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Ethnic profiling from an anthropological perspective Policing internal borders in the Netherlands

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Abstract

Ethnic profiling is generally discussed as a problem of stop-and-search police practices that lead to social inequality or, more broadly, as the inappropriate use by law enforcement of [alleged] ethnic characteristics in identifying criminal suspects. On the basis of a long-term police ethnography in the Netherlands (2008-2013) and a firm embedment in the anthropological literature, this article argues for a broader and more comprehensive perspective on this socio-politically highly relevant facet of policing. It is argued that ethnic profiling should not be reduced to the preferences and discretionary authority of street bureaucrats, but is better studied as a practice of profiling/rejecting ‘ethnic others’ that is embedded in wider networks of policing and that amounts to a ‘thickening of borders’.

Keywords

Ethnic profiling, policing, thickening borders, infrastructural violence, immigrants, the Netherlands

Municipal official 1:	Who can forward this to the alien police?
Police officer 1:	That’s just a matter of calling them. You can do it, I can do it.... Police. Check. When did it [his residence permit] expire? June 16? I can ask it during the break, then we have it uh....
Youth worker:	[Sarcastically] Oh, we have a party today, it’s his birthday!
Police officer 1:	Today is his birthday?
Youth worker:	Yes, he is turning 18!
Police officer 2:	So, he can just scam. He wanted to go to Bosnia anyway, he said. We can speed things up for him.
Coordinator municipality:	It is no longer in a state of war.
Police officer 2:	Nope, nothing wrong there.
Municipal official 2:	Our approach is working.
Police officer 1:	We have a new item on the agenda: Making a birthday calendar. We can visit them at home. Happy birthday!
Coordinator municipality:	Congratulations with your eighteenth.

Introduction

As *the* frontline organization of our criminal justice systems, the police must be continuously debated in both public and academic spheres. It is the very nature of the police that ought to be at the core of this debate: How is it organized and practiced, what should be its aims and tactics, what is its impact on various forms of individual and collective life, and what should a just police look like? These and kindred, explicitly normative, questions were recently raised by Karpiak (2013: 3) when he outlined several ‘fault lines in an anthropology of police’. I concur with him that they do indeed ‘cry out for anthropological analysis’. My agreement with Karpiak grew stronger after a recent Amnesty International report (2013) had given a flavour of just how important an institution the police is in terms of the surveillance and control of the human variety in society, the latter being the typical stock-in-trade of anthropologists (Hannerz 2010). The Amnesty report describes the disturbing effects of ethnic profiling by the police on ethnic minorities in the Netherlands, where I have conducted my own police ethnography between 2008 and 2013.¹ The report is for a substantial part based on the works of Çankaya (2011 and 2012). As one of the first systematic and in-depth studies of the interrelation between proactive police work and ethnic profiling (defined as the disproportionate use of stop-and-search powers towards ethnic minorities) in the Netherlands, this work has been pioneering. Nonetheless, in this article I hope to clarify that an anthropological vision on this matter can bring us further than the somewhat limited focus on ethnic profiling as a problem of stop-and-search practices that have an uneven effect on different segments of the population.

In this text ethnic profiling will be discussed in light of what Weber (2011: 458, emphasis added) called the *policing of internal borders*, which has become a major feature of statecraft and which often involves ‘multi-agency networks directed towards the detection of “unlawful non-citizens”’. The epigraph of this text is an exemplary case, which was recorded during fieldwork at the Dutch police in 2013. The police – particularly the alien police and the border police – are still at the epicenter of these networks, for sure; but the fact is that at present many governmental and semi-governmental parties contribute to the enforcement of immigration laws in the Netherlands. Internal border control occurs within state territories and can be distinguished from the control of external borders that occurs for instance through visa-requirements, the patrolling of territorial borders, pre-flight checks and other pre-departure strategies (Groenendijk 2011; Leerkes, Engbersen and Van der Leun 2012; Minderhoud 2000). Internal border control refers to the control of access of ‘unlawful non-citizens’ (or ‘illegal’ migrants) to for instance housing, rent subsidy, education, social security benefits, health care, and the labour market, and the Netherlands was one of the first countries to seriously curb the access of ‘illegal’ migrants to these facilities (Leerkes *et al.* 2012).² With the implementation of the Dutch ‘Linking Act’ (*Koppelingswet*) in 1998 this had been given a strong legal basis, as public and semi-public officials (e.g. at welfare departments and housing cooperations) are since then legally obliged to check the residence status of their ‘clients’ (Leerkes *et al.* 2012). It is for this reason that I will slightly adjust Karpiak’s call for an anthropology of *police* to a call for an anthropology

of *policing*, in particular of the policing of internal borders and the ways migrants are profiled as ‘ethnic others’ in possibly every sphere of their life and by a multitude of institutions.

It was at the 2013 Joint Spring Conference of the *Association for Political and Legal Anthropology* and the *American Ethnological Society* in Chicago that I first heard of the concept ‘thickening borders’, which I immediately considered a useful concept to think with in relation to the aforementioned. It was coined by the discussant of the session ‘Thickening Borderlands’, Gilberto Rosas, who persuasively argued that the borderland conditions are no longer geographically fixed for migrants by the borders of the nation (see also Rosas 2006). For some people borders are virtually everywhere, resulting in what De Genova (2002) has called the experience of ‘deportability’ in everyday life: the palpable sense that deportation is always a possibility. Apart from some exceptions (e.g. Gonzales and Chavez 2012; Willen 2007) scant attention has been paid to the lived experiences of such thickening borders. There is rich anthropological material to be found on people’s experiences with external borders (e.g. Blommaert’s 2009 detailed study of the experiences of a Rwandan refugee with the UK Home Office or Peutz’s 2006 narrative research in Somaliland of Somalis deported from the US and Canada), but there is also a considerable gap in the bottom-up, ethnographic study of peoples’ experiences with internal borders.

In this article I seek to make a modest contribution by reporting upon parts of a long-term ethnographic study of ethnic boundaries in policing. The concept of ethnic boundaries was developed by a group of Scandinavian anthropologists in the 1960s (e.g. the 1969 volume edited by Barth) and has recently turned in vogue in the field of sociology (e.g. Wimmer 2008 and 2009). It refers to occasions in which ethnicity becomes a dominant factor in human relations and social organization, causing (1) people to reorient social interaction along ethnic boundaries and (2) resources to be distributed accordingly and unevenly. Resources are defined here in the broadest sense possible, including both material and discursive resources. They may for instance include the access people have to society’s institutions (such as the police) as well as the degree to which these institutions guarantee the physical and symbolic integrity of people involved.

For more than five years I studied officers from all ranks working in community, emergency and alien policing. I conducted 82 interviews with police officers and their external partners (at the Immigration and Naturalization Service, a detention centre, the border police, the municipality and a welfare organization) about their experiences with ethnic boundaries, collected 17 diaries from police officers on this topic and ‘shadowed’ (Czarniawska 2007) police officers for a year and a half in three police teams, where I joined them at the station, on the beat, in the car and on the bike. In this article I will concentrate on the construction of ethnic boundaries and the emergence and policing of internal borders in the city of Tilburg, an average-sized city in the south of the Netherlands (with a population of approximately 200,000) where a large group of Somali immigrants has settled.

Somali immigrants in Tilburg

Between November 2012 and March 2013 I was conducting police fieldwork in Tilburg-North, a district in which I grew up myself. A particular area in this city-district, *Stokbasselt-Noord*, regularly attracts the attention of local and national authorities as well as the press because of the high percentage of people with a Somali background living in this area (6% versus 0.6% in the whole city of Tilburg and around 0.15% in the Netherlands; see GBA Tilburg 2011 and Vliet, Van der Ooijevaar and Boerdam 2010). In the popular local media, this area is sometimes rather gracelessly referred to as the ‘Gaza Strip’ of the Netherlands because many people, including most of the Somali immigrants, adhere to Islam. Together with Rotterdam and The Hague, Tilburg houses a high percentage of the 27,000 Somali immigrants in the Netherlands, of whom many have come as asylum seekers (although *housing* is not always the appropriate word for it, as we will see in a minute). There is, however, a remarkable demographic trend: It is estimated that between 10,000 and 20,000 Somali immigrants have left the Netherlands for the UK since 2000 (Van Liempt 2009). Many have done so after obtaining legal citizenship, because the Dublin Regulation requires them to stay in the EU country in which they applied for asylum (in order to avoid that people ‘shop around’).³ Furthermore, Van Liempt (2009: 255) informs us, secondary movements that occur before a legal status has been granted may contradict policy expectations: ‘They indicate that asylum seekers might be interested in something other than just safety and therefore raise suspicion.’ However, Van Liempt shows on the basis of narrative interviews with Dutch Somalis in Leicester and London that by this assumption, insufficient light is shed on the low levels of protection that are experienced by Somali refugees in the Netherlands. One of her interviewees told her about the vulnerability of Somalis in the current political climate of the Netherlands:

I really felt at home in the Netherlands, but it is the political climate, the whole country has changed, they keep bothering you about your identity, it is always you, you Muslim, you Somali, they always point at you... It started with September 11, then there was the famous column of Paul Scheffer, what was it called? The multicultural drama, and then it went from one thing to the other, Ayaan Hirsi Ali, Pim Fortuyn, I thought my life is short and I don’t want to be involved anymore, enough is enough. The Netherlands was not the country I knew anymore (quoted in Van Liempt 2009: 259).⁴

In the winter of 2012, I found myself in a local community centre in *Stokbasselt-Noord* for a meeting that was jointly organized by the municipality and a regional welfare organization. The meeting had been arranged for a group of Somali women who had come together to listen to the local community police officer (I shadowed him for a couple of weeks) who informed them about the police in Tilburg, how to communicate with the police, mutual expectations, etc. It was at this moment that I noticed for the first time that the access to critical public services such as the police was problematic for Somali immigrants in this particular urban context. Insofar as police officers find guidance in national frames about citizens as partners in the securitization of society (see Punch, Van der Vijver and Zoomer 2002 and Van der Vijver and Zoomer 2004 for the Netherlands and e.g. Sharp and Atherton 2007 for the UK), they deem the local Somali

immigrants of relatively little use. According to the local officers they are strongly *underrepresented* in local crime statistics, but they are also underrepresented in crime reporting and almost never testify in court. It is defensible, albeit far too generic, to argue that the average officer ascribes this to certain cultural attributes. This is consistent with police policy. During my time at the station in Tilburg, officers had attended a police training on ‘multicultural craftsmanship’ (and so had I) in which all kinds of culturalist explanations were provided to understand the behaviour of ethnic minorities in the neighbourhood. If troubles occur, Somali people would easily retire to their communal life, since they have a ‘collective culture’. What’s more, in line with Geert Hofstede’s juxtaposition of hierarchical and flat cultures, they belong to the first and thus find it hard to approach the police on their own initiative. These culturalist explanations are as misleading and fictional as they are seductive and beguiling. They easily square with the current cultural imaginary in Dutch politics and media (which can have, by the way, a serious impact on practices of ethnic profiling; see Van der Leun and Van der Woude 2011). They are, however, not to be slavishly followed. In fact, they pale into insignificance when local knowledge is taken seriously and when epistemic justice is done. During the meeting in that community centre, a completely different story came to the fore after the community officer concluded his talk and invited people to open up about their experiences. It turned out that their reluctance to make contact with any element of the security apparatus had everything to do with their traumatic life histories of war and violence; it had nothing to do with cultural forms. The majority of these women continued to suffer from the atrocities in their homeland, which have left permanent scars on their bodies and souls. Their traumatic histories had taught them two lessons for life: (1) being a witness carries with it the risk of being next and (2) contacting the police can simply enhance the risk. The rest of the meeting was dedicated to the experiences of the women with the Dutch police, that is, their hesitancy to call in crimes (even in cases they were victims themselves), their fear of repercussions, and the low level of institutional trust (will the police keep me anonymous?). In several interviews I conducted with some of the Somali women, these experiences were confirmed and further discussed. So, despite all the good intentions to enfranchise local communities in policing policy and practice, asymmetric relations in policing easily perpetuate unless these sorts of initiatives – focused on local input through the classical anthropological embracement of *emic* knowledge – are taken seriously. In light of Van Liempt’s (2009) emigration statistics, it becomes easy to see such low levels of experienced protection being translated into internal borders which subsequently trigger people to leave the country, as some of the family members of these women have already done (one woman, for instance, told us with an outpouring of emotion about her son who had left the Netherlands for Somalia because he felt unsafe).

The community officer – let us give him the pseudonym John – was very receptive to the experiences that the women shared with him, but he was not optimistic about the reception of this knowledge at the station. He considered himself unable to overturn the classifying order that already existed in the minds of colleagues. Within this order Somali immigrants rank low. During one of our bike shifts in the neighbourhood, John – who has an Indonesian/Vietnamese background – told me about his first week at the station. He was warned never to approach a

group of Somali people all by himself. This was always to be done with at least one, but preferably several, colleagues. John had no intention to follow this advice and within the first week he approached a group of Somali men who were chewing Qat on a summer eve in the park (something which will become more important in a moment), to introduce himself as the new community officer. It was a perfectly decent conversation.

Another recurring ‘theme’ during the orientation days of new colleagues was (and I guess still is) one particular homeless immigrant from Somalia – let us give him the pseudonym Abdi. I had already noticed this during my fieldwork, but it was also confirmed in a report written by an officer on the basis of a project intended to ‘tackle’ the problem that is called ‘Abdi’ (the name of the project is in fact ‘project Abdi’). During the orientation days of a new colleague, there is always someone willing to perform a little act in which Abdi is imitated.

Abdi and the local zoning ordinance that regulates the circulation and consumption of Qat

The background information in this paragraph comes from this report, *Probleemaanpak Gemeenschappelijke Veiligheidszorg: Project Abdi* [‘Problem Approach in Security Networks: Project Abdi’], which was handed to me by the author to be used for research purposes.⁵ Abdi was born in Ethiopia in 1957 and has his roots in Somalia. He arrived in the Netherlands in 1992 and applied for asylum. In July 1997, Abdi appeared on a list of the Immigration and Naturalization Service (IND) as a candidate for deportation to Somalia. He was on that list until October 1997, but the deportation never occurred. For October 2004, another – this time escorted – deportation was planned to Somalia via Dubai and Abdi got detained a few months earlier. In September 2004, the court decided, however, that Abdi had to be immediately released from detention and stated that he had a right to a financial compensation of 1,600 euros. After this event Abdi made several attempts to get hold of a residence permit, but without success. On 27 July 2006, Abdi is declared to be an ‘undesirable foreigner’ and is again detained. In June 2007, he is released again, because there is no prospect of deportation because of the unstable situation in Somalia and the psychiatric condition of Abdi (he suffers from psychoses). His run-ins with the police start in 1993, mainly because of subsistence crime and troublesome behaviour. Because of his illegal status he has no right to any kind of public facility (except for urgent medical assistance and legal help; see my earlier comments on the Linking Act) and thus has barely enough to subsist. He has been living on the streets for more than two decades now.

The report gives a good overview of how the police approach towards Abdi has evolved over time. The initial strategy to reduce the nuisance that Abdi causes was to overwhelm him with financial penalties (*‘helemaal suf bekeuren’*). An example of a report about Abdi in the information system of the police (BVH) is very telling. Officers encounter Abdi in the streets and take him in because they are confronted with annoying and offending behaviour from his side. They report in the BVH system: ‘Unfortunately, [Abdi] has nothing on his name in *List* or *Papos* [subsystems of the police that keep track of open cases]. He is sent away with a bunch of other *mini’s* [police language for petty criminals].’ When it turns out that this strategy is not working, because Abdi is simply not able to pay his fines, it is decided that unpaid fines are to be

more swiftly converted into an irrevocable restraint of freedom (that is, imprisonment). One of the arguments given is that by fixating his location it becomes easier to administer his medication. Prison is the only intramural facility where this is possible, because none of the mental health care organizations is willing to institutionalize Abdi.

The truth is, some police officers confessed to me, that many professionals in *Stokkasselt-Noord* are getting tired of Abdi and are unwilling to deal with him any longer. ‘They are just waiting for him to die, so that he can no longer cause any trouble or cost any money’, said a community officer at the station. This was confirmed by others present at that moment. By coincidence, it was that very same morning that I joined John on the beat and that we encountered Abdi. He was lying on the street close to a shopping centre and was surrounded by a group of kids who were teasing him a little bit. We requested the children to leave. Within a minute a general practitioner coincidentally walked by and stopped to check Abdi’s vitals. Abdi was clearly drunk, but there was more going on with him and the GP advised us to call an ambulance, because his vitals were very low. John made the call and together we helped Abdi to move to a more quiet place. We waited for the ambulance to come and in the meanwhile John asked me not to speak about Abdi’s police record. In case the ambulance personnel would get word of it, they would leave Abdi on the street. ‘It has happened before’, he said. When they had left for the hospital, John and I returned to the station where we shared over lunch what just had happened. One of the students remarked: ‘Yeah, I know that guy. We sometimes put him in the back of our vehicle and throw him out in the industrial area’ [at the outskirts of Tilburg]. A senior officer added to this in a separate conversation: ‘Last time we did this, he managed to get back to the neighbourhood quicker than we did. And we had a car!’

This is exactly the everyday role of the police in the production and remaking of internal borders that Weber (2011) refers to. In the literature on ethnic profiling, particularly from a stop-and-search vantage point, these kinds of ruthless and coercive forms of policing are readily connected to the low visibility of street-level cops (e.g. Miller 2010) and the discretion of ‘street-level bureaucrats’ (Lipsky (2010[1980]) in general. It is strongly argued that it can and should be countered with effective systems of monitoring and accountability (see also Mutsaers, Siebers, De Ruijter and Jochoms 2012a), and Miller (2010) shows that this can have a significant impact on the decisions of street-level officers. However, this kind of research (e.g. Miller’s but also Quinton 2011) points to the stereotypical categories and cognitive distortions that fuel this kind of behaviour, without regard to the broader social and legal landscapes in which these distortions come about. In the words of Amar (2010: 579), ‘these analyses have not specified how these cognitive states relate to broader power relations and state governance logics, and cannot explain patterns of change beyond the level of the individual mind or collective psyche.’ For example, in his preface to the 30th anniversary edition of *Street-Level Bureaucracy*, Lipsky (2010[1980]: xiii) claims with certitude that ‘to the extent racial profiling exists, it arises not from official policy or direct racial orientations but out of the ways police officers draw on social stereotypes in exercising the discretion sanctioned by their departments.’ The contextualization that he is willing to do is relatively weak. He claims to locate such problems of street-level bureaucrats in the structure of their work, but does not go any further than pointing to the heavy caseloads of

officers that force them to invent modes of mass processing that take place on the basis of group rather than individual characteristics.

The broader power relations and governance logics Amar refers to are, however, crucial in our analysis here. First and foremost, there was a direct legal pretext to the behaviour of the officers in question: the local zoning ordinance that was introduced a few years earlier to regulate the trade and consumption of Qat (official name *Catha Edulis*, a chewing tobacco from the Horn of Africa and the Arabian Peninsula). At the time of this research Qat was an illegal product almost everywhere in Europe, but its purchase and consumption were still legal in the Netherlands. It was only in January 2013 that Qat was added to the opium list by the Minister of Security and Justice and had become an illegal product in the Netherlands (*Staatsblad van het Koninkrijk der Nederlanden*, jaargang 2013, nr. 1). However, it had already been forbidden in Tilburg-North by means of a local zoning ordinance (an APV; *Algemene Plaatselijke Verordening* in Dutch). This ordinance had imposed severe restrictions on the trade and consumption of Qat in this area. These activities had to take place in the industrial territories that surround the district (the same territories Abdi was expelled to). Previously, Somali immigrants in Tilburg (who take a large percentage of the Qat consumption for their account) had attempted to arrange for a *kbat huis* ('Qat house') in Tilburg, but this had failed because the Qat house that was planned for would be located in a *veiligheidsrisicogebied* (a 'high-risk zone'; see Body-Gendrot 2010 for more information on such zones). Even though Qat was a legal product at that time and could be traded like any other legal product – say coffee in a coffeehouse – the mayor considered this option too risky (interview with an official at the municipality). The local zoning ordinance that followed later can be directly related to Abdi. Several years ago, a group of Somali men assembled in a park, to talk and to chew Qat (which is typically a communal activity). Abdi was present too and after a while, he had to relieve himself from his meal (which he manages to secure on a daily basis by visiting the local Moroccan butcher and the Turkish bakery). Since he is homeless, this had to happen in Mother Nature. This was observed by several local residents who were disturbed by it, photographed this activity and forwarded the photos to the district manager (an official at the municipality). To the delight of the complainers, this triggered a series of events which eventually resulted in the zoning ordinance.

In addition to these local contextual factors, broader issues at a national level also merit attention. It deserves note that Lipsky's claim that racial profiling does not arise from official policy needs reconsideration when uttered in relation to the Dutch context. A new corporeal reality is under construction in the Netherlands, since the state power that can be wielded to enforce physical (dis)placement has markedly increased. In relation to ethnic/racial profiling, it bears mention that just like in for instance the UK and Japan (cf. Weber 2011), the Dutch government has pledged to meet specific removal targets for which the alien police is made primarily responsible. Political pressure is mounting to target ethnic minorities that can possibly be identified as 'illegal' (cf. Van der Leun and Van der Woude 2011 for a broader perspective on the changing social and political context in the Netherlands). Such policy-induced ethnic profiling is highly consequential. In 2011 alone, 6,000 foreigners were detained for an average of 76 days without any trial or charge (De Nationale Ombudsman 2012). This corporeal reality

articulates with a new discursive reality. Van der Leun and Van der Woude (2011) have asserted and demonstrated that ‘security’ has usurped the discourses of the present in the Netherlands. The ‘new realist’ hard talk about migrants (cf. Prins 2002) has markedly increased and has mounted in a firm law-and-order discourse. The Minister of Security and Justice’s and his Secretary of State’s (both members of the neo-liberal party) faces are beyond doubt the most often seen faces on television of all Dutch MPs. None of this can be ignored when studying the mundane practices of street cops and it can be hypothesized that a rather bold discourse like this immediately directs officers’ attention to the most visible signs of disorder, such as the ‘urban outcast’ (Wacquant 2008) that Abdi is considered to be. Campbell (2013) is right that transgressions, nuisances and other factors that are unconventional and mischievous, but not necessarily unlawful, are gaining currency in discourses of the present and immediately direct the attention of law enforcers to these most visible signs. The symbolism with which the representation (in for instance the mass media) of these forms of behaviour has become endowed is significant.

Infrastructural violence

To state that Abdi is living a misfortunate life is to confer a euphemism upon his situation. It goes without comments that under the prevailing circumstances, he seems destined to live out his days as a destitute migrant who is on his own and whose existence is cut to the bone. His mother is one of the 10,000 to 20,000 Dutch Somalis who moved on to the UK Van Liempt (2009) referred to. She had left soon after her other son was murdered in Tilburg (case ECLI:NL:RBBRE:2002:AE0485).⁶ Abdi’s brother was ‘beaten up in a bestial manner’, according to the court file, in September 2001 by three men (all white and aged between 18 and 27). The next morning around 1 a.m. they came to his house, blocked the entrance and set the house on fire. Abdi’s mother, who was also present, survived, but her son suffocated from carbon monoxide poisoning. The front of the house was plastered with racial slogans (‘White Power’) and with Sig Runes (a Nazi symbol of two parallel flashes of lightning). These concrete and symbolic forms of violence had a far-reaching impact on the Somali community in and beyond Tilburg (Trouw 2001) and can be expected to contribute to the low level of protection experienced by Somali immigrants in the Netherlands, which was referred to earlier by Van Liempt (2009) as well as the Somali women discussed above.

However, this is not the only sort of violence that plays a role in Abdi’s life. The descriptions in the preceding sections point to what anthropologists call ‘infrastructural violence’ (see Rodgers and O’Neill 2012 and Ferguson 2012 for the introduction and afterword of a special issue on this topic in *Ethnography*). The notion of infrastructural violence highlights ‘how broader processes of marginalization, abjection and disconnection often become operational and sustainable in contemporary cities through infrastructure’ and how ‘relationships of power and hierarchy [are] translate[d] into palpable forms of physical and emotional harm’ (Rodgers and O’Neill 2012: 401 and 402). Abdi never went through the gradual transition from migrant to settler status that one would expect to happen after living in a country for more than twenty

years. He remains disconnected and in a very important way this is a disconnection from the infrastructures of the locality in which he lingers. Because of his status as an ‘undesirable foreigner’, he has no right to the infrastructures at a subsistence level (water, electricity, wires, pipes, buildings, etc.) which ought to facilitate his life as an individual. And neither does he have access to the infrastructures that ought to facilitate his life as a social being (e.g. public spaces). He is frequently expelled from public areas such as shopping malls and parks and the local zoning ordinance had a serious impact upon how Abdi and other Somali urbanites could relate to one another and to the city. Their ‘right to the city’ (e.g. Harvey 2008 and 2012) was seriously harmed when their collective form of life got disturbed by police officers who were instructed to act upon Qat offences in the neighbourhood. Summer eves characterized by Qat and chat in the park were called to an end; Somali immigrants were forced to relocate their communal activities to the desolate and comfortless compounds of industry. And of course, infrastructure is also a key factor in Abdi’s detention (which is argued to be necessary because other intramural facilities, such as mental health care institutions, are unwilling to institutionalize him), in the inclination of the ambulance personnel to leave him on the streets, and in Abdi’s actual expulsion by police officers to the surrounding industrial territories.

One of the objectives of the special issue in *Ethnography* is to ‘remind us that social suffering is often experienced in material terms’; another is to show us ‘how more structural forms of violence often flow through material infrastructural forms’ (Rodgers and O’Neill 2012: 405). We have looked briefly at the materiality of infrastructural violence; let us now, finally, turn to the structural aspects of it and make some connections to what we have earlier called, via Weber (2011), the ‘multi-agency networks’ that deal with ‘unlawful non-citizens’.

In the afterword of the special issue Ferguson (2012) writes about ‘structures of responsibility’. When I take stock of my ethnographic material, it becomes clear that these structures of responsibility work out differently, depending on the sort of thing responsibility has to be taken for. If the goal is swifter and more efficient removal of ‘unlawful non-citizens’, responsibility is taken by a multitude of collaborating agencies (see the epigraph of this text, which represents a sarcastic but at the same time real and consequential development; but see also the intricate web of agencies that is now responsible for the detention and deportation of ‘unlawful non-citizens’ from this country – of which the 2013 report of the *Inspectie Veiligheid en Justitie* gives a fairly good idea). However, if we switch our gaze to the responsibility these agencies are supposed to take for those who cannot be deported and are bound to stay in the country because they lack the documents to leave, we observe a system that is failing because it is forcing people into a seemingly eternal liminal space in which the law has become unlawful in many ways (international institutions like Human Rights Watch, The Parliamentary Assembly of the Council of Europe and the European Court of Human Rights have recurrently denounced the Dutch government for systematically violating the human rights of asylum seekers, for instance; see Mutsaers and Siebers 2012b). It is imperative to stress, however, that such a systemic failure does not implicate a reduction of analysis to the individual scale. In that sense, systemic non-action (or failure) shares its ontological status with systemic action. Such a reduction would allow for a transfer of responsibility onto the shoulders of individual ‘street

bureaucrats’, a transfer that has already been criticized in the previous section regarding the more narrow case of ethnic profiling. The authors in the special issue make it clear that ‘at the heart of the notion of structural violence, one can see a desire to override liberal approaches to injury, suffering and responsibility, which frame these discussions at the analytical scale of the individual’ (Rodgers and O’Neill 2012: 404). The power of the analysis of (infra)structural violence, they argue, is to uncover inhumane social pressures and conditions, in the hope of achieving something larger than individual reform. This connects directly to the earlier citation of Amar (2010), whose argument has a similar thrust. The actions of the individuals discussed in this article allow us to glimpse changing patterns of governance and social structure, patterns which reflect broader power relations and state governance logics.

Discussion and conclusions

We started out the article with sensitizing not only criminologists and anthropologists, but also politicians, policymakers and broader publics to the nature of the police (e.g. its impact on individual and collective forms of life, its aims and tactics, its effects in terms of justice and equality), as one of the crucial frontline organizations in our criminal justice systems and one of the critical public services to which all individuals within a certain state territory deserve, in principle, equal access. In relation to the immediate cause of the production of this article – ethnic profiling in the Netherlands – we made the qualification that this ought to be a discussion about *policing* (a social function) rather than *the police* (a particular organization). As a result, ethnic profiling is not narrowly conceived of as the singling out of ethnic minorities for scrutiny by police officers, but as a practice of profiling and rejecting ‘ethnic others’ that is embedded in wider networks of policing and thus as something that arises in different occupational milieux. This goes beyond the somewhat limited definition of ethnic profiling as a problem of the power to stop, interrogate and search or the latitude that street bureaucrats have in acting on their preferences. This is about the policing of *internal borders* (Weber 2011) and the expansion of borderland conditions, with the implication that borders can no longer ‘be reduced to a fixed institution’ (Rosas 2006: 337). For some migrants – particularly those who are given the status of ‘unlawful non-citizens’ – this means that they constantly see their lives to be on hold, not only in terms of their juridical status and the socio-political conditions that shape it, but also in terms of their ‘being-in-the-world’ (Willen 2007).

Willen’s term ‘abjectivity’ (a combination of ‘abject’ and ‘subjectivity’) is useful to grasp Abdi’s being-in-the-world as someone who has been forced to live a castaway (abject) life since his arrival in the Netherlands in 1992. People like Abdi, whose life is indeed considered abject by many of the people I have spoken with on professional terms, ‘inhabit a liminal space where the boundary between their everyday lives *in* the nation and their lives as *part of* the nation is maintained as a way of ensuring their control and social regulation’ (Gonzales and Chavez 2012: 256). People who are stuck in this liminal space can, in the words of Susan B. Coutin (in Gonzales and Chavez 2012: 258) be ‘physically present but legally absent, existing in a space outside of society, a space of “nonexistence”, a space that is not actually “elsewhere” or beyond

borders but that is rather a hidden dimension of social reality'. In legal terms, Abdi is indeed non-existent in the sense that he cannot be anywhere. He cannot be legally deported to Somalia, he cannot reside in the Netherlands on legal grounds, and he cannot apply for asylum in other EU member states because of the Dublin Agreement. He is living a bare life, to speak with Agamben (1998), which is characterized by alienage, deportability (the Dutch government can always decide that Somalia is safe for return) and rightlessness, rather than citizenship, belongingness and entitlement (De Genova 2010).

It is the spatial dimension that Susan B. Coutin refers to, which makes the (socio-spatial) policing of internal borders particularly interesting to study from an anthropological standpoint. This is in first instance a methodological matter. An important part of Abdi's suffering is somatic, and this somatic or bodily experience can be seen as the grassroots effect of the infrastructural pressure that is effectuated by the sculptors and enforcers of policy (the local zoning ordinance that instructs Somalis to move their communal activities to the industrial compounds and the translation of it by street cops who see it as an excuse to expel those who they deem undesirable from *their* neighbourhood; the active policy to keep Abdi within the most unpleasant of intramural facilities, because regular health care institutions are unwilling to institutionalize him; the activities of security networks to kick him out of the bare-stripped apartment in which he lived for a while etc.). The grassroots effects of such infrastructural pressures are an ideal focus for ethnographic research and thus for the anthropological discipline in which it is embedded. It was only due to my deep and intense immersion in the field and my mobility as an ethnographic fieldworker that I was able to study the complex situation I was confronted with in all its material, physical and symbolic manifestations. Would I have stayed within the police station for single-sited observations, distributed a questionnaire among street cops, or conducted experiments on, say, the social conditions that shape the discretionary decisions of street-level bureaucrats or the number of times a Volkswagen Polo with Moroccan youngsters in it versus a Volkswagen Polo with Dutch youngsters in it was stopped by the police for traffic control, I would have been unable to even begin the analysis of the intricate web of public and semi-public institutions in which people like Abdi are caught. It is exactly the power of ethnography to situate local realities like his in broader institutional, political and infrastructural frameworks. The methodological leniency that came along with my role as an ethnographic fieldworker enabled me to be receptive to various sorts and sources of information and, subsequently, to theorize a hitherto narrowly framed subject such as ethnic profiling in a much broader and more comprehensive way. This is not to claim a monopoly on ethnography for anthropology, certainly not. But the meticulous and detailed documentation of the variety of human life and the comprehensive and holistic study of this variety in broader contexts have always been key to the anthropological discipline (Hannerz 2010). Many of the anthropological works cited throughout this text (e.g. Barth 1969; Blommaert 2009; Gonzales and Chavez 2012; Peutz 2006; Willen 2007) are a testimony to Hannerz' claim. Perhaps this article can serve as a (modest) stimulation of more anthropological work on the subject of ethnic profiling in and beyond the context of law enforcement.

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Notes

- ¹ Conducted in a variety of Dutch cities (Amsterdam, Rotterdam, Utrecht, Den Bosch, Eindhoven, Tilburg, Gouda, Leiden, Breda and Alphen aan de Rijn) in a first, exploratory, phase and in the cities of Amsterdam, Tilburg and Bergen op Zoom in a second, in-depth, phase.
- ² Words such as ‘unlawful non-citizens’ (Weber’s 2011 term) or ‘illegal’ migrants are consistently accompanied in this text by inverted commas, because it is agreed with Engbersen and Van der Leun (2001) that they are social and legal constructions that are potentially always transmutable due to reclassification.
- ³ The Dublin Regulation (Regulation 2003/343/CE), previously known as the Dublin Convention, is an EU law that establishes criteria and mechanisms for determining the EU Member State responsible for examining an asylum application lodged in the EU by a so-called third-country national (Moreno-Lax 2012).
- ⁴ Some of these names may require explication for those who are not familiar with the changing political climate in the Netherlands (see Siebers and Mutsaers 2010 for a brief overview). Paul Scheffer is a Dutch publicist and member of the labour party (PvdA) who is famous for his newspaper column *Het Multiculturele Drama* (‘The Multicultural Drama’, 2000) which signaled a more generalized enthusiasm for the dissemination of national awareness, meant to reinforce Dutch culture and nationalism as a prerequisite for dealing successfully with migrants in the Netherlands. Former MP Ayaan Hirsi Ali (VVD) became a controversial subject of debate in the Dutch press after she released a short film, *Submission*, with Theo van Gogh (a controversial filmmaker and columnist who was murdered in 2004 by a radicalized Muslim) about the submission of Islamic women. Pim Fortuyn is the famous, dandyish politician who acquired fame and popularity due to his anti-immigration politics. He was murdered too, in May 2002.
- ⁵ The title of this report has been freely translated to English by the present author.
- ⁶ The court file can be found at <http://uitspraken.rechtspraak.nl>

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