The Moral Economy of Lying: Subjectcraft, Narrative Capital, and Uncertainty in the Politics of Asylum

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ABSTRACT

Based on narratives of asylum-seekers from sub-Saharan Africa in northern Italy, this article analyzes the narrative strategies used by immigrants to meet the eligibility criteria established by asylum law. For many of them this means 'arranging' biographical details within what I call 'a moral economy of lying.' The first question I discuss is what types of experience and 'subject positions' these narrative strategies reveal or generate. I then examine the arbitrariness and the bureaucratic violence in the asylum evaluation process, and the role of these procedures in the making of nation-language and current technologies of citizenship. Finally, I consider the politics of testification, recognition and memory these discourses and practices combine to shape. The article analyzes these issues from the historical point of view of the politics of identity, truth and falsehood that in a recent past the colonizer imposed on the colonized.

Keywords: asylum-seekers, bureaucratic violence, credibility, Italy, refugees.

This is the case for every society, but I believe that in ours the relationship between power, right and truth is organized in a highly specific fashion (…) I would say that we are forced to produce the truth of power that our society demands, of which it has need, in order to function: we *must* speak the truth (Foucault 1980:93).

"Last year I lied to you … " With these words a Congolese refugee greeted me, many months after succeeding in getting his asylum permit. "Please don't tell anybody what I told you about my father's death." This was a text message from a young man from Ivory Coast. I had met him some days earlier and he had talked to me about the tragic death of his father amid political violence, an event that had forced him to flee his country. Such sentences prompted me to reflect on the topic of lying among asylum-seekers, and on the moral economy that governs their tales, tales which Territorial Commissions for the Recognition of International Protection (TCRIP) often label 'implausible' or 'not credible.'

The suspicion that presently shrouds many asylum requests, especially those submitted by immigrants from specific countries (in the case of Africa, mainly Nigeria, Ghana and Gambia), and the challenges raised by the bricolage of narrative elements observed in migrant accounts, often making reference to threats coming from witchcraft or voodoo (Schnoebelen 2009; Taliani 2012; van Dijk 2001) – all these factors have stimulated my interest in these tales, which often appear 'undecidable' as far as their truth status is concerned. Indeed, who can ascertain the cause of a scar years after the event? (Kelly 2011:333). What evidence can exist of the fact that the asylum-seeker was exposed to the threat of some brutal ritual within their village or family?

In this area of structural uncertainty and opacity it has become common to call for expert opinions with the request – from humanitarian workers or lawyers on one side, and asylum commissions or courts on the other – that they produce some 'supplementary truth' which has not been possible to find in their testimonies (Kelly 2012).

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At the Frantz Fanon Center in Turin where this research was carried out,[1] as well as elsewhere in Europe, this kind of request is increasingly frequent.[2] Numerous studies in many countries have shown how authorities struggle to decide asylum-seekers' applications. The task is fraught with uncertainties, difficulties, and even contradictions (Rousseau et al. 2002; Bohmer and Shuman 2007; Souter 2011).

My research is focused on the tales and experiences of asylum-seekers from Africa. Problems of credibility concerning their experiences or even personal data arise more frequently than in other cases due to the structural fragility of public institutions (and more specifically, public systems) in African countries, where the weakness of civil registry authorities makes it easy to alter data concerning age, name, place of birth, and so on. The result is that it is often impossible to check information they provide concerning their nationalities, family histories, but also – for instance – membership of political movements, to a degree that is not found with asylum-seekers from countries like Russia, Pakistan, Turkey or Syria. There is also another reason for my choice: the frequent references in their tales to experiences originating from specific imaginaries (threats of witchcraft, occult forces) or to ritual violence they have experienced within groups of a religious-political nature. These experiences are often narrated in a 'dreamlike' language that challenges the bureaucratic grammar of human rights, which in turn makes them even more vulnerable to judgments of 'non-credibility.'

More specifically, I will claim that the uncertainty concerning the asylum seekers' nationalities, ages or even their names must be considered within the context of social behaviors that are very common in the countries of origin. These behaviors are dictated by the principle of fraud and illegality well illustrated by the so-called 'bush economies' or the '419' scams in Nigeria, 'feymen' in Cameroon, 'Sakawa boys' in Ghana; 'débrouille' in Congo and so on (Armstrong 2011; Bayart, Ellis and Hibou 1997; Comaroff and Comaroff 2006; Malaquais 2001; Piot 2010).

The widespread acceptance of this principle has fundamentally altered social norms in post-colonial African countries by legitimizing the violation of both legal and moral rules, and by reshaping social exchanges, self-representations and subjectivities within what has been more generally defined as a 'corruption complex' (Olivier de Sardan 1999).[3]

One consequence of this is the widespread skepticism towards asylum-seekers' narratives, especially with regard to basic biographical information and the veracity of reports of torture, or of violent events they claim to have escaped from. The asylum-seeker must pass several credibility tests, as is stated explicitly by the Istanbul Protocol. This protocol, designed to help to verify the consequences of torture and other forms of violence, underlines the importance of asking questions aimed at distinguishing "potential *embellishment* from valid experience," to make it possible to "establish the credibility of the person" (UNHCR 2004:28; my emphasis). Thereby the dialogue with victims of torture transforms into police questioning with the main aim of producing a coherent narrative account, which ignores the reasons for the victims' silences and the fractured nature of their traumatic experiences or memories (see Kirmayer 2003 on 'the failures of imagination').

In what Scarry calls the "primary verbal act," the meticulous interest of the Istanbul Protocol in the minute details of reported violence ends up, paradoxically, destroying the credibility of those who have undergone every type of violence and humiliation.[4] When the search for suffering and violence is reduced to a mere collection of causes, circumstances and evidence, those who cannot produce documentation inevitably become suspect in the eyes of those questioning them. Following Labov's analysis of the relation between plausibility and credibility (1997), I believe it is legitimate to assume that in their case the quest for truth ends up reproducing the dramatic "contraction and the ultimate dissolution of the prisoner's world" that marks the experience of torture (Scarry 1985:35–40). In the Istanbul Protocol suspicion and disbelief consequently insinuate themselves, unexpectedly, into the discourse of asylum rights. Moreover, the definition of torture itself remains ambiguous, first because

the conventions only apply to international conflicts, and second because there is reluctance to label state actions as torture (Kelly 2011).

The norms and discourses concerning the politics of asylum reveal two sources of ambiguity: firstly, the arbitrary evaluation of asylum requests is currently the most common example of the contradictions typical of the field of human rights today; secondly, these narratives, these 'memoirs,' products of what I call a complex bricolage on the part of asylum-seekers (but also of lawyers and humanitarian workers), are themselves a no less contradictory example of the appropriation of humanitarian ideology (Lakhani Morando 2013).

The main goal of this article is to explore these processes, the "impact of the state's gesture" on agency and subjectivity of asylum-seekers (Fassin 2012:80), along with the relationship between witnessing, memory, and recognition they reveal (Oliver 2001).

Finally, I also try to link these processes to a different issue, namely the continuity between these practices and the obsessive attention to identity and means of identification typical of colonial rule in Africa and elsewhere.

THE SUFFERING BODY AND NARRATIVE CAPITAL

In the 1970s several internal and external factors (European economic crisis; rising unemployment; collapse of the Eastern bloc; influx of refugees from the former Yugoslavia and so on) combined to redefine the migratory landscape in Europe (Akkoyunlu and Wickerman 2001:159–160). In the 1990s a dramatic fall in numbers of work permits was followed by a drastic reduction in the number of visas granting refugee status to asylum-seekers. Within a few years the percentage of accepted asylum requests in France decreased from around 95 percent to 28 percent (Fassin and d'Halluin 2005), with a corresponding increase in requests for help to those organizations tasked with easing the integration of asylum-seekers (in Italy SPRAR – System for the Protection of Asylum-seekers and

Refugees). A parallel increase in permits given for 'humanitarian reasons,'[5] granted when the asylum-seeker cannot receive adequate medical treatment in the country of origin (Fassin 2001), is just one of many consequences of the wider crisis and loss of legitimacy of the asylum system against the background of the new geopolitical and socioeconomic scenario of migration, with a manifest distortion of the meaning of medical certification: "For asylum-seekers and their lawyers, [medical certification] is an 'open sesame'; for officials and judges, it is a piece of evidence among others; and for both it is an innovation in governmentality" (Fassin and d'Halluin 2005:600). Even if this trend cannot be generalized to all European countries, it is resounds in the Italian context.[6]

The mechanism of the permit for humanitarian reasons erases individual trajectories. It is an exemplary expression of the de-historicization of the refugee into "a singular category of humanity within the international order of things" (Malkki 1996:378). Commenting on photographs of mass displacements of refugees in Africa Malkki writes: "Black bodies are pressed together impossibly close in a confusing, frantic mass. An utter uniformity is hammered into the viewer's retina. This is a spectacle of 'raw,' 'bare' humanity. It in no way helps one to realize that each of the persons in the photograph has a name, opinions, relatives, and histories" (1996:387). Considered only as people in need of help, refugees cease to be political actors and become mute victims.

These processes are easily observed in other contexts too, one clear example being press images of bodies of African refugees piled up on the quayside of the island of Lampedusa (Italy), where in recent months (summer of 2014) they have been arriving in their thousands.

My goal here is to understand the arbitrariness of Italian politics of asylum,[7] and, by implication, of many other present-day asylum systems; the contradictions inside such a mechanism of "legal production of illegality" (de Genova 2004), and above all the narrative tactics used by immigrants to obtain asylum. Indeed, when we analyze tales told by asylum-seekers, we can often recognize a sort of common 'script,' mostly of an epic genre,

featuring: the landscape of violence and arbitrariness; the arrest; the corruption of one of the guards, usually of the same ethnic or linguistic group; the incredible escape, made even more fantastic by the complete absence of any problem at borders and the airports; the constant presence of an unknown man who disappears on arrival at the airport; and so on.

This is what I mean when I use the term 'narrative capital,' paraphrasing Bourdieu's formula in order to underline – within a specific battlefield (the battle for the recognition of asylum) – the use of a specific 'structure' in the asylum-seekers' tales.

Such a script, and the narratives that we gather, are the expression of a wider autobiographical bricolage, with its specific "chronotopes" (Bakhtin 1981), but also of the need to adhere to the criteria set down in asylum laws, criteria that define an 'ideal' victim. Their use reveals a fundamental feature of the contemporary post-colonial order of experience, what I call the 'moral economy of untruth.' An example will better illustrate these problems:

Helen, a Nigerian woman found without documents and who had been detained for two months at Turin's Centre for Identification and Expulsion, was brought to the Frantz Fanon Centre, accompanied by police officers, so as to ascertain her psychological condition as well as the credibility of her story. The woman had declared that she was from Kano, the setting of a violent conflict between the majority Muslim Hausa and the Christian minority. According to her story, her entire family had been horribly killed during one of the clashes that the international press had amply reported in the previous few months. She included morbid details in her tale: of the death of her elderly parents, of her husband and of her little son, horribly killed in front of her eyes with machetes. She managed to escape the violence, but sustained a wound to her abdomen. At this point Helen, without hesitation, uncovered her body to show the evidence of this violence. On her abdomen was a neat horizontal scar, undoubtedly from a simple caesarian section.

Confronted with such 'false' proof, I invited Helen to trust us without fear, as our sessions always respected the obligation of professional confidentiality. Then I simply pointed out that anyone could object that the scar on her abdomen was not from a bladed weapon but the result of surgical suturing following a caesarian section. Caught out in her lie, Helen threw herself on the floor, started to cry and implored me not to tell anything to the police waiting outside the consultation room.

When she finally calmed down, encouraged by our conversation, she started to tell a different truth. Helen came from a small town in the south of Nigeria, and she had lost both her parents as a child. Abandoned by her husband, she had found herself alone with a child. She had been forced to accept the hospitality of an aunt of hers, but after many years she could no longer stand living with her. In order to escape from a condition she described as "slavery,"[8] she had decided – after much hesitation – to leave her son with a friend and gamble on the opportunities that clandestine emigration to Italy would open up to her, which in Nigeria amounts to prostitution. Once in Italy, this experience proved even more intolerable than she could ever have imagined, as she found herself subjected to blackmail by the madam and physical violence. Without papers, she had been stopped by the police and taken to the CIE together with her 'madam.' Here they shared a cell and the latter had advised her to ask for political asylum, fabricating a story for her. To the police Helen had repeated what her madam had suggested, to make her request for asylum more 'credible.' The death of her son and her family, the horrors, the nightmares that tormented her, were just lines of a script she had learned.

Her story was full of every kind of lie, but it also contained important truths: that there was another, equally violent, tale (the social and family violence in her country) and a need to cope with the authorities' changing attitudes,[9] now less inclined to grant benefits to the victims of the international sex trade – a clear example of what Michel de Certeau calls "tactics."[10]

The goal of my considerations is therefore twofold. In the field of refugee studies, the intention is to analyze what is now a central territory of contemporary anthropology (the 'boundaries and borderlands' on which Malkki was already writing twenty years ago). At the same time, though, these considerations also aim at sparking reflection on the effects that the narrative strategies adopted by asylum-seekers have on their experience, and the relationship between the new forms of governmentality and the specific "subject positions" that they in turn produce (Oliver 2004:XV).

THE LIE OF THE REFUGEE, THE TRUTH OF HISTORY

When Pierre began to speak to me, saying "Last year I lied to you …" almost a year had passed since he had obtained his permit of international protection as a refugee. The sheer joy with which he had first announced the news to me had completely vanished from his face, and I wondered what led him to reveal that all he had told me last time was false. What dilemma brought him to tell me a different truth: after all, his objective had been getting the status of refugee, had it not?

I first met him as a consultant psychiatrist and anthropologist to prepare a report about him to be attached to a memorandum for the commission. He told me then about his active participation in the BDK (Bundu Dia Kongo movement),[11] that as a member of the BDK he had been arrested, but had managed to escape by bribing a guard. But now he was telling me that story was false, and that he had had to leave the country for other reasons. Pierre had in fact decided to leave the Congo because he was sick with a severe form of lymphoma. The religious community he was a member of, a charitable Catholic society in which he held a prestigious position (so much so that he was envied by other members) had left him alone with his illness. Specifically, they had refused him any kind of help with medical expenses. He was invited to accept the will of God and to pray with the others. Moreover, there had been rumors that his sickness was the effect of his being a witch; that he was just paying the price for his actions, for his social success, that this illness was the consequence of his dark

plans and that the speed with which he had acquired his role of leadership in the group and in the village was clear evidence of the 'mystic' way in which he had obtained his success.[12]

Pierre felt abandoned and betrayed. The image he had had of himself till that moment (a beloved man, at the service of his community, always committed to serving its members, and respected for his managerial ability) shattered. He then decided to distance himself from the group and asked to be suspended from his responsibilities. In the following months he managed to find a way to go to Latin America for chemotherapy but had to return because of the serious health problems of a sister, ill with AIDS, and met an even more hostile reaction from his former associates, revealing in its entirety the prejudice of a group within which Pierre was now discovering the hypocrisies and the conflicts. So he decided to resign permanently from his position and leave the community. He arrived in Italy with a false passport, a false name, a false age, and a tale – also false – of his participation in the BDK and the persecution (arrest, torture and so on) he had been victim of. He was told that only this type of argument could give him some chance, and thus he shaped his tale, enriching it with gruesome particulars concerning his detention, and with precise details, easily verifiable on several Internet websites dedicated to the activities of the BDK, ready for when the moment arrived to produce the final version.

The commission accepted his story as 'credible' and 'coherent.' The absence of any document that certified his arrest or the torture he had endured was not a problem. The commission[13] did not find the contrast between the high degree of detail of his story and the relative paucity of documentation, noteworthy at all. The use of violence, and the arbitrariness and illegality of the systems of government in certain areas of the world are sometimes taken as given, and thereby the commission participates in the expansion of a gray area where the credible and the incredible, truth and untruth, escape any possibility of being distinguished without ambiguity.

It seems that in such areas of the world, ruled by uncertainty and violence, the definition of imaginary proposed by Deleuze finds full expression: the space where the possibility of distinguishing real from unreal collapses, where truth becomes "undecidable" (1995:65–66).

One year on, Pierre was dealing with new dilemmas: worries about the health of his sister and his own sickness (whose progress he no longer checked), but also about the lies he had told to those who were trying to help him. His psychological state was going adrift. I remember asking him in one of our meetings how he had chosen his false name. Pierre answered: "It is the name of my brother, a brother some years younger than me. We were so similar that people would mistake one for the other. He killed himself some years before I left the country."

I asked myself many times what it meant for Pierre to choose as his false name precisely the name associated with such a tragic event, and how tiring it must have become for him to inhabit this name, taken from a dead man, this masked and at the same time tragically true memory. For me this begged the more general question: 'how do refugees remember?'

Sayad and Bourdieu, when they analyze the silences and the lies told by immigrants to their families about all things concerning their jobs, the difficulties of integration, and life in Europe with its misery and loneliness, talk about "innocent lies". In Pierre's story it is perhaps appropriate to talk of 'revealing lies,' if we consider the often secret motives that determine their choice, or at the least, of 'strategic lies,' if we think of the stakes involved. That is, the fact that from these lies derives the possibility – or not – of dodging the shadow of return to one's own country or, simply, of curing a serious disease. Kelly suggests similar considerations when writing about the "culture of disbelief." The author remembers that it is inevitable people misrepresent parts of their account, but their "half-truths are not thought to undermine the *moral basis of the claim*" (Kelly 2012:92, my italics).

Pierre's case reminded me of the formula which Das employs to talk about the daily experiences and the violence that refugees describe, a formula which should inspire trust in

the truth of their tales: their discourses do not tell us how the world *is*, but "how it is with him or her" (2007:330). To describe the world starting from one's own experience means establishing a hierarchy of truth and falsehood different from the official one, it means telling a history in which 'memoirs' and 'memories' become indistinguishable. In this intertwining of truth and untruth lies a Subject that must be interpreted as a "linguistic category, a placeholder, a structure in formation" (Butler 1997:10).

WHEN THE DISTINCTION BETWEEN BARE LIFE AND POLITICAL LIFE BECOMES OPAQUE

The story of Michel, a young asylum-seeker from Gabon, and the court's decision to refuse his appeal, provides further elements to analyze this battle around truth. Ethnically a Fang, Michel was arrested and tortured for a presumed connection with the opposition. Following the election to the presidency of Ali Bongo Ondimba, the opposition organized numerous demonstrations in Port Gentil. Michel owned a small stall in a local market and was persuaded to sell a couple of hundred red t-shirts to the organizers of a protest. He had never been politically active, nor had he ever had contact with the opposition previously. Michel simply told the truth, an oneiric truth to be sure: that what had seemed, at first, to be a miraculously good business deal had turned into a nightmare. Those who assessed his story, though, surmised that those t-shirts were not credible cause for so much persecution and suffering.

The arguments supporting the refusal of his asylum application by the territorial commission in charge of his case read as follows:

The whole story presents *traits of unlikelihood*, in particular with respect to the likelihood of such a prolonged period of detention based on *nebulous charges and without the formalization of a formal act of indictment*. The details of the escape from the main jail of Port Gentil are *told unconvincingly* and the relative ease of his escape and such light surveillance of a subject who had been segregated, tortured and interrogated for eight

months *look unlikely*. A condition of persecution or grave danger to his person *does not therefore seem credible*, so that the requirement to concede forms of international protection *is not recognized* (excerpt from the TCRIP record; my emphasis).

Michel received this response with amazement. His gastric ulcer and knee pains, both of which dated back to the time he had spent in prison and to the violence he had suffered there, rapidly worsened over the course of a few weeks, and a serious depression set in. Denying the truth of their experience to a man or woman who has been tortured and humiliated is a real psychological apocalypse, which dramatically reiterates the traumatic experience of the past, and shatters any residual "trust in the world" (Amery 1980:28). The argument of the court that examined the appeal was no less Kafkaesque. The court repeated the idea that "the story does not appear altogether credible and is not sufficiently accompanied by objective elements" (here the curse of objectivity returns like an obsessive refrain!) The judge moreover added:

The reason produced [at the time], i.e. belonging to the Fang ethnic group *per se is insufficient to convince us* of the individual persecution of the appellant. According to the appellant himself, in Gabon the majority of the people belong to the Fang ethnic group (…). Considering therefore the large number of people belonging to such an ethnic group in Gabon, it is unclear why the appellant in particular should be the object of persecution. He himself does not derive from this specific personal reasons why he was persecuted (…). However, even if one wants to consider the scars and traumatic outcomes that are documented in the medical report quoted above (…) in the opinion of the judge *there is no proof that such injuries could be traced to the episodes of torture and violence* that the appellant asserts he suffered in jail. One should add that his story – in the part describing how he escaped from jail – *looks unlikely*. As the story does not appear credible, *there is no reason to believe* that the appellant should encounter a condition of grave danger or harm to his own person if he goes back. For these reasons we can concede neither the status of

refugee nor subsidiary protection, as we believe that the appellant has not given *grounds of appeal and reliable evidence* in support of his fear of being subject to persecution or inhumane treatment upon returning to his country of origin (excerpt, my emphasis).

This story is illustrative in many respects. The committee considered the application for international protection invalid because the charges against him were "nebulous and without the formalization of a formal act of indictment." Its members do not seem to ask themselves what kind of justice is applied – nor what kind of respect there is for formal rights – in a country where trafficking in human bones and organs is flourishing, where it is possible for criminals to escape from prison, or to be acquitted, simply by bribing corrupt authorities, where almost everything is under the law of arbitrariness. Moreover, in the space of a few lines, the judgment dismisses an issue of ethnic persecution that is listed in the Geneva Convention. The judge considers membership of the majority ethnic group to be a guarantee of safety, ignoring the fact that the current president and his father belong to a minority ethnic group. Finally, in defining the asylum-seeker's tale as "told unconvincingly," the sentence sheds light on an aspect that has already been discussed: the perception that the right to asylum depends on the oratory ability (the narrative capital) of the appellant, on his or her greater or lesser ability to persuade the committee. The inherent weakness of asylum-seekers (often the impossibility of providing proof of the atrocities they have suffered or witnessed), their deficit in narrative capital, the subjectivity of any evaluation of the risk they would incur should they re-enter their country, are thus smothered by plethora of judgments on the limited amount of objective proof. However, probably the most significant passage in this ruling is its challenge to the medical diagnosis, and thus to the possibility of ascribing certified injuries to past acts of violence (on these issues, see also Kelly 2012:73-74).

In this case the proposed diagnosis of PTSD (which explicitly referred to the traumatic events mentioned above), and even the medical certification of the injuries, have been

considered 'not enough.' Within this labyrinthine apparatus a medical or psychiatric diagnosis can, in certain cases, confirm the presence of a disturbance or a vulnerability, lending support to the asylum-seeker's narrative, but in other cases the very same diagnoses are considered insufficient to corroborate the authenticity of his/her story. In Michel's case the most emblematic example of this twisted logic is when the relationship that exists between the scars and the circumstances in which they were caused is put into question. Of course it is often impossible to 'establish' whether a burn results from torture or from other circumstances, whether a fracture was sustained during an arrest, as Michel stated, or when the asylum-seeker accidentally slipped, whether a woman was raped in the context of political violence by militiamen, or by 'ordinary men' at one border or another. In these cases the very same medical language seeks refuge in the shadow of a truth that is laced with doubts ("the scar *may be* the consequence of…", "the injury is *compatible with…*"). Even 'bare life,' the human body, is unknown territory without that objectivity vainly sought in medical-psychiatric language (on the issue of bare vs. political life, see Agamben 1998; Rancière 2004; and Isin and Rygiel 2007). Evidently the problem here is less that of the lies or the credibility of the story told by the asylum-seeker, than that of the obscene violence of the judicial–bureaucratic language that puts the same burden of proof on asylum-seekers as it usually does on those guilty of a serious crime.

A strong example of such perversion is that of the 'language analysis system' used in New Zealand. In one case the rejection of an asylum application by the authorities was explained by the use, in the course of a fifteen-minute interview, of a typical Pakistani word *Patata* (= potatoes). According to the experts, the presence of that word contradicted a previous statement by the asylum-seeker declaring that he had not sojourned in Pakistan (Eades 2005:511). Language analysis is a contradictory tool, often superficially employed, and problematic when it makes "political and/or bureaucratic decisions on the basis of what is primarily, a social matter" (Eades 2005:507). Its highly heterogeneous application is only a

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further expression of arbitrariness of bureaucracy. Its application knows an escalation in the Netherlands, but it has never been used in Italy. In Australia language analysis is done by experts from outside the country, in countries such as Belgium, the Netherlands or Switzerland, it is applied within a section of a government department; in the Netherlands the government prefers language analysis produced by native speakers while Switzerland uses experts with postgraduate training in linguistics (Copeland 2010; Eades 2005; McNamara 2012). A better example of this arbitrariness and its tragic consequences is Joseph's story reported in Blommaert (2009).

While bureaucratic language celebrates all its power in such performances and taxonomies (Herzfeld 1992:115), the asylum-seeker's experience is one of complete powerlessness. When evidence of the violence that one has suffered is missing, when the memories that are reported only reproduce the incertitude and the apocalyptic world within which the abuses and the acts of violence have been produced, words paradoxically become accomplices of the committee's refusal, opponents of their own claim to truth.

Such experience is well conveyed by the reaction of Nina, a young woman in her early twenties from the Republic of Congo (Brazzaville). She had been kidnapped and repeatedly raped by unknown soldiers who came to her house simply to avenge the death of an important officer's daughter. The latter had died after being accidentally run over by the car driven by Nina's father, a taxi driver. Nina kept repeating the story of the events, their absurd sequence. She brought as her only proof a document from the hospital some neighbors had accompanied her to after the rape. The paper described her arrival at the hospital in shock. In answer to the incessant requests of the commission to tell them where soldiers raped her and who the people were responsible for these acts of violence, Nina could only reply with the single memory (the sole 'proof') that she had, which was the nickname of the high-ranking officer in question (the father of the dead girl): "Crocodile"…

When Nina received the news that her application for international protection had been rejected she remained silent, as if annihilated. The bureaucratic–judicial apparatus did not believe her story and repelled her, throwing her into a space of non-existence.[14] In this story one can hear the echo of Matoesian's observations on the role of language in trials for sexual violence in the US (1993:VII; see also Foress Bennett 1997).

Bureaucratic classification is the symbolic embodiment par excellence of dominant values in matters of rights and citizenship. The need to evaluate the legitimacy of a request for asylum, or measure the degree of truth of a refugee's testimony and memories, strains the alleged rationality of the bureaucratic system. The people working in that system feel lost in the face of those who, more than others, are considered suspicious: immigrants and refugees. If we don't consider the deep alteration of daily life in their societies, a story such as Nina's makes no sense. Only if we read her narrative against the background of violence, impunity and insecurity, does her narrative become 'plausible': "In thoroughly distorted conditions of life, thoroughly distorted life histories can be realistic" (Blommaert 2009:416).

The suspicion is revealed in full in the arguments used by the committees for the recognition of the right to asylum. They consider an account 'not credible' or 'not plausible' when it evokes unusual themes, an "unusual history" (Blommaert 2009:418), when in trauma issues the distinction between 'causes' and 'reasons' (Young 1995) is not easy to determine,[15] or simply because some information is omitted (Rousseau et al. 2002:56). In these opaque geographies, which are dominated by arbitrariness and uncertainty, the sovereignty of memory and experience is suspended. Žižek takes up Lacan's notion of *aphanisis* (the structural lack of language to account for our existence) to indicate the moment in which "the subject loses his/her symbolic consistency, it disintegrates" before the law (1998:97). Those who cannot prove who they are, or the truth of their experience – such as those who seek asylum – paradoxically become accomplices of this painful performance of "non-subjectivity" (Schuman and Bohmer 2010:9).

THE AFTERLIFE OF COLONIAL POLITICS OF TRUTH AND EPISTEMOLOGIES OF IGNORANCE

Fifty years after its formulation, it is clear that few notions have had as much success as that of 'moral economy.' Thompson created this expression to describe riots by British peasants at the beginning of the eighteenth century, claiming that these rebellions were caused not only by the unjustified increase in the price of flour and bread, but also by a much more complex set of 'moral,' 'social' and 'economic' factors (1963:203). The intertwining of all these dimensions, further studied by Scott (1985), offers a valuable framework for our reflections about the lives of asylum-seekers. After all, asylum-seekers, immigrants, and refugees are, broadly speaking, 'dominated subjects.' They are a heterogeneous group, but they all react in the face of unbearable situations of injustice. They rebel in their home countries, during their travels where they face all kinds of threats and arbitrariness, as well as in the countries where they arrive and have to cope with paternalistic humanitarianism, bureaucratic violence (and "compassionate repression"; Fassin 2005). In their case, as in those of Thompson's or Scott's peasants, we are dealing with persons in whose actions moral conflicts, private dimensions, and political and economic issues are inseparable.

The notion of moral economy suggests valuable analytic pathways to understand the meaning of behaviors or narratives that are often trivialized as being simple deceits or tactics aimed at gaining an immediate advantage (the refugee permit, for instance). This notion can also help us interpret practices whose political value is difficult to determine (Thompson 1971:76–77). For instance the occupation of empty buildings by asylum-seekers awaiting commission decisions and immigrants who do have refugee permits, but find themselves jettisoned to a destiny of social marginality.[16] Or the vandalization of detention centers sometimes followed by mass escapes. Thompson's assertion holds: "While this moral economy cannot be described as 'political' in any advanced sense, nevertheless it cannot be described as unpolitical either, since it supposed definite, and passionately held, notions of

the common weal – notions which, indeed, found some support in the paternalist tradition of the authorities" (1971:79).

Finally, the strategies that asylum-seekers adopt when trying to obtain international protection also find a place within another – decisive – long-term trajectory, that of the role of truth and falsehood in the colonial past.

The migratory situation directly recalls a "colonial situation" (Sayad 2004). The hypothesis I propose here is that the asylum-seekers' condition echoes conflicts and contradictions of the colonial situation and colonial suspicion of the colonized, albeit within a different moral–political order. Here I would like to recall the colonial genealogy of the politics of identification, and in particular the colonial history of judgments on what is true and what is false.

Ginzburg (1980) provides a valuable inroad in his study of the use of fingerprints as means of identification in the nineteenth century. Sir William Herschel recognized their value while serving in the Indian Civil Service. As a District Commissioner in Bengal he started collecting the fingerprints of detainees to prevent any impostor from withdrawing others' pensions. Back in England he published the results of his research in *Nature*, which were quickly taken up by Galton, who understood their value for police investigations.

Anthropometry has a similar history in the French colonies. Faced with the difficulty of transcribing Arabic names "into French with all the nuances of pronunciation," Fevret concluded in 1900: "it must be admitted that no alphabetical list is possible. That is why attempts to establish a system of criminal records have been abandoned. In this regard anthropometric cards replace them effectively" (my translation).

Perhaps, however, an article from 1895 is even more pertinent: "Remaining to be examined are the frequent cases of Algerian subjects found with no documents in any part of the colony, who will not or cannot prove their identity. In such circumstances, the local

government should not hesitate to make use of the powers conferred by law, and *retain in prison – for as long as necessary – any individual found in the conditions mentioned above*" (quoted in About 2011:292, my translation, my emphasis).

Finally, another reference to this issue reveals even more clearly the relationship between present and past politics of identification. It concerns the increasing numbers of immigrants and refugees placed in detention centers without trial: "In France, these centers were initially instituted in the 1960s as a form of 'administrative internment'; the centers coincided with the first waves of labor migration from the former colonies into France, targeting Algerians" (About 2011:37). The colonial history of the concept of identification (Fuss 1995:141) intersects here with a theme which lies at the core of the epistemological decolonization initiated by Fanon with regard to psychiatry (1963:296): the issue of untruth among the colonized.

In a paper delivered at the Conference of French Psychiatry and Neurology in 1955, Fanon and Lacaton targeted the stereotype of the African as a liar, a man characterized by 'dishonesty' and 'disavowal' of his responsibilities, a widespread prejudice that was strengthened by the work of colonial psychiatrists, sociologists and jurists (Arène 1913; Aubin 1952:217; Carothers 1953:155–161; Kocher 1884:46). Fanon and Lacaton described a case where a defendant was caught red-handed, admitted his actions and then denied all charges and even went so far as to wonder about the reason for his detention. Their analysis tackles the problem – for the psychiatric consultant – of how to make sense of such singular behavior (after all, an untruth, a disavowal). Fanon and Lacaton look for the deep reasons behind this absolute act of refusing reality, this pure denial that borders on delirium. They wonder whether the relationship that is normally the premise to any form of inter-subjectivity – and of any eventual admission of 'guilt'– could ever be established between colonizer and colonized; whether a 'social contract' had ever been negotiated between the defendant and the group (the colonizer) that "holds him in its power." They propose that in

such a context of domination, lying is a manifestation of 'indocility.' Denying the evidence of a committed crime makes the very status of truth vacillate. "This refusal (…) to authenticate, by confessing his own act, the social contract which he has been offered, means that his submission (which is often deep) to power (judicial power if needed) cannot be at all confused with the acceptance of such power" (Fanon and Lacaton 1955:660).[17]

Fanon claimed that objectivity always backfires against the natives and that in a situation full of lies, such as that of the colony, one can only answer with another lie. We could paraphrase Fanon and claim that today's objectivity, that of identification measures, fingerprints and the bone measurements used to calculate 'real' age, always backfires against migrants. Modern biometric technologies such as the Human Provenance Pilot Project in the UK offer a clear demonstration of the growing inclination "to treat asylum seekers as criminal suspects (…) until chemical tests can prove them innocent of the presumption of lying and nationality fraud" (Tutton, Hauskeller and Sturdy 2014:739–740). The 'lies' of asylum-seekers can be understood as present-day avatars of the colonial struggle between truth and falsehood: they engage with identity and identification techniques, seeking escape from an apparatus supported by specific types of knowledge (Foucault 1980:194–196).

We could claim that lying is often the only possible reply to the hypocrisies that regulate migration, or the laws on the recognition of human rights. But within a space where truth and falsehood become de facto indiscernible, what does it mean that a 'false' story can be considered credible in one case and not credible – and thus rejected – in another? And, conversely, what is the experience of those who, by telling the simple truth, see their request for asylum refused?

This is the question that Omar – a young Malian who arrived in Italy at the end of 2010 – kept asking me, while scenes of persecution and death, ghosts of witchcraft and "voices from a satellite" tormented him unceasingly: "If I had said I was from Ivory Coast, as a guy

suggested on the boat that took us to Lampedusa, they would have believed me, I would not be here. Instead, I am still here, with no job, without a thing! Oh Doctor, this does not work." I could see on his face the same "perplexities" Arendt observed in the very notion of human rights.

Leaving behind documents that prove one's identity, losing or destroying them as in the case of the *Harraga* ('The Burning,' Pandolfo 2007), inventing a new name, age and, in some cases, even nationality, are acts that represent a complex and tiring work of bricolage aimed at overcoming these problems. We should ask what its psychological costs are. Consider, for instance, the frequent reports by those who work with migrants in Italy of their resentment and aggressiveness, especially in the face of questioning about their country, identity and family or, simply, in the face of the impossibility itself of being an object of interpellation.[18] We should ask what the long-term consequences of these invented memories are or, put differently, at what point do the narratives of (false) personal experiences become memoirs, gradually embodied by these subjects? In their discussion of these issues, Bohmer and Shuman (2007) speak of an asylum policy that "produces ignorance," of a system that systematically deletes identity while at the very same time demanding 'performances of identity.'

CONCLUSION

C'est le labyrinthe qui fait le Minotaure: non l'inverse (It is the maze that makes the Minotaur: not the reverse)

Foucault (1994:452)

I have suggested there is a sort of 'complicity' between humanitarian workers, lawyers and asylum-seekers to construct credible stories, and in order to do so the migrants often have to omit, or outright invent, details and circumstances. It is not easy to recognize a political subjectivity, an 'agency,' in such tactics. These behaviors and narratives are overshadowed

by an aura of mistrust and uncertainty, and recall some aspects of colonial politics of identification. These tactics also reveal the political reality of current models of the neo-liberal state and bureaucratized human rights, according to which the 'man' derives from the 'citizen' and not vice versa (Žižek 2006:340).

Lies can work as a form of resistance, as "hidden transcripts" (Scott 1990) or narrative strategies that are sometimes impossible to separate from the more ambiguous profiles of "compassion economies" and "bureaucraft" (James 2012). As Žižek observes, "Bureaucracy corners the subject into a situation in which, in order to survive, he has to break the (explicit) Law" (1998:79).

There can be no doubt that the politico-moral order of Schengen[19] helps maintain arbitrary inequalities, and that the practice of deceiving, of using 'tricks' to circumvent them, is by now part of post-colonial subjectivity and experience (this is the meaning I give the word 'subjectcraft'). They are an example of that register of deceit and 'make do' that Bayart labeled "extraversion" (2000), and Mbembe "art of improvisation", through which "identities are *multiplied*, *transformed*, and put into circulation" (1992:2, my emphasis).

The postcolonial lexicon of these practices in DRC epitomizes the risks and struggles accompanying migration and asylum trajectories, the dark profile of 'subjectcrafting.' In Lingala (the main spoken language in DRC) asylum-seekers are called *ngunda*, literally 'jungle,' but in a wider sense the word also means 'perdition.' The whole process of escape and to Europe is called *kobwaka nzoto*, "to sacrifice, to give up one's own body." Bitumba notes a further meaning for the expression *bwaka nzoto*: "hand-me-downs" (cit. in Ayimpam 2014:91). Different ideas coalesce in various expressions: 'dip into the water,' sell off your body, sell off your identity (by using the name of someone other), use your body and exploit it even in dirty work, cheat… (Ayimpam 2014:90).[20]

Such expressions encapsulate the 'costs' of 'subjectcraft' that I am thinking of: "[I]t is no coincidence that the loss of identity (as lived for example in the diasporic experience where

one, often literally, becomes a non-identity, a *sans papiers*) is referred to in terms of a bodily loss (*kobwaka nzoto* …).” (De Boeck and Plissart 2004:239). Changing name, inventing a story, disavowing your birth-town, or your age, constitute a painful process, perceived as both a necessary tactic and a dispossession with little possibility of redemption. The stories of Pierre and other asylum-seekers offer telling examples of such strategies and their shadows. His biography is a complete lie from the point of view of the conditions required to receive asylum, but was a *credible* lie for the eligibility criteria established by current asylum policies (and after all ‘plausible’ given the uncertain political reality of DRC). His tale allowed him to circumvent the laws on the right to asylum and claim a different right, no less important: the right to an adequate cure for his illness, the right to live. In a way, his lie tells a different truth.

A related issue is the use of medical terminology, which now dominates asylum requests. The underlying principle is that the truth of the asylum-seeker can only be drawn from the body: “the best of all proofs”, “the ultimate evidence” (Fassin and D’Halluin 2005). When the asylum-seeker him/herself asks for such medical certification, as if it were a miraculous “open sesame!” the consequences are sometimes both tragic and grotesque, as can only be the case when physicians are desperately ordered to make the human body tell a truth which is ‘coherent’ with one’s own tale.

Ticktin notes in this regard a “shift from patient to citizen” to highlight the emergence of a “victim–subject” on which the attention of experts and asylum politics is increasingly focused. After all, a wounded body, a scar, a sexual assault, represent a body, an injury and a type of violence indifferent to cultural differences and finally captured in its universal character (Ticktin 2011:18; Malkki 1996).

Two issues, however, must be at least briefly invoked. First, the fact that sexual violence is a particular kind of violence, which always leaves psychological traces but may not leave physical traces or – in other words – objective ‘evidence.’ Second, the growing interest in

the body did not prevent, as Ticktin has observed for France, a parallel growing mistrust of these stories, and even of the validity of medical certificates. This is confirmed by my research in northern Italy on those cases in which medical or psychological certificates were not considered relevant, such as those of Michel and Nina.

These cases show how medico-psychological knowledge plays an uncertain role in such circumstances, where the truth of refugees' experience and memory is not admitted, and a specific form of 'political suffering' is produced (i.e. one determined by a system that denies their suffering). If politics operates on the subtle and ambiguous border between the spheres of private life and of political life (Rancière 2004:303), lying and secrecy reveal, in this context, a specific type of 'struggle' and, in a wider sense, a power relationship.

Some questions remain open: what are the feelings of women or men when they are compelled to invent their name, atrocities and mourning, when they are forced to tell of painful experiences or losses that involve their dear ones, and what are the psychological costs of this kind of lie?

On the other side, what triggers a 'not credible' verdict on experiences and memories of death and violence? What are the current policies of truth and falsehood that are emerging in asylum commissions? And what are the forms of social inscription, i.e. of belonging, and political imaginary of the contemporary Subject of Human Rights?

NOTES

[1] My research at the Frantz Fanon Center, a center I founded in 1996, concerns different migration issues: medicalization and pathologization of social needs, risk of misdiagnosis due to lack of so-called 'cultural competence', the impacts of current European laws, humanitarian discourse, and bureaucratization, on refugees' social trajectories (Beneduce 2008; Beneduce and Martelli 2005; Beneduce and Taliani 2006; Taliani 2012). On the basis of her own research in the Center, Giordano describes a main feature of the center's work being to *"*[struggle] *with the categories of recognition provided by both psychiatry and the state*" (2014:11, my emphasis). I was invited by the Territorial Commissions for the Recognition of International Protection (TCRIP hereafter), the police, as well as by immigration lawyers and social workers as a consultant anthropologist *and* medical doctor/psychiatrist familiar with their countries of origin. The suffering produced by the trauma of questioning during the hearings led the TCRIP of Turin to forge an agreement with the Fanon Center in 2012 to provide psychological support to asylum-seeker victims of severe traumatic experiences. When I meet asylum-seekers and refugees, I usually spend much time explaining my professional role, the Center's activities, as well as the purposes of referrals to the Frantz Fanon Center by health services, lawyers, or the TCRIP.

[2] The cases discussed here all use pseudonyms. In all the cases I discuss in detail (Pierre, Nina, Michel, Helen), interviews were conducted in Turin between 2010 (January) and 2013 (May).

[3] Offering a comparison, Das has recently shown that in South Asia the moral boundaries of the notions of honesty and corruption are more subtle and difficult to determine when daily life is beset by dramatic problems of survival (Das 2014). Her research is particularly relevant for our analysis

because it emphasizes the difficulty (or impossibility) of establishing the credibility of testimonies and stories adopting abstract criteria of honesty, truth, or corruption.

[4] The protocol explicitly states: "Questions should be designed to elicit a *coherent* narrative account. Consider the following questions. *Where* did the abuse take place, *when* and *for how long*? Were you blindfolded? Before discussing forms of abuse, note who was present (*give names, positions*). Describe the room or place. Which objects did you observe? If possible, describe each instrument of torture *in detail*, for electrical torture, *the voltage, the type of device, and number and shape of electrodes*. Ask about clothing, disrobing and change of clothing. Record quotations of what was said during interrogation, insults hurled at the victim, etc. What was said among the perpetrators?" (UNHCR 2004:28, my emphasis). On the risk of confusing 'credibility' and 'proof' in UK asylum policy, see Sweeney (2009).

[5] These are one-year permits that do not allow the beneficiary to work. Renewal is usually granted on the basis of medical certificates. In the first half of 2014 Italy was top in Europe for number of humanitarian permits granted (27 percent of all asylum applications; Bitoulas 2014).

[6] On the trivialization of human rights, see Fassin (2005:371) and McClennen and Slaughter (2009). On human rights, the formation of the modern state, and subjectivity, see Slaughter (2006).

[7] For instance, undocumented immigrants can be held in CIEs (Centers of Identification and Expulsion) for as long as 18 months. Recent protests at CIEs in Italy (such as Porta Galeria, in Rome, where 13 asylum-seekers sewed their lips closed) have managed to turn direct public attention to the inhuman living conditions in CIEs and CARAs (Centri per l'Accoglienza dei Richiedenti Asilo). Only recently a new law has been passed that limits the detention of undocumented people in need of being 'identified' to 60 days. In the Lampedusa CARA men and women were filmed by another inmate being 'washed' and 'disinfected' with hoses wielded by operators in a way reminiscent of similarly terrible scenes in other camps. In 2012 Italian CIEs saw 7944 persons pass through their gates. Half were deported, 1049 escaped and 415 were let out because the time they could be held had expired.

[8] As observed in France by Ticktin (2011:190–191), in Italy too the imaginary and the vocabulary of these 'new forms of slavery' are used by institutions, the media and NGOs (see Regione Veneto, Comune di Padova, and Associazione Diritti Umani 2002), as well as by immigrants themselves as part of their wider appropriation of 'humanitarian semantics,' used to increase the moral force of their narratives (what I have called the 'narrative capital'). See Taliani (2012:581–587) on the experiences of Nigerian women involved in prostitution.

[9] In recent years the number of permits granted to victims of the international trafficking of human beings for sexual exploitation has sharply decreased, leading many of these women who are brought into Italy, mostly women from Nigeria, to turn to political asylum as a way to regularize their position (Osservatorio Interistituzionale sugli Stranieri in Provincia di Torino, 2013). In the second quarter of 2014 Italy had the highest number of asylum requests among European countries, and for asylum applications by Nigerian citizens Italy was top. During the same period Nigeria was in first place for the number of asylum applications rejected (Bitoulas 2014:9–12).

[10] Another example: Syrian and Eritrean refugees' refusal to provide fingerprints has become tacitly respected by Italian police in recent years. In this case, asylum-seekers exploit to their own advantage a conflict between Italy and other European countries caused by the 'Dublin Regulation' (according to these criteria the state through which the asylum-seeker first enters is responsible for the examination of asylum claims). This way refugees hope to reach other European countries still unidentified – then initiate there the procedure of asking for international protection.

[11] The BDK is a political–religious movement active in the Bas-Congo region (DRC) (Tull 2010).

[12] Some asylum applications explicitly refer to reasons of this kind (threats of witchcraft), as in the case of AO, who claimed to have fled from his country (Nigeria) because an uncle wanted to kill him to take possession of the properties of his father, who had recently died. When the Commission asked him to tell them in which way his uncle tried to kill him, and to provide evidence that confirmed a genuine threat, AO answered: "I was dreaming, I was tied up and beaten and when I woke up I was tied. (…) The commission then asks him again: 'How did your uncle try to kill

you?' " AO answers: "I saw it in my dream, what I told you was the second attempt, the first time I dreamed that my uncle made sacrifices at my door and when I woke up I saw these things at the door" (Turin TCRIP hearing, 13/01/2014; translated by me from the Italian text of the minutes of the hearing. I thank Giacomo Becatti for making it possible for me to consult this material).

[13] Because of a scarcity of resources the commissions that should in principle require the presence of three members, are often reduced to just one, thus increasing the degree of arbitrariness and unpredictability of the commission's decision. Since this is a violation of the legal requirements, during the hearing the asylum-seeker is hypocritically asked whether they are prepared to accept the hearing nonetheless. After many months of waiting for a hearing, the answer is invariably positive.

[14] The refusal of her asylum request and of her reasons is a dramatic example of "epistemic denial" (Souter 2011:53). On credibility and sovereignty, see Beard and Noll (2009); on credibility, gender and class, see Wilkström and Johansson (2013).

[15] "There is nothing necessarily medically distinct about a torture victim (…) Psychologically, torture survivors can vary from having no more mental health problems than the general population to profound psychosis" (Kelly 2011:333).

[16] In Turin alone, several abandoned or uninhabited buildings have been occupied in recent years by hundreds of immigrants.

[17] Fainzang (2002) comes to a similar conclusion in her analysis of the relationship between patient and doctor: lying is an act of resistance and, at the same time, submission.

[18] Here I paraphrase Althusser, whose famous phrase (1971:174) is remarkably apt at conveying the resentment of many migrants when they are called by a police officer to be identified.

[20] The Schengen Area comprises 26 European countries that signed the Schengen Agreement in 1995 abolishing passport and any other type of border control at their common borders. Schengen states have simultaneously strengthened external border controls with non-Schengen states.

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