliation of a human being who is not even fully aware of what is happening.

Reminiscent of De Genova's spectacles of migrant illegality, Ava considers the detention of her father a symbolic measure intended to showcase the lack of mercy for the sick and elderly. She believes the aim is to influence the younger men in the centre, to exhaust them and scare them into complying with their return orders.

The symbolic value of Kærshovedgård was recognised by many residents, who frequently reported feeling framed and put on display as morally flawed individuals. In 2018, I met Rebin, a Kurdish man in his thirties, who explained how these feelings affect his everyday life:

I have been here for two years, but I rarely leave Kærshovedgård. I am shy and I do not like the way the Danes look at me. They believe what they hear on TV and think we are all criminals.

The experience of being illegalised and detained is associated with shame, which can make it harder to form new social ties with people on the outside. It also complicates the intimate relationships between the detained and their close family members,

both by making the former more dependent on the support of the latter and by making this support practically and emotionally harder to give. Ava felt that Babak's deportability had fundamentally altered their relationship:

I feel like I have a relationship with an asylum seeker. I am the relative of an asylum seeker, not of my dad. I provide legal aid; I help him with the system and I complain if he does not get help at the centre. I ask how he is doing, is he fed and bathed, does he go to the bathroom? But I do not see him as a dad anymore, because he is not himself [...] We cannot, we do not have a normal relationship anymore and that is the sorrow you have to live with.

From Babak's viewpoint, accompanying his dying mother to the place where she wanted to be buried was an act of filial love and duty that should not have led to an erasure of his legal personhood and condemned him to open-ended detention far from his children and grandchildren. This perspective is characterised by a fundamentally different perception of family relations and obligations than that of the immigration authorities.

The intimate relations of Kærshovedgård's residents were mostly invisible to staff and visitors, although observable in glimpses such as a haunting child's voice recorded on a phone or drawings displayed on a wall. Drawing on Kofoed (2007), I argue that by being trapped in the in/visibility of Kærshovedgård, separated families are robbed of the legitimacy that would make their family life legal in the first place. Meanwhile, the spectacular obscurity of Kærshovedgård conceals the existence of attachments that clash with the imaginaries of un-belonging that scaffold the return regime. I will now turn to an issue of special relevance for the analysis of the pathopolitical government of deportable migrants: the separation of deportable parents from their spouses and young children with residence in Denmark.

RESISTANCE TACTICS OF SEPARATED FAMILIES

I first realised that parents were being separated from small children during an interview with Leyla, a Kærshovedgård employee, in early 2018. Leyla told me that '*many of our residents have families on the outside*' and mentioned a breastfeeding woman who had been sent to Kærshovedgård without her baby. Activists and advocacy organisations have estimated that about 12–20 past and present residents of Kærshovedgård belong to mixed-status families with spouses and children living outside (e.g. Bendixen & Refugees Welcome 2021).

This section of the analysis concentrates on the social navigation of mixed-status families with small children who have been separated as a consequence of one parent's deportability.⁵ The relative openness of Kærshovedgård allows such families to maintain a semblance of family life. Sometimes the family members with residence move closer to the centre, sometimes the deportable parent commutes long distances daily to be with the family, and sometimes the whole family travels on, fleeing Denmark in pursuit of a place where they can all get residence together. I learned about these tactics from Rita, a volunteer contact person supporting residents

⁵ My data does not contain information about families that have dissolved, with no contact between the deportable parent and their children. In such cases, the invisibilisation of the lost family members can be more effective, as the deportable parent may contribute to it because of shame or emotional distress.

of Kærshovedgård, during an interview in November 2021. Rita provided an example of 'travelling on' as a tactic for maintaining family life:

Some families run away [...] For instance, Jimmy who fell in love with a woman here in Denmark. They married and had two children . . . He was picked up and put in Kærshovedgård where he spent 1.5 years. Because she is from Caucasus his wife is allowed to be here but he is not. When Jimmy received his final refusal, he felt terrible – he also had a painful untreated medical condition – somebody helped him to sanctuary in a German church and now the wife has finished her degree and the whole family has moved to Germany.

By travelling on, mixed-status families exercise burdened agency, attempting to put an end to their separation and the deportability of one parent. But pathopolitics and deportability accompany the family on their journey because the Dublin-III regulation leaves refused asylum seekers with only a slim chance of having their cases considered by another signatory state.

The other tactics (moving nearby and commuting) also come with dilemmas and trade-offs. If the family is moving nearby, the status-holding parent who is the sole breadwinner has to quit their job and try to find employment close to the centre, and the children must change daycare or school, leaving friends and teachers behind. Some families choose instead to use the tactic of commuting to keep the family together.

Ali had to sell his pizzeria to take care of their three kids and eventually got a job that paid well enough for him to buy his wife an unlimited ride rail pass. His wife, Joana travels from Kærshovedgård to the family home every day . . . it takes about four hours each way . . . after six–eight hours she goes back in time for the 11 p.m. curfew. He spends around 1075 Euro a month on her transport (Rita, volunteer contact person).

Indeed, long commutes by car, public transport and even bicycle seemed to be a common tactic among the separated mixed-status families who had the resources to resist their involuntary separation.

Rita volunteered as a contact person for some of the women in Kærshovedgård, including Rifka, the breastfeeding mother mentioned by Leyla above. Rifka had been separated from her husband and two children when moved to Kærshovedgård in 2016. Five years later, family members picked Rifka up by car every morning and took her on a 1-hour drive to the family home. Thereby, Rifka was able to spend the day with her children, aged about five and nine, at the cost of having to repeat their separation every night.

The tactics of commuting and moving nearby show that the intimate relations of deportable parents are disturbed but not interrupted as long as deportation remains what Kofoed (2007) describes as a virtual, postponed possibility. Life in the in-between-space of the departure centres offers the possibility of maintaining an invisible family life in the deep shadows behind the hyper-visible spectacle of migrant illegality and unbelonging. Viewed thus, the deferred deportation is enabling intimate relations and attachments unwanted by the dominant logic of the law. Ideally, this could allow the parents of Kærshovedgård a positive existence in the cracks of the system (Kofoed 2007).

However, the price of attempting to balance the conflicting situations of deportability and disturbed parenthood is often formidable and worsened by the passing of time. According to Rita, Rifka has been admitted to psychiatric care, and so has Joana, the wife of the abovementioned Ali. In 2021, Joana had been in Kærshovedgård for four years, and her youngest was about six years old. According to Rita, Joana suffered a mental breakdown after a failed deportation attempt:

They came at 4.30 am, the police . . . and Joana obviously lost it and yelled . . . she wanted to talk to her family and in the middle of this one of her children called . . . it became a terrible scene that remains with her and has hurt her a lot [. . .] After one week in detention and three in the hospital she had not seen her children for a month, and they were falling to pieces because she had disappeared . . . her doctor called me and said ‘we would like Joana to go home on weekends to observe how much it helps her mood’ because she was suicidal after all of this. I said ‘you need to ask the Immigration Services’ and they went ‘What?!’ At first they didn’t believe me.

Rita said that the immigration authorities denied the psychiatrist’s request to let Joana visit her children. As a consequence, Joana discharged herself. At the final conference, the hospital staff were sympathetic towards her choice. ‘*They gave her some pills, of course, but – as the doctor said – we are unable to give her the “pills” that would help the most, which would be her children*’ (Rita, volunteer contact person). Joana’s example shows how the disregard for the intimate relationships of deportable parents constitutes slow bureaucratic violence that can have a tremendous negative impact on the mental health and well-being of deportable parents and their children. In/visibility is not merely an outside force rendering its targets ‘illegal,’ it is also a question of being robbed of one’s agency and ability to see oneself as a justified existence (Kofod 2007). Adding to their vulnerabilities, Joana’s and Rifka’s, unsuccessful attempts to balance care for sick children with the rules of the departure centre have led to a deterioration of their legal situations. Both women have served time in prison for violating their curfews, and both have received deportation orders and year-long Schengen entry bans, although neither has been enforced.

CONCLUSION

By demonstrating how mixed-status families in Denmark navigate deportability and detainability, this article adds to a growing body of research investigating how the family lives of illegalised refugees and other migrants in Northern Europe are affected by policies of deterrence and return (Andreasson & Herz 2022; Griffiths 2015; Griffiths 2017; Sager 2016). Drawing on concepts of governance, in/visibility, deportability and detainability, I fill a gap in the literature on departure centres (Canning 2019; Lindberg 2020; Lindberg & Edward 2021) by demonstrating that illegalised migrants are being enlisted in a border spectacle that simultaneously renders them hyper-visible as ‘illegal’ aliens and invisibilises their intimate relationships.

The unlocked gates of the departure centre allow a disturbed family life to continue, albeit under conditions that severely inhibit the well-being of both parents and children. Disturbing intimacies increase the vulnerability of deportable migrants by amplifying the pain of detainability and deportability. It leads to increased criminalisation, and it leaves family separated migrant parents with the burdened choice of continuing a strained half-life or bringing their children to a place with inferior life prospects

or leaving them behind. It is worth noting that despite its effectiveness at making illegalised refugees, migrants and their families experience misfortune, Denmark's current deterrence and return regime mostly fails to bring about the return of illegalised migrants. Instead, the departure centres constitute an expensive punitive apparatus – in terms of money as well as human costs – for the enactment of the spectacle of the border (Kohl 2022).

I propose the term pathopolitics to describe the governmental attempt to make the lives of mixed-status families intolerable through spatial and temporal impediments to a stable family life. Pathopolitics as a technology of governance works by deploying spatial strategies of exclusion and disempowerment to induce return. As I have shown, the prospect or reality of family separation is a potent form of pathopolitics, because it is exceedingly stressful for the separated families, which over time can bring deportable parents to the point of being suicidal, or lead families to adopt risky tactics in pursuit of safety and stability such as travelling on. The situation of the Syrian refugees awaiting a decision in their cessation proceedings shows that temporal aspects of migration control are not only deployed by authorities to limit mobility (Cleton 2022) but also inflict emotional distress on affected families and make them consider the burdened tactic of travelling on.

According to De Genova (2002), the function of the border spectacle is to produce illegality and deportability that scares undocumented migrants into submitting to labour market exploitation. However, I like Sager (2016), propose that in Denmark, the practise of disturbing intimate relations is not mainly a labour market issue. Rather, the practise is a consequence of the desire to keep immigration low through policies of deterrence and return; to reduce domestic sympathy for 'illegal,' unattached migrants; and to discipline non-citizens to respect the strict rules of family migration. Finally, the threat of being separated from their children also serves the disciplinary purpose of incentivising refugees on temporary residence permits to work hard to fulfil the language and self-sufficiency requirements for permanent residency. In this respect, departure centres serve as pillories, showcasing 'illegal aliens' to deter people from undocumented stays, and to motivate non-citizens to adhere to the rules that regulate their lives, knowing that their efforts may well be in vain if they fail to fulfil the criteria and obtain permanent residence before losing their right to stay. Further research is needed to investigate the long-term effects of pathopolitical governance on the people whose right to stay is suspended in time, on those who are illegalised and detained, and on the cooperation between Denmark and the European states that receive illegalised refugee families fleeing Denmark.

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