'A New Politics of the City': Locating the Limits of Hospitality and Practicing the City-as-Refuge

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Abstract

Refuge is an ongoing, everyday process of contestation that takes and makes place in and through the city, its spaces and relations. The potential of a particular city as a space of refuge is not guaranteed; refuge must be constantly (re)claimed through spatial practices and tactics. The city holds promise as an emancipatory space not through invocations of hospitality but rather because it is struggled over by its various inhabitants; thinking about cities as spaces of 'dissensus' highlights how refuge is produced and denied in everyday and extraordinary ways. In looking to the potential of the city as a space of refuge, I take my cue from Derrida (2001) who argues the city should be able to serve as a refuge in ways the nation-state cannot and calls for the invention of 'new cities of refuge.' Drawing from empirical work to ground the theoretical framing, I argue that the ways in which school space is practiced by youth living with precarious legal status in Toronto, Canada, reveals how bureaucratic exercises and lived experiences of refuge are in tension and points to potential reframings of membership away from the nation-state.

Introduction

> *"If the name and identity of something like the city still has a meaning, could it, when dealing with the related questions of hospitality and refuge, elevate itself above nation-states or at least free itself from them?"*

(Derrida, 2001, 9)

> *"The locality is constantly the subject of iterations between place and identity. People make their own cartographies of the city – if not in circumstances of their own choosing"*

(Keith, 2005, 66)

Refuge is a state exercise of border control practices at national and global scales, as well as an ongoing, everyday process that takes place in local spaces and relationships. It is also an experience of feeling or being safe and secure that is sought by individuals in relation to these state exercises and everyday processes. People's ability to find refuge (sanctuary, safety, security) in a particular place is not a given or automatic: 'refuge' must be fought for and struggled over on uneven grounds in relation to a range of state practices and everyday negotiations that are involved in facilitating and/or denying refuge. In thinking about refuge as a process, it is also important to locate it: refuge takes place in a number of sites and spaces. In this paper, I focus on 'the city' as a political space where inhabitants make claims to rights and struggle over the substance of citizenship (Holston & Appadurai, 1999; Isin, 2002; Lefebvre, 1968/1996; Mitchell, 2003; Secor, 2004; Watt, 2006). The potential of a particular city – or town or refugee camp – as a space of refuge is not guaranteed and must be continuously reclaimed through the spatial practices and tactics of its inhabitants. Refuge is thus a process of contestation that unfolds through the city's spaces and relations and that fundamentally influences its social and political geographies.

In considering the potential of the city as a space of refuge, I take my cue from Jacques Derrida (2001) who argues the city should be able to serve as a refuge in ways the nation-state cannot and calls for the invention of 'new cities of refuge.' The challenge is to work out how these new cities might overcome the complicity of many local actors and practices in the membership policies of nation-states (Isin, 2007; Varsanyi, 2008). Derrida signals – and I take up – the possibility that emergent cities of refuge are to be found in already-existing practices through which residents contest the terms and content of membership. Rather than considering refuge only as a status that is sought and granted, dependent on a hospitable state, it is important to understand refuge as a process of negotiation and contestation. I draw from interviews I carried out with youth living with precarious legal status in Toronto to ground this theoretical discussion. Their narratives demonstrate how bureaucratic practices intertwine with their daily lives, and show

how their ascribed identities as non-citizens are negotiated in everyday spaces and relations of the city. I focus on school spaces because these are simultaneously locations where state regulations are worked out and where youth enact their identities despite – or perhaps because of – their contested presence due to their legal status. Instead of focusing on how their status prevents them from fully taking part in school activities, the youth stake out a place for themselves and make claims to membership through their interactions in school spaces. I argue that in provisional but meaningful ways, the youth challenge the distinction drawn in border control policies and practices between citizens and non-citizens. By examining these struggles over belonging and refuge in specific sites and moments within the city, I respond to Derrida's efforts to unmask the hospitality of the sovereign state and discern a new politics of refuge in the city.

Thinking about cities as spaces of contestation underscores that finding refuge in the city is not a given and that refuge is not easily attained: it is fought for and actively claimed through a range of spaces and interactions. Refuge is a process of contestation that takes many forms. For example, refugee claimants and local officials practice the city as a refuge in strategic ways that both reinforce and contest the structures and technologies that govern 'refugeeness' or what it means to be recognized as a refugee. Moreover, refuge is not the same for everyone – the refuge that is sought and found differs and is struggled for in diverse ways. We need to understand refuge along with notions of "'belonging' and 'alienation' as ongoing processes that occur from using and being in spaces and places over time, rather than static states fixed or attached to place" (Watt, 2006, 99; Wood, 2002). The city in its entirety is not a refuge; rather spaces within a particular city are claimed as refuge. Instead of comparing the regulatory framework of border control and settlement policies (the 'bureaucratic city of refuge') with what happens in practice (the 'lived city of refuge'), it is crucial to understand how these bureaucratic and lived practices intersect and influence how the city is claimed as a refuge by its various inhabitants, including people living with precarious legal status. It is in these spaces of interaction that 'refuge' is worked out and in which tensions between different understandings of the terms of refuge are contested.

In the first main section I examine state narratives and practices of refuge and argue that beyond the forceful ways in which notions of hospitality and sovereignty exclude people from membership in the state, these narratives also ignore the ways in which refuge is practiced on the ground. In the section entitled '*The city and contestation*', I argue that focusing on how the city is actually practiced by its inhabitants is a promising starting point for uncovering forms of membership beyond the nation-state and imagining Derrida's new cities of refuge. In order to think concretely about refuge as a process of contestation and claims-making in the city, in the section entitled '*The practice of the city-as-refuge*', I turn to the particular example of youth living in Toronto with precarious legal status and their negotiations of school space. Before unfolding these arguments, in the next sub-

section I articulate why 'the city' is a crucial space through which to examine questions of refuge.

Why 'the city'?

Following Michael Keith (2005) I argue that understanding and seeking social justice in the city (by means of, for example, a city of refuge) requires that one be equally attentive to the ethnographies and cartographies of the city's variously-positioned inhabitants as to the complex governance of their mobilities and identities within the city by means of policies and discourses. Examining intimate interactions and negotiations of 'the city' and 'refuge' is a way to get at the possibilities as well as the limitations of the city-as-refuge. This means addressing the many ways in which the state and its borders occupy space in the city and seek to manage individual and collective mobilities and identities, as well as the extent and content of the claims made by all inhabitants to the spaces of the city. The city becomes a refuge in ways much more complex and varied than 'from below' or 'from above,' and it is in the dissonance between various practices of the city that the possibilities for refuge are worked out. Membership and identity are negotiated, unstable, and fragile and the city is a crucial space in their everyday, relational, and contested practice (Isin, 2002, 2007; Ong, 2003; Watt, 2006).

I understand the city as a political space in two senses: first, as a specific site in which an individual seeking refuge materially engages the state in its actual forms, as contrasted with engaging the broad idea of the 'nation-state'; and secondly, as a particular kind of space with a built landscape, political economy, and social geography distinct from those of non-urban, small-town, or rural spaces[2]. A recent thread in geographical discussions of social and political membership has been to examine Henri Lefebvre's (1968/1996) concept of the 'right to the city' as a way to reframe citizenship away from a bounded status governed by the nation-state to a substantive practice engaged in by all residents of the city (Dikeç & Gilbert, 2002; Purcell, 2002, 2003; Varsanyi, 2006, 2008). Lefebvre argues that all inhabitants who use the city in their everyday lives have a claim to participate in shaping social relations and spaces in that city (Dikeç & Gilbert, 2002; Mitchell, 2003; Purcell, 2003). Mark Purcell (2003, 583) suggests Lefebvre's right to the city need not be limited to urban spaces:

> The right to the city can…be conceived of more generally as the right to inhabit – the right to participate centrally in the decisions that shape one's everyday life…. The idea that inhabitants have a right to control their everyday life extends beyond the city and can be applied to inhabitants in all geographical contexts.

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[2] Thanks to Tricia Wood for helping me to articulate the relevance of 'the city' to my arguments.

Indeed Lefebvre's description of what the right to the city entails in practice could apply to all state residents, in the sense that people in non-urban places like villages, small towns, and refugee camps do make claims to those spaces and negotiate their citizenship in everyday encounters. However, his understanding of 'the city' is crucial to his conceptualization of the right to the city: the city is the material incarnation of capitalist relations of production and reproduction and it is in urban spaces that these relations must be challenged (Lefebvre, 1968/1996, 1974/1991). Once the political, economic, and administrative work of the capitalist state was concentrated in cities, 'the city' became a particular kind of place that occupied a central role in the functioning of the state. This has implications for how and where the state can be contested; rights claims can be made more effectively in the city because this is where the state materializes in the form of institutions and practices that stake out exclusionary understandings of membership and politics (Isin, 2007; Watt, 2006). Patricia Wood (2006) argues that people who are not of the city need to go to the city to engage the politics of the state. I focus on 'the city' as a crucial space where inhabitants make claims to rights and struggle over the substance of citizenship and refuge (Isin, 2002; Isin & Wood, 1999; Secor, 2004; Watt, 2006).

Framing citizenship in "merely formal and territorial terms rather than substantive and structural terms will fail to recognize the role of the city as a political community" (Dikeç & Gilbert, 2002, 65). Monica Varsanyi (2006) draws on Lefebvre's right to the city to conceptualize a citizenship grounded in residence in a place. She argues that non-citizen voting campaigns, issuing drivers' licenses to undocumented migrants, and allowing undocumented students to pay in-state tuition fees exemplify "'local citizenship' policy formation for undocumented migrants" (Varsanyi, 2006, 231) in some US cities. The reality for people living with precarious legal status in various countries, however, is that formal citizenship continues to be a prerequisite for claiming most rights (Dikeç & Gilbert, 2002; Varsanyi, 2006, 2008), despite the claims they make to participation and membership in the places where they live. Without downplaying the persistence of formal boundaries around citizenship, part of what I argue below is that youth without formal citizenship challenge these boundaries in their negotiations of school spaces.

For Purcell (2002), using Lefebvre's right to the city in attempts to reframe membership policies and democratic participation would entail a radical restructuring of the political economy away from the nation-state and capitalist social relations. He argues this would make room for a "new politics in which the decisions that produce space are made through deliberation among inhabitants, rather than through negotiation between capital and the state" (Purcell, 2003, 583). While such a rescaling of urban governance would recognize the right of 'inhabitance' – a recognition that all inhabitants have claims to the city – social relations of power would likely continue to determine whose claims were taken

seriously (Mitchell, 2003; Purcell, 2002). Purcell (2003) provides examples of recent practices and campaigns that work through non-national scales of citizenship and begin from local understandings of political membership. We can glimpse shifts in how membership is defined and defended in the practices of the city's current inhabitants. While these shifts are contingent and provisional, and do not herald an immediate and radical restructuring of social relations, they are signals not only of what could be but what already is at work in producing the city as a refuge.

Before examining these emergent forms and practices of the city through the example of youth negotiating their legal status in school spaces, I draw together some approaches that I find useful in connecting theorizations of *the city* and of *refuge* in my own research. I begin by examining state narratives and practices of refuge and argue that beyond the forceful ways in which notions of hospitality and sovereignty exclude people from membership in the state, these narratives also ignore the ways in which refuge is practiced on the ground. The content and boundaries of refuge are contested through the spaces of the city where bureaucratic and lived practices are negotiated.

In the next section, I address both the promise and the limitations of viewing the city as an emancipatory space by interrogating the notions and practices of hospitality, sovereignty, and refuge that underpin state border control and membership policies. These terms are implicated in particular understandings of identity and mobility that are debated in the fields of refugee studies, urban studies, and political geography, especially in relation to individuals who cross "nation-stated" borders (Nyers, 2003; Watt, 2006). They are at work through a range of discourses and practices that produce insistent understandings of who belongs and who does not, whose claims are legitimate and whose are not, who speaks for the city and who does not. In order to theorize something like the 'city-as-refuge,' we must examine these influential terms that frame the debate.

Hospitality and sovereignty: State narratives and practices of refuge

A dissenting view of hospitality

In thinking about refuge, Derrida (2001) directs us to the city because he judges that it should be able to serve as a refuge in ways the nation-state cannot. He invokes the possibility of instituting 'cities of refuge' in order to address the diminishing spaces for asylum under increasingly restrictive immigration controls (Derrida, 2001, 11-13). He argues that *new* cities of refuge must work through a new set of rights and a new politics in order to move away from understandings of membership that depend on national sovereignty. In specifying the need for such cities of refuge, Derrida cautions us to interrogate understandings of law and ethics that underlie ideas of refuge and hospitality, rather than presuming that a hospitable city of refuge would be automatically democratic and just. He notes that a

foundational text underlying Western notions of hospitality is Immanuel Kant's third definitive article for a perpetual peace among states: the law of cosmopolitanism, which argues that states ought to respect the rights of foreigners but that these "must be restricted to the conditions of universal hospitality" (Kant, 1795/1991, cited in Derrida, 2001, 19). In this way, argues Derrida, foreigners are limited to the status of temporary visitors rather than being permitted to attain formal membership. In setting down the right of visitation rather than of residence, Kant's 'law' presumes and reinforces state sovereignty over the rules governing border control and individual mobility (Derrida, 2001, 21-22). According to Derrida, hospitality in a 'Kantian sense' is "dependent on and controlled by the law and the state police" (2001, 22).

In relation to migration, the role of both law and police is clear in setting the terms of entry and the extent of the welcome; however, it is also in relation to 'the plight of refugees' that hospitality is loudly invoked by policymakers and some members of the general public, expressed in terms that celebrate the generosity of the state that hosts refugees. For example, Catherine Dauvergne (2005, 4) examines the construction of Canadian and Australian migration laws and argues that refugee admissions in particular "confirm and reify the identity of the nation as good, prosperous, and generous…. [They are] the mirror in which the nation seeks a reflection of its beneficence". Canada in particular has staked its national and global reputation on the narrative of a long history of welcoming immigrants and refugees, despite a litany of hostile responses to people seeking to enter the country from the *Chinese Immigration Act* (1885) and continuous-journey regulation[3] (1908) to the denial of a port to the *St. Louis* in 1939[4] and the *Canada-US Safe Third Country Agreement* (2001). Moreover, individuals officially recognized as 'refugees' are understood as both deserving of the state's hospitality and dependent on it for their survival; on the other hand, individuals whose claim to refuge is doubted are denied the state's hospitality because their illegitimate 'refugeeness' is seen to justify an inhospitable reception (Macklin, 2007; Mountz, 2003; Sharma, 2003).

This narrative of the hospitable state masks power relations at work in practices of refuge. As Derrida (2000) reveals, there is hostility underlying practices and discourses of hospitality. This '*hostipitality*' (i.e., hostile hospitality, hospitable hostility) is expressed spatially. Hospitality requires mastery over space: in order to be hospitable, one must be in a position to be the host (Iveson, 2006). In order for hospitality to occur, therefore, the boundaries of a particular space must be controlled by someone who anticipates the arrival of someone else.

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[3] This regulation prohibited entry to Canada for individuals who had not arrived via a 'continuous-journey,' i.e., directly from their country of birth or citizenship. The provision effectively denied entry to Indian and Japanese citizens for whom there was no direct route to Canada.

[4] The *St. Louis* carried Jewish refugees seeking to escape Germany. The boat was not permitted to land in Cuba, the United States, or Canada and its passengers were forced to return to Germany.

The host is thus defined by that which it is not (i.e., the guest) and "becomes almost the hostage…of the guest, of the one he [sic] receives" (Derrida, 2000, 9). Before the identity of the guest is even known to the host, the guest's potential presence is threatening because the timing and mode of the guest's arrival are unpredictable and the host must be constantly vigilant. Moreover, framing the guest as a 'stranger' suggests the host fears losing familiarity with and mastery over the space.[5] Hospitality "is owed to the other as stranger. But if one determines the other as stranger, one is already introducing the circles of conditionality that are family, nation, state, and citizenship" (Derrida, 2000, 8). Derrida's excavation of hospitality to reveal its connection to hostility – a hostility that is grounded in categories of the nation and the state – reminds us not to be taken in by the ahistorical kindness of language: "there is a history of hospitality, an always possible perversion of *the* law of hospitality (which can appear unconditional), and of the laws which come to limit and condition its inscription as a law" (Derrida, 2001, 17; emphasis in original). We can see this governance of hospitality in campaigns to welcome the stranger and accommodate diversity (Bannerji, 2000; Burman, 2006; Sandercock, 2003) as much as in parliamentary debates that praise the humanitarian 'tradition' of welcoming refugees (Dauvergne, 2005; Nyers, 2006).

Kurt Iveson (2006) reviews various theorizations of 'the stranger' in the city and traces what such theorizations offer or neglect to consider in rethinking urban social relations. He cautions that a focus on welcoming the stranger to the city rests on a particular notion of hospitality that does not address the unevenness of power and influence that scaffolds such a relationship. Instead, it conceives of the stranger as a particular body and the city as a coherent, pre-existent subject which risks "naturalising and privileging very particular interests over others" (Iveson, 2006, 75). As such, a critical approach to hospitality "would need to bring the very subjecthood of 'the city' into question" (Iveson, 2006, 75). This would be an important consideration in relation to Derrida's cities of refuge and the varied contexts in or against which they might emerge. Given the limitations of hospitality discussed above, the work of inventing cities of refuge cannot stop at invoking hospitality as the foundation of social relations in the city.

The sovereign city of refuge?

Another powerful narrative that conditions state practices of refuge is that of state sovereignty over membership, which materializes in the form and practice of citizenship status. In addition to exploring the hostility underlying border control policies, Derrida (2001) concurs with Hannah Arendt's (1951/2004) assessment of the viability of the universal right to asylum entrenched in Article 14 of the *Universal Declaration of Human Rights* in 1948. This article states that "everyone

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[5] Thank you to Samah Sabra for suggesting this clarification of the movement from guest to threat.

has the right to seek and enjoy in other countries asylum from persecution";
however, this 'universal' right can only be granted or rejected by a sovereign state.
By placing individual states in the position to enforce this and other human rights,
formal citizenship becomes the only means by which an individual can effectively
receive the protection of a particular state. At the very moment when an individual
most requires rights on the basis of their humanity alone (i.e., when one is without
recourse to the protection of one's country of birth), these rights are denied by
virtue of inappropriate or absent citizenship status. Thus human rights, including
the right to asylum, are undermined by their conceptualization within the
international system of sovereign states and its technology of citizenship status.

Against the exclusionary membership policies of nation-states, Derrida
(2001, 4-5) posits the institutionalization and practice of "new" cities of refuge as a
way to "reorient the politics of the state" and "transform and reform the modalities
of membership by which the city belongs to the state". It is not enough to cede
other scales of governance to city administrators by granting them new powers and
responsibilities: what is required is another set of rights *for* the city and a new
politics *of* the city. Derrida (2001, 7-8) calls for new ways of putting the city to
work: "Could the City, equipped with new rights and greater sovereignty, open up
new horizons of possibility previously undreamt of by international state law"?
The challenge is to work out whether or how the newly sovereign city could
transform the sovereignty that is enacted by states in order to reframe questions of
membership and belonging away from those defended by the state.

Derrida (2001, 4) calls for a "genuine innovation in the history of the right to
asylum or the duty to hospitality" that entails theorizing and implementing "forms
of solidarity yet to be invented". His insistence on *new* cities of refuge, with new
rights and politics, underscores a need to take care when ascribing 'the city' with
promise and praising it for the emancipatory and democratic possibilities it offers
in contrast to the sovereign 'state.' The state literally takes place in the everyday
spaces of the city, which means its exclusions are also worked out there (Harvey,
1973; Isin, 2007; Lefebvre, 1974/1991). As a result, it is difficult to separate out
state from city with respect to questions of sovereignty, hospitality, and refuge –
and yet, many researchers and advocates look to the city as a space with great
potential for advancing social justice for refugees and non-citizens in particular
(Prier, 2009; Varsanyi, 2006; Watt, 2006).

The city is not *only* the space where the state materializes: city officials and
residents can challenge state practices, as was evident in the sanctuary movement
of the 1980s and in more recent stances of municipal governments against national
immigration enforcement policies (Coutin, 1993; Cunningham, 1995; Squire, 2009;
Varsanyi, 2006).[6] Rather than conceiving of their work in the sanctuary movement

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[6] Thanks to Monica Varsanyi for suggesting this clarification.

as breaking the law through acts of civil disobedience, most people engaged with assisting refugees to cross the Mexico-US border and find safe places to stay in the US considered their work to be acts of 'civil initiative.'[7]   Sanctuary members argued they were upholding the 1980 *Refugee Act*, which wrote the UN *Refugee Protocol* into US law and which the state was contravening by deporting Central Americans without hearing their asylum claims. By mid-1987, more than 400 religious congregations and 22 cities across the US had been declared sanctuaries from state immigration enforcement efforts.

Several urban scholars have highlighted the promise of the city due to its spaces of habitual encounter and interaction, where different imaginations and practices of the city come into contact and often into conflict (Amin, 2002; Wood & Gilbert, 2005). Iris Marion Young (1990), Leonie Sandercock (1998, 2003), and James Holston (1999) argue that actually-existing city spaces are brimming with emancipatory potential that can offer lessons to city planners and policymakers. To Young (1990, 237), the possibility of 'city-life' lies in how city dwellers experience daily interactions in public spaces in which they feel they belong without those interactions "dissolving into unity or commonness", while Sandercock (1998, 2003) emphasizes the multiplicity of ways of knowing, theorizing, and using space that co-exist in cities. The question is "how to include the ethnographic present in planning, that is, the possibilities for change encountered in existing social conditions" (Holston, 1999, 166), especially "insurgent" ideas and "emergent forms" of citizenship (Holston & Appadurai, 1999, 3).

Despite the promise at work in the city's spaces, these spaces are also where inequality and discrimination are forcefully and habitually played out. Engin Isin (2007) argues the 'scalar imagination' that views the spaces of politics as a set of discrete, nested, hierarchically-organized scales (nation, state, city) works as a containment strategy to bound and enclose political identities and limit spaces for resistance. This notion of 'scalar imagination' underscores "how relations of power constitute spaces which produce and reproduce possibilities and dangers for certain individuals and their capacities to claim rights and form themselves as groups" (Isin & Wood, 1999, 24). Space is central to social relations of power. Officially declaring a particular city a 'sanctuary city' would likely have different effects on day-to-day life for city residents with precarious legal status than do the tactical or less formalized practices of individual workers and city residents who claim spaces for refuge in that city in the face of exclusionary state policies, creating "'sanctuary zones' within the city" (McDonald, 2009, 8; Prier, 2009; Squire, 2009). The ways that individual identities and mobilities are represented by state officials, the media, academics, and community workers influence how

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[7] The idea of civil initiative was "rooted in the principles of the Nuremberg Trials, according to which citizens are legally obligated to disobey inhumane governments" (Cunningham, 1995, 40).

people are received and managed, which affects the possibilities available and denied to them in relation to both their border crossings and their presence in city spaces. For example, a refugee claimant is categorized through Canadian immigration policy as a temporary resident while she awaits a decision on her case. This defines her as a non-member in relation to the state and constrains her access to certain city spaces like schools and hospitals. In conceptualizing Derrida's new cities of refuge, it is important to consider the spatial relations that would be at work in reframing questions of membership in ways that would not be beholden to national narratives and state policies.

Isin (2002, 283) argues that difference does not meet in the city: it is produced there. He calls the city a 'difference machine' because it is a space in which differences are labelled and perpetuated through spatial practices and technologies of governance. More than this, however, the city is a site of contestation amongst its differently-positioned inhabitants and between the state and its residents. Identities and positions are continuously "constituted by the dialogical encounter of groups" (Isin, 2002, 49) in the spaces of the city. It is in these spaces that struggles over identity and membership take place and where inhabitants stake their claims and ground their politics. Isin's work points to how Derrida's (2001) call for reinvigorated cities of refuge could be put into practice, without downplaying the extent to which the state, through technologies of citizenship status and national identity in particular, is actively at work in the city's spaces and relations. Focusing on how the city is actually practiced by the individuals who inhabit it is a promising starting point for uncovering new forms of membership beyond the nation-stated scalar imagination. Such an approach has also been signalled in the right to the city scholarship and by urban theorists like Michael Keith (2005), Ash Amin (2002), and Kurt Iveson (2006). I now turn to the work of these scholars in an attempt to flesh out Derrida's conceptualization of cities of refuge, before moving into an empirical study with youth living with precarious legal status in Toronto as a preliminary example of how we might ground this theoretical work.

The city and contestation

Keith (2005) underscores that the city's everyday spaces and relations are produced through multiple, intersecting, and divergent frames of representation. Dominant visions reproduce particular understandings of who belongs where and who is out of order that de-legitimate the multiple ways in which particular spaces are practiced by people, both individually and collectively, in the city (Keith, 2005; Massey, 2006; Peake & Ray, 2001; Sandercock, 1998, 2003). Similarly, Amin (2002, 976) highlights the city's "mixed sites of everyday contact such as schools, the workplace, and other public spaces". He refers to these spaces of encounter and negotiation as 'micropublics' and argues this is where new conceptualizations and practices of identity and belonging are produced. In seeking Derrida's new cities

of refuge it is important to understand how the city is already being practiced as a refuge by a range of individuals and groups.

The city has potential as an emancipatory space because it is struggled over by its various inhabitants. The city is "the battleground *through which* groups define their identities, stake their claims, wage their battles, and articulate citizenship rights and obligations" (Isin, 2002, 50; emphasis in original), rather than simply what is at stake in these struggles or the stage on which they take place. These individual and collective claims to rights and space shift the ground of social relations; the ways in which places are actually lived and practiced reveal how questions of membership are already being reframed. Amin (2002, 971, emphasis in original; see also Wood & Gilbert, 2005) underscores the role of spatial practices in producing new political and cultural possibilities: "Prosaic cultural shifts rely upon displacement, more precisely, the *practice* of negotiating diversity and difference". This is why many authors highlight the value of dissensus – rather than consensus or cohesion – as a driver of equity and justice in the city (Amin, 2002; Burman, 2006; Isin, 2007; Rancière, 2004; Sandercock, 2003). Jacques Rancière (2004, 304) defines dissensus as "a division put in the 'common sense': a dispute about what is given, about the frame within which we [sic] see something as given". Amin (2002) in particular contends that cohesion is not a desirable aim since it is through negotiation in everyday spaces of interaction that fixed understandings of identity and citizenship are challenged. Isin (2002) highlights the role of 'agonistic' strategies of "conflict, competition, resistance, tension" (Watt, 2006, 19) in struggles over citizenship.

It is in this 'agonistic city,' this city of contestation, that the city-as-refuge exists, because it is in the tensions within and between various practices of the city that refuge is worked out (Isin & Wood, 1999; Isin, 2002; Sandercock, 2006; Watt, 2006). Isin (2007, 224) argues the city is "grounded in dissensus and disagreement because its actual and virtual forms call each other into question"; that is, the everyday, lived, multiple city experienced by its inhabitants contradicts the narratives and policies of the nation-state that claim space and act within it. The city is where representations and effects of the state are disrupted and complicated through spatial practices and struggles (Amin, 2002; Isin, 2007; Keith, 2005; Prier, 2009). When we pay attention to moments of dissonance between and within these forms of the city, we recognize challenges to the insistent logic of the state and its claims over notions of hospitality, sovereignty, and refuge. Examining the various ways in which "identities, differences, and belongings are assembled across and through" the city as a site of struggle might allow us to re-imagine the city as a refuge beyond the nation-state (Isin, 2007, 224).

Understanding the city as a space of dissensus that is struggled over in everyday and extraordinary ways by all of its inhabitants highlights alternative imaginings, representations, and practices of the city that might envision new rights

for and politics of the city-as-refuge. We need to think about the city as a space of contestation and about refuge as an ongoing, everyday process. This moves us away from considering refuge as a precise, completed location, status, or state of being, and towards examining the various ways in which refuge is claimed by individuals and groups. It is in the spaces of interaction of the city that 'refuge' is worked out and tensions between different claims and practices are revealed. Struggles over the terms of refuge, however, take place on uneven grounds: contests over rights and spaces do not take place among equally-positioned residents, but rather are asymmetrical.[8]   Derrida's (2000) work on hospitality demonstrates the power relations involved in the practice of refuge. In order to think concretely about refuge as a process that takes place through ongoing contestation and claims-making in the city, I now turn to the particular example of youth living in Toronto with precarious legal status and their negotiations of school space.

The practice of the city-as-refuge: Youth and school spaces

Refuge as spatial struggle

The city in its entirety is not a refuge; rather spaces within the city are claimed as refuge. My focus in this section is on the ways in which individuals living in Canada with precarious legal status struggle over the city as a refuge. In the specific context of immigration and refugee policy, the city is where a range of 'bureaucratic' and 'lived' practices of refuge interact and affect people's lives. The official, bureaucratic city of refuge (i.e., the city of immigration offices, documentation, and entitlements to social services) is not separate from the lived city of refuge (i.e., the city that is practiced and experienced by individuals). I focus on intimate practices of refuge as a way to get beyond thinking of state exercises and lived experiences of refuge separately, and highlight the mutually-constituted governance of refugees and everyday living of refuge. Bureaucratic structures do not determine what occurs in practice but they are influential in shaping what is possible (Lacroix, 2004). At the same time, practices of individuals, settlement workers, and local officials manoeuvre within and around these structures and open alternate avenues to refuge (Barsky, 1995, 2000; McDonald, 2009; Mountz, 2003, 2004; Ong, 2003). After briefly discussing a few studies that examine such manoeuvres, I move onto my own empirical study of the school as a place where youth living in Toronto with precarious status negotiate membership and belonging.

Examining the ways in which policies are put into practice and refuge is claimed by a range of actors and institutions highlights both the possibilities and the challenges of imagining a new politics of the city that could reframe the politics

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[8] Thank you to Lorraine Pannett for this wording.

of refuge. Aihwa Ong (2003), Robert Barsky (1995, 2000), and Stephanie Watt (2006) have shown some of the ways in which the boundaries of refuge are contested through the spaces of the city. Their work moves away from considering refuge as a status that is sought and granted, dependent on a hospitable state, and exposes it as something that is negotiated and contested. Ong and Barsky highlight the strategic ways in which individuals engage with settlement organizations and the refugee determination system in order to access services or improve their chances of a successful outcome to their claim, while Watt focuses on extraordinary – but in some cases quotidian – ways in which public spaces in Montreal are put to work by a group of non-status Algerians in order to reframe questions of citizenship in the city and the state. These studies focus on how individual refugees and advocates strategically practice the bureaucratic spaces of refuge; their interactions with the structures of these spaces trouble the inflexibility of bureaucratic rules.

Watt (2006) examines the more public spatial practices employed by the *Comité d'action des sans-statut (CASS)*, a group of non-status Algerians and their supporters in Montreal, to protest the 2002 lifting of the moratorium on deportations of failed refugee claimants to Algeria by the Canadian government. Protests inside and on the streets outside Citizenship and Immigration Canada offices, rallies at Dorval International Airport, and taking sanctuary in local churches were all ways *CASS* publicized the harshness of the state's refugee policies. By holding protests in and around offices of the immigration bureaucracy *CASS* disrupted the routine functioning of the system. Watt (2006, 68) argues that by claiming the spaces of the office, the airport, and the church to contest border enforcement policies, *CASS* questioned the relevance of purely 'administrative' understandings of citizenship and the straightforward classification of individuals into 'ideal citizens' who are able to directly engage the state and 'non-citizen-others' who are not. The actions of *CASS* members called for a "radical *jus soli*" based on residence in the city against the "administrative *jus soli*" defended by the state and its bureaucracy (Watt, 2006, 138). Watt highlights the spatial dimensions of these contestations of border control policies as well as the implications of making claims to public spaces in advancing alternate visions of belonging to the city. In the next sub-section I argue that youth living with precarious status in Toronto disrupt the state's orderly classification of spaces and identities through their negotiations of school spaces. Their narratives offer examples of how particular places in the city are claimed as a refuge.

Instead of comparing the regulatory framework of what is supposed to happen in the immigration and settlement processes (what might be termed the bureaucratic city of refuge) with what happens in practice (the lived city of refuge), it is important to understand these bureaucratic and lived cities of refuge as often/always in tension. In this vein, I show that public schools are simultaneously places where the state is at work in educating and disciplining citizens and spaces

through which students who are not (yet) formal citizens seek refuge by acquiring the tools of education and attempting to 'pass' as already-citizens like their peers. Rather than focusing on how their status prevents them from fully taking part in school activities, the youth make claims to membership through their interactions in school space and stake out a place for themselves within the spaces of citizenship.

Precarious status, school space, and youth in Toronto

In the summer of 2005, I conducted in-depth, open-ended interviews with six youth who were living with precarious status in Toronto[9] with their families. Immigration status in Canada does not exist in a straightforward legal-versus-illegal binary: individuals generally enter the country with some kind of status and then may lose or fall out of status (Goldring, Berinstein, & Bernhard, 2009). Goldring *et al* (2009, 240) suggest that in Canada there are "multiple pathways to precarious status"; the immigration process is complex and people may have various kinds of status before officials make a final determination on their case. Although research into the experiences of people living with precarious status in Canada is limited, several studies carried out in Toronto have emphasized the role of fear in shaping people's decisions and actions. For example, people avoided seeking medical attention and parents were hesitant to register their children at school for fear of being detected by immigration enforcement authorities (Bannerman, Hoa, & Male, 2003; Bernhard, Landolt, & Goldring, 2005; Committee for Accessible AIDS Treatment, 2001; Martin, 2001; Yau, 1995).

Keeping in mind the role of fear as a constraint, I wondered about young people's experiences of living with precarious status: to what extent and in what ways did their status impact their interactions in everyday spaces and relationships? While the project was small in scale, the youth's discussions provide a glimpse into their negotiation of the terms of refuge in their everyday lives. Their narratives underscore that legal status is produced through an ongoing process of contestation and that the school is an important place in which they make claims to membership. While their actions and decisions are constrained by the precariousness of their legal status, the youth seek to take part in school spaces as 'legitimate' members of their communities.

The focus on precarious status meant it was possible the youth would view their participation in the project as an additional risk. Maintaining their confidentiality was crucial: both the youth and their parents gave consent to participate verbally rather than in writing and I did not record their names or

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[9] The research project received funding support from the Joint Centre of Excellence for Research on Immigration and Settlement and the Ontario Graduate Scholarship. The youth were between ages 12 and 18 at the time of the interviews.

contact information.[10] I recruited participants through contacts at community-based organizations, settlement agencies, and churches, who worked with the youth and shared their linguistic and/or ethnoracial backgrounds. I selected the age range of 12 to 18 in order to hear about the youths' experiences of school, which introduced an additional aspect of vulnerability due to their status as minors. Although children under age 16 have the right to attend school in Ontario regardless of their legal status, several studies have found that parents have difficulty registering their children at public schools.[11] The fact that all of the youth I interviewed were attending school was significant; this study does not address the experiences of youth who have been excluded from school spaces either by school administrators or due to fear of detection by immigration enforcement authorities.

The education system is one of the key services accessed by youth and schools are an important site of belonging for children and families (Dennis, 2002; Omidvar & Richmond, 2003; Suarez-Orozco & Suarez-Orozco, 2001). The school is an example of Amin's (2002, 969) 'micropublics' or "spaces of interdependence and habitual engagement" where all members of the school community negotiate regulations, friendships, curriculum, classroom spaces, and sports teams. It is both a space where the state is at work and a space where students seek refuge; as such, it is a productive space through which to examine the complexity of bureaucratic and lived practices of refuge. Schools serve a variety of purposes simultaneously because they are public institutions. The state operates through school spaces because they are funded by the provincial government based on the number of students enrolled; temporary residents must pay international student fees unless they can prove they have applied to remain in the country permanently. The state also finds its way into Ontario schools through the *Education Act* (1990), which affirms that all children under age 16 must attend school regardless of their or their parents' legal status. In addition, Ontario schools require students to provide health insurance in order to participate on sports teams and take part in field trips. This requirement is a barrier to participation for students who do not have permanent resident status, as well as an example of the appearance of the border in everyday spaces and relations. At a discursive level, schools are where future citizens are produced through state-mandated curriculum and evaluation procedures; students are trained to be good, productive, participatory citizens.

Schools are public spaces, in the sense that they receive state funding and fulfil state mandates; however, they are less visibly public than the spaces (airports, sidewalks) explored in Watt's (2006) project in that access is limited to people who are known to the school. For the youth living with precarious status in Toronto that

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[10] For further details on the informed consent protocol for this project, which was developed in the context of a lengthy and complicated ethics review process, see Bernhard and Young (2009).

[11] In 1999, the Education Rights Task Force was struck in Toronto to draw attention to the legal regulations guaranteeing access to education for children with precarious legal status and the practices of some schools to exclude children in such situations (http://www.educationismyright.ca/index.html).

I interviewed, schools were a space of everyday and habitual interactions as opposed to the highly visible and out-of-the-ordinary practices of public spaces enacted by non-status Algerians in Montreal (Watt, 2006). That being said, in some high profile cases in the spring of 2006, the Canadian state used two Toronto public schools as a venue for immigration enforcement. Officials with the Canada Border Services Agency detained children at their schools as a way to bring in their parents. On an intimate scale, these state actions were successful: the parents were detained and entire families were deported, including a Canadian-born, citizen daughter. At the wider scale of the city, the state's use of school space to detain children sparked public discussion of the legitimacy of these actions. There was widespread outrage in response to this use of school space, and several large protests and rallies were organized at the local detention centre, on the city streets, and at the airport while the families were being deported (Jiménez & Alphonso, 2006; Keung, 2006)[12].

These high-profile episodes in which a public school was used as a site of immigration enforcement surfaced questions about administrative practices around immigration status and detention. Juxtaposed (and in fact prior) to these highly public and forceful uses of school space, I examined the practice of a specific space in the city by students who are in a precarious relationship to the state and other residents due to their legal status. The youths' negotiations of their status within the space of their schools highlight the complexity of these public spaces, in which bureaucratic regimes and lived experiences come into tension through the interactions and practices that take place there. The school was a space where the contradictions of their situations as non-citizens, in the formal, administrative sense, became clear. For the youth school was simultaneously a space where they were like everybody else and could forget about their status, and a place where they were confronted with the significance of precarious status.

School administrators, teachers, and even friends were often not aware of the youths' status. Interestingly, not one of the youth felt that teachers or other school staff could be in a position to influence their status: Ibrahim[13] expressed his trust that teachers are "taught to be confidential". For some of the youth, teachers and coaches were helpful in working through issues that arose with having to show documentation to participate in field trips and on sports teams; these helpful interactions could have contributed to the trust they expressed in school authorities. Hector[14] initially had some trouble signing up for his school's soccer team: "I had

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[12] The Toronto District School Board has subsequently adopted a policy on 'Students without legal status,' under which school officials are prohibited from reporting a student's legal status to immigration enforcement authorities.

[13] Please note that all names used are pseudonyms. Ibrahim was 16 years old at the time of the interview. His family was awaiting an appeal on their denied claim for refugee status.

[14] Hector was 17 years old at the time of the interview. His father was in Canada on a temporary work permit and Hector had a student visa that had to be renewed each year.

some problems with the health card, but there was a Spanish guy who was the coach and he helped me a lot". However, despite the apparent confidence in school authorities indicated by the youth, they also revealed that teachers and school administrators were generally not aware of their immigration status, which might reveal the level of trust the youth had in these individuals and institutions. Isabel[15] indicated that immigration officials had told her family not to disclose their status for reasons of privacy. She explained her decision not to reveal her status to teachers or peers:

> Because it's private I think. Well, because, they're going to be asking what's my case, why am I like refugee claimant. They'd want me to tell our situation, why we're here. It's really private, we can't tell anyone. That's what they [immigration] said.

Some of the youth were able to trust close friends with knowledge of their situations but beyond this were willing to disclose their status only to people they felt were in a position to help them, particularly when they encountered barriers to participating on sports teams or field trips. The need to show a health insurance card in order to participate in school outings and teams is an instance where state borders appear in the youths' everyday lives. As a temporary resident, Hector did not have a health card:

> Well, I have some problems with the health card. Like when I have a field trip or something like that, my father has to do like a note saying like he's responsible for me. And anything he has to pay, anything happens to me.

These notes claiming 'responsibility' exemplify how the state abdicates responsibility for those people constructed as legitimately outside its jurisdiction; at the same time, they allow Hector to participate in routine school activities. Similarly, Ibrahim spoke of having to explain to people why he did not have a health card:

> You have to go through a little more and a little longer process than anybody else would, right. It's just, they ask for it [health card] every time. I just have to talk to them or if it's somebody new, I gotta tell them the whole story and all that, and why. It's weird because after you tell them, usually they'll look at you different.

This position of constantly having to explain and account for one's situation beyond what other children are asked to do is a barrier to participation and a

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[15] Isabel, age 15 at the time of the interview, was awaiting the decision on an appeal of her family's rejected refugee claim.

mechanism through which state boundaries around membership are reproduced in school spaces.

In these instances, the youth viewed disclosure of their precarious status as part of the necessary terms of participation; however, on most occasions, they could get by without having to explicitly acknowledge their status in daily interactions at school. While this allowed them to insert themselves into school spaces on equal footing with their peers, it could not always ease their feelings of isolation. Gabriel[16] revealed that while his family's refugee claim was in process he had struggled at school: "So the days I was alone [at school], yeah it was really bad. I mean, I don't think they [the teachers] could have helped me in the situation I was in, right". While he was aware of his precarious status, Gabriel's classmates assumed he was "already a citizen" and when other students would criticize immigrants, he did not reveal his situation:

> It's like they don't even know, right? I mean up to now, I mean everybody thinks we're all residents, right. I mean, citizens, right. So like at school everybody would talk about immigrants sometimes but they wouldn't see me as one. They just think I'm already a citizen.

By not disclosing his status to students at his school, Gabriel masked his experience of marginalization. Although not acknowledging his status allowed him to pass as a 'citizen' like his peers, Gabriel's sense of belonging was constrained because he sensed that his status distinguished him from the other students. He indicated that while his family's refugee claim had been in process, he had felt like an "outsider" in relation to the other students at his school:

> I don't know, you know, 'refugees' I mean, I don't really like that term. I don't know. I didn't really see it as something that good. Like everybody was citizen, right, at the school so and I'm like refugee. I don't know. I didn't really like it. Probably the feeling that everybody there had been born there and then I just came, I don't know, probably it was the whole situation, right? Yeah so everybody knew each other and everything, so I was like an outsider, right?

School was simultaneously a place where Gabriel could 'pass' as a citizen and a place where he felt different from his peers because he sensed that his legal status mattered.

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[16] Gabriel, age 17 at the time of the interview, had landed refugee status and was awaiting permanent residency. His family had waited for several years to hear the outcome of their refugee claim.

The youth found a kind of refuge from their status at school – but a refuge that was precarious and contested. Elena[17] could go to school and "forget about" her status, but "at night when I am alone, or in the morning" she worried about her uncertain situation and the thought of being deported. Being away from home and interacting with her friends at school provided a break from having to worry about her family's situation, and a space in which she could participate and feel the same as her peers. Elena also revealed that at times she felt "different" from her friends. She did not tell her friends about her status until she found out she was going to be deported with her family. The immediacy of immigration enforcement proceedings meant that state border control practices became inseparable from her routines at school.

Age and immigration trajectory affected the youths' awareness of their status and the extent to which they could step away from it while at school. Parents attempted to shield younger children from knowledge of the family's situation, which allowed them to experience the school as a space in which they belonged; however, as they got older or when the family received a deportation order, it became more difficult for parents to hide their status. Ibrahim described finding out about his family's situation:

> But when I was younger, thing is, I didn't see much of what was going on because my parents had a good way of kind of covering it up. Like they didn't really want me to know, like they wanted me to be like enjoying my youth years and all that but like, as I got older, I started noticing things. And then after a while they just, you know, you just hear about it because then they started going through the whole case thing and I heard about the whole story, it was like, wow, it's really shocking. Like when I heard that, I was like, wow, I'm in this, like, this is happening to me.

His story reveals the complexity of family dynamics in situations of precarious status, but also points to the ways in which Ibrahim's parents worked with and challenged the roles imposed on them by their status. In seeking to shelter their children from full knowledge of the family's status, they bore the weight of the precariousness of their situation; in doing so, they claimed a space in which their children could participate along with their peers. His parents attempted to assert the legitimacy of the family's presence in daily routines of the community despite the constraints of their status.

After learning about his family's situation, however, Ibrahim had difficulty concentrating at school due to the uncertainty of the outcome of the case:

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[17] Elena was 12 years old at the time of the interview. Her family's refugee claim was not accepted, their appeal of the decision was denied, and they had received a deportation order.

> As soon as the case started getting, like I'm not going to blame it on the case, because obviously teenagers are lazy, but besides that point, like. As soon as it started getting bigger and bigger and it started affecting my life more and more, my grades, like I was always like thinking about it, like especially when, that's when we actually started going to court a lot and like, it's just a different transition, like doing all these different things. And it, in a way, it affected me really bad. I couldn't concentrate. Like at school I'd just be sitting down and be thinking about it and be like, what am I doing here? Like just so much questions in my head and I couldn't concentrate on school and I couldn't do this and then I wouldn't get good grades and then my mum would get mad at me so it was just one big problem.

Ibrahim began to feel that his time spent at school was unhelpful when compared with the possibility of earning money that could more immediately help his family regardless of which way the decision went. He contemplated leaving school and working full time while awaiting the final outcome of their case:

> But the thing is I don't want to be in school and then all of a sudden we gotta go, and then like, I don't have anything. Like I haven't done anything, basically, like I'm gonna lose everything I have and I've pretty much accomplished nothing. So I'd rather be working towards something and let's say everything does work out, then I'll start school, and if it doesn't work out, good thing I was working. Any money I make I can help my parents out.

The bureaucratic practices of the refugee determination system in this way interacted with the space of the school, dramatically reshaping Ibrahim's experiences there.

The youth were caught in a complicated situation in which they made choices to participate on a daily basis and yet they had no control over the decision that determined whether they could remain in Toronto, or whether their choices had consequences in the sense of striving for their goals and building towards a future in the city. They understood the limitations imposed on them by their precarious situations. Isabel revealed that being in Canada while her family awaited a decision on an appeal of their case felt like she was "just visiting, actually," marking out a distinction between her situation and that of a permanent resident or citizen. She hoped to attend university in Canada but her uncertain status made this challenging at times:

> Yeah, because like I'm planning a future here sometimes because I feel like I have more opportunities here. I could like, I don't know, learn more and stuff probably because in our country there is probably not

> too much computer animators or something, I don't know. This is what
> I think. But I don't know.

Similarly, Hector, whose student visa had to be renewed each year, hoped that he would be able to stay: "I said hope like they [immigration officers] will say yes. Yeah, I'm worried for that [that his visa will not be renewed] but that's the thing, you have to do it. I don't know. You never know what you are going to do". Although uncertain as to whether they would be able to remain in Toronto, they were hopeful of a future there and attempting to work towards it.

In subtle but significant ways, the youth actively claimed the school as a space in which there was room for their identities. Although he had been living in Toronto for most of his sixteen years, Ibrahim marked out his identity in relation to the state in distinctively legal terms that demonstrated the power this conception of legality held over his situation: "For me personally I wouldn't know, I don't know what it is to be legal because I've been illegal my whole life, right. So for me this is what living is right now, here". He claimed his uncertain status as part of his identity, insisting it had been with him his whole life and acknowledging his marginalized position in relation to the state and within the social body. Ibrahim's narrative produces a powerful sense of his place within the spaces of the state:

> I've had those moments where like I'll be around, like let's say I'll be
> in the courthouse or something, and then I just look at the government
> officials or at specific people who hear about it, and then they just give
> me this look, and it looks like they're saying that. It looks like they're
> like, 'what are you doing here? You don't belong here.' Like, and I've
> always had that feeling like this is, this is everything to me, like this is
> my life, but in a sense I really don't belong here, because I'm not legal
> here, right. And until I am, I'm pretty much nobody here, right, in a
> sense.

He draws on the terms through which he has been defined as an outsider who does not belong to mark out a place for himself. By insisting, "this is everything to me" Ibrahim claimed the spaces of his life, including the courthouse and the school, as essential to who he was. 'Illegality' marked his existence but his life in Toronto was who he was and where his life made sense. His story troubles the ordering of legal and illegal identities within Canadian space and raises questions about defining membership in strictly formal terms: having arrived in Toronto as an infant, having lived for 16 years with precarious legal status, and having intimate knowledge of parts of the city, his life in this place was everything he had and he claimed it on these terms.

The youths' participation in school spaces offers examples of how the city is claimed as a refuge in a variety of ways simultaneously and how bureaucratic and lived practices of the city become inseparable. While at school, the youth were

able in moments to step away from their precarious status, but reminders of it were never far away: for example, when required to provide documentation to participate on sports teams or take part in field trips. In their interactions with peers and staff at school, they were able to pass as 'already citizens' by not discussing their status. Despite the constraints of their legal status, the youth made claims to substantive membership in the spaces of their everyday lives that their formal status denied them and challenged the distinction drawn in border control policies and practices between citizens and non-citizens. In provisional but meaningful ways, they stretched the boundaries of the position ascribed to them through legal categorizations and practices: that of contested members of the state. And yet as the bureaucratic process of determining their status moved forward, several of the youth faced the prospect of being forced to leave the city in which they had grown up and to whose spaces they had staked claim. Their day-to-day negotiations of school spaces engaged them with both state practices and everyday processes of refuge, raising questions about the adequacy of understanding refuge only as a status that is granted by a hospitable state but underscoring the pervasiveness of bureaucratic constraints in the city-as-refuge. Examining these struggles over belonging and refuge in the youths' negotiations of school spaces unmasks the hospitality of the sovereign state and reveals moments of dissonance between state regimes and lived practices of refuge.

Hospitality, contestation, and refuge in the city

Both the intimate and the highly public ways in which refuge has been claimed and interrupted in school spaces in Toronto speak to how questions of membership are worked out, and highlight the importance of examining official/administrative and everyday practices together. In order to re-imagine the city as a refuge that moves beyond the sovereignty of the nation-state, we need to think about where and how individuals practice the city as they seek and, in qualified ways, find refuge. Refuge is produced and denied through everyday spaces and relations. Tensions that arise in the day-to-day negotiation of legal status point out alternatives to the state's powerful and insistent narratives of citizenship and belonging. It is in these moments where the complexity of the interactions between bureaucratic and lived practices of refuge is negotiated that we can work out the possibilities and limits of the city as a refuge.

The state's power is not limitless and totalitarian but it is insistent particularly in the situations of refugee claimants awaiting a decision on their case, and for people living with precarious legal status who face the risks of detention and deportation. We cannot uncritically embrace the city as the space in which the state's exclusions are undone: a city's potential as a space of refuge must be interrogated. Ideas of refuge, hospitality, and sovereignty implicit in state policies and discourses govern what is possible for refugees, and are diffused throughout the multiple spaces and relations of the city, in the work of local officials,

community workers, media, and residents. These ideas have material impacts in day-to-day life where policies are actually worked out and narratives are insistently repeated. The terms and possibilities of refuge are struggled over not only through the formal, bureaucratic channels of the immigration system or the social services sector, but also through the intimate, lived practices of all residents of the city. Resistance and contestation are provisional: people make claims to rights and space but in circumstances that are constrained by state regulations and practices of border control.

Given that the state actively takes and makes place in the city, the ways in which refuge is practiced in a particular place affect larger narratives of asylum and humanitarianism, whether by retrenching or resisting them – and likely both. Intimate, local contestations and claims of refuge shape the contours of everyday life and speak to larger contexts of the global refugee regime and Canadian foreign and domestic policies around border control and migration. Examining these practices grounds the process of claiming refuge, showing how national and international policies and discourses are worked out (un-worked, reworked) at the 'scale' and in the spaces of everyday life.

In the scripts of border control and humanitarianism, refugees are expected to be grateful for the hospitality of the state that has welcomed and offered them refuge. To see refuge, however, as a singular location or status assumes a universalism of experience that is inaccurate. The youths' experiences living with precarious status in Toronto involved years of uncertainty, as well as multiple sites and moments of inclusion and exclusion at different scales; their stories demonstrate that refuge is an extended process of claim and contestation that literally takes place somewhere. In seeking out the grounds for Derrida's (2000) new cities of refuge without denying the extent to which the state occupies space and acts within each city, we need to examine actually-existing spatial practices of the variously-positioned inhabitants in particular cities. These cities of dissensus offer alternatives to masterful narratives of refuge, hospitality, and sovereignty and reveal moments of dissonance in these narratives that belie the insistent logic of the state, offering hints of where and how this logic might be contested.

Tensions within and between bureaucratic and lived practices of refuge are worked out in particular places, in which new politics of the city emerge and new claims to the city are made and struggled over. These negotiations of refuge are examples of how the city is put to work in ways that not only reveal ongoing struggles over the meaning of refuge, but also result in shifts to its terms and content. Practices like taking sanctuary in a religious institution and staking claim to school spaces highlight the contestation that characterizes both the city and refuge. More work that focuses on what happens in 'micro-publics' within the city is needed to understand how localized and frequently mundane practices of refuge in particular places might signal the emergence of new cities of refuge theorized by

Derrida and sought in this paper. Examining these practices in particular contexts offers means by which to reframe and reorient the rights and politics of the city away from the logic of the nation-state and towards the practice of the city as a refuge.

Acknowledgements

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