

More Labels, Fewer Refugees: Remaking the Refugee Label in an Era of Globalization

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This paper revisits the concept of refugee labelling I elaborated nearly two decades ago. In radically different conditions, the contemporary relevance and utility of the concept are re-examined and re-established. Formulated at a time of regionally contained, mass refugee migration in the south during the late 1970s and early 1980s, the paper argues that the concept still offers vital insights into the impacts of institutional and bureaucratic power on the lives of refugees in a globalized era of transnational social transformations, mixed migration flows, and the continuing presence of large scale refugee migration. The core of the paper argues that the ‘convenient images’ of refugees, labelled within a co-opting humanitarian discourse in the past, have been displaced by a fractioning of the label which is driven by the need to manage globalized processes and patterns of migration and forced migration in particular. The paper re-evaluates the concept using the three original axioms—forming, transforming and politicizing the label ‘refugee’. The core argument is that in the contemporary era: a) the *formation* of the refugee label reflects causes and patterns of forced migration which are much more complex than in the past, contrasting with an essentially homogeneous connotation in the past; b) responding to this complexity, the refugee label is *transformed* by an institutional ‘fractioning’ in order to manage the new migration; c) governments, rather than NGOs as in the past, are the pre-eminent agency in the contemporary processes of *transforming* the refugee label, a process driven by northern interests; d) the refugee label has become *politicized* by the reproduction of institutional fractioning and by embedding the wider political discourse of resistance to migrants and refugees.

Keywords: labelling, refugees, political discourse, globalization

Introduction

This paper revisits the concept of labelling which I presented in ‘Labelling Refugees: Forming and Reforming a Bureaucratic Identity’ in 1991 (Zetter 1991). This paper is one of the most extensively cited papers in the literature on refugees¹; but it is now 20 years since I conducted the research on which

the concept was based, in a context very different from today. These new conditions call for a reappraisal of the concept and a re-examination of its utility.

My paper was about identity formation, a literature which has since expanded substantially in refugee studies, grounded in a variety of discourses and epistemological assumptions about place and territory (e.g. Malkki 1995; Schuster 2005; Warner 1994).

In developing and applying the concept of labelling, my concern was with identity formation within institutionalized regulatory practices. My specific focus was to explore the interplay between, on the one hand, the social world and lived reality of refugees and, on the other hand, the public policy practices of NGOs, governments and intergovernmental agencies acting under the banner of humanitarianism. With its focus on institutional agency, the concept of labelling elaborated the modalities of that interplay. It provided a way of understanding how 'bureaucratic interests and procedures [of humanitarian agencies]... are themselves crucial determinants in the definition of labels like refugees' (Zetter 1991: 41; for a full account see Zetter 1987). Therefore, because we deploy labels not only to describe the world but also to construct it in convenient images, I argued that labelling was not just a highly instrumental process, but also a powerful explanatory tool to explore the complex and often disjunctive impacts of humanitarian intervention on the lives of refugees.

By analytically linking structure and agency, labelling provided a concept which helped to explain why refugees did not conform to the convenient image (label) constructed of them by humanitarian agencies. By examining how labels are created and applied, we can better understand how patterns of social life and cultural norms, straining under the intense pressure of forced displacement, are mediated, impacted and ultimately controlled and reformulated by institutional agency.

In the original paper, I demonstrated how the concept revealed why well-meaning assistance, and in particular the bureaucratic processes of managing the distribution of that assistance, had such disempowering and controlling consequences and why refugee dependency (both imposed and learned) went hand in hand with autonomy and expressions of ingratitude which challenged the humanitarian precepts of altruism and charity. Thus the concept of labelling, by examining who you are in relation to others, offers a way of understanding the frequent mismatch between 'policy agendas... and the way in which people conceived as subjects of policy are defined in convenient images' (Wood 1985: 1).

As opposed to other terms, for example, 'category', 'designation' or 'case', the word 'label' better nuances an understanding which: recognizes both a process of identification and a mark of identity; implies something independently applied, but also something which can be chosen and amended; has a tangible and real world meaning, but is also metaphorical and symbolic.

Subsequent research has demonstrated the utility of the concept: for example, Horst on Somali refugees in Dadaab (2006); Brun (2003) on IDPs in Sri Lanka; Sigona (2003) on Kosovo Roma refugees in Italy; and Griffiths (2002) on Somali and Kurdish refugee communities in the UK.

In the present paper I do not revisit the conceptual apparatus. Instead I demonstrate that the analytical strength of labelling, and the three axioms on which it is based—forming, transforming and politicizing an identity—have not diminished, despite the profound changes in the refugee regime. Indeed, their explanatory rigour and value in explaining contemporary conditions, remain as relevant and valid, now, as they were two decades ago.

However, globalized processes and patterns of forced migration and ‘mixed migration flows’ in the contemporary era, have shaped a fundamental reformulation of the refugee regime and thus the refugee label. My argument is premised on two significant changes in the refugee regime. There has been a crucial shift in the locus of the refugee regime to the global ‘north’. Second, whilst the analysis of distributive processes remains at the core of the concept of labelling, the original focus on how and with what consequences humanitarian assistance was distributed and accessed, is replaced by the primacy of determining how refugee status is distributed and how institutionalized practices seek to distinguish this status from other categories of migrants.

The core of the paper argues that the ‘convenient images’, to use Wood’s phrase, of refugees, labelled within a co-opting and inclusive humanitarian discourse in the past, have been displaced by a fractioning of the label which is driven by the need to manage globalized processes and patterns of migration and forced migration in particular.

Using the three axioms, I argue that in the contemporary era:

- the *formation* of the refugee label, largely under conditions of globalization, reflects causes and patterns of forced migration which are much more complex than in the past; this contrasts with an essentially homogeneous and stereotypical connotation of the label in the past;
- the *transformation* of the refugee label is a response to this complexity enacted by a process of bureaucratic ‘fractioning’ in order to manage the ‘new’ migration; again this contrasts with an inclusive and homogeneous connotation of the past, although producing similarly negative impacts on those who are labelled;
- in *transforming* the refugee label, governments in the global ‘north’, rather than NGOs as in the past, are now the pre-eminent agency; and
- the refugee label has become *politicized*, on the one hand, by the process of bureaucratic fractioning which reproduces itself in populist and largely pejorative labels whilst, on the other, by legitimizing and presenting a wider political discourse of resistance to refugees and migrants as merely an apolitical set of bureaucratic categories.

These changes have imparted new meanings to the label ‘refugee’. Applying the concept of labelling to these new circumstances, I seek to demonstrate the continuing instrumentality of the process of labelling, to explore the impacts on refugees, and to better understand some of the contradictory and disturbing outcomes of institutional agency.

What’s on the Label: Labelling Refugees in the Contemporary Era of Globalization

Using the three axioms of labelling—forming, transforming and politicizing an identity—I now explore how the concept can help to shape an understanding of the public policy responses to the globalization of the refugee phenomenon, and the instrumentality of the refugee regime in the contemporary world.

Forming the Refugee Label

The concept of labelling was based on my research on the Greek-Cypriot refugees from 1974 and a review of a number of then current large-scale refugee crises in Africa. Typical conditions in the 1970s and 1980s were very large-scale, spontaneous exoduses of destitute and often traumatized refugees. Refugee crises were regionally contained ‘south–south’ phenomena, even if the conflicts which caused them were frequently a proxy for wider geo-strategic and post-colonial conflicts. A massive humanitarian aid regime developed, ostensibly to share the burden but also to contain the impacts. Delivered through northern based NGOs, imposing aid (to use Harrell-Bond’s iconic phrase) shaped a refugee label in a convenient humanitarian image (Harrell-Bond 1986).

This formative era of the refugee regime, predicated on humanitarianism has, of course, changed fundamentally. Castles (2003) highlights the distinctive character of this new era in his call for a ‘sociology of forced migration’. Castles argues that it is the globalization of migration (both forced and voluntary), interacting with transnational social transformations, which defines the contemporary era (Castles 2003; Castles and Miller 2003).

Castles and Miller’s thesis provides the entry point to explore how a proliferation of ‘refugee’ labels has emerged. Embedded in the phrases ‘asylum/migration nexus’ and ‘mixed migration flows’, are two countervailing processes. On the one hand, there is the increasing complexity of determining who is a refugee, no longer contained in the south but arriving in large numbers at Europe’s borders. On the other hand, forced migrants are one category in a much larger population of migrants who are moving for a complex of social and economic reasons. As I argue below, both these processes present an increasing challenge for governments in the north to manage migration. Responding to different categories of people ‘on the move’, a new dynamic drives the contemporary political and policy making

discourse on refugees and migrants in general, the agencies and actors involved, and the modalities of their intervention.

These conditions both precipitate the creation of new labels for forced migrants, but also provide an explanation of how these labels are formed. The key defining characteristics of the present era are: first, the marked proliferation of new labels which at best nuance interpretation, at worst discriminate and detach claimants from the core attribute of being a refugee—international protection; second, labels are now formed (and transformed and politicized) by government bureaucracies in the ‘global north’, not humanitarian agencies operating in the ‘global south’ as in the past.

Thus, how the different labels are formed to describe these different migratory processes and the frequent conflation of, and confusion between, these labels lies at the core of the *problématique* of defining who is a refugee at the current time. More disturbing, as I shall argue in the following sections, they lay the ground for transforming and politicizing far more restrictive and pejorative interpretations of the Convention label, ‘refugee’.

The point of departure for the label ‘refugee’ is, of course, the Geneva Convention. However tenuous that link in practice, it is possible to argue that it is against the Convention definition that all forced migration labels are tested. Yet paradoxically, the label ‘refugee’ is increasingly used to designate any group of forced migrants. For example, the labels ‘environmental refugees’, ‘tsunami refugees’ and ‘development refugees’ offer novel prefixes to groups of people who are undoubtedly forced from their normal habitats. But this conjuncture of labels is problematic, not least for its conceptual inadequacy in interpreting the complex structural causes and consequences of flight—a key precept of Kunz’s formative work on conceptualizing the migratory process of refugees (Kunz 1973, 1981).

Persecution of the kind envisaged by the Geneva Convention is still pervasive, violent and large scale, as Rwanda, Bosnia, Darfur, to take three examples over the last decade or so, demonstrate. But seemingly obvious persecution has not been matched by commensurately straightforward application of the label ‘refugee’, with its connotation of victimhood. Complex ethical questions have been asked of the humanitarian regime precisely because the refugees they assist do not always conveniently conform to the image of the label: instead they are genocidists, guerrillas and rapists (Anderson 1999). The neutrality of humanitarian intervention has been challenged and with it the ‘convenient images’ of refugees (Slim 1997, 1997a). Who are the ‘real’ refugees (conforming to an image of victims?) and who is being protected? In complex emergencies many people are caught up in conflict and flee, though they are not persecuted.

Humanitarian assistance in violent conflicts is increasingly mediated by military intervention to protect and advance the humanitarian imperative—Liberia, DRC, Bosnia, Kosovo, Sierra Leone, Somalia (briefly). But in these and other examples—such as Afghanistan, Kosovo and Iraq—the case for

humanitarian intervention to tackle extreme human rights abuse has been used to legitimize military intervention which serves wider political interests. Ironically, these interventions may precipitate even larger flows of refugees and IDPs. But in what sense are they refugees in the original conception of the label, and do they conform to the Convention label when they arrive in the 'north'?

In other situations, as the examples of Darfur, Nepal and Colombia illustrate, the victims of persecution and, largely neglected, intra-state wars of attrition, remain in-country: the category IDP is the fastest growing and now the most numerous group of forcibly displaced migrants. The label 'IDP' is increasingly being institutionalized within UNHCR as it seeks to establish a viable framework of legal protection and the appropriate modalities for humanitarian intervention and assistance (OCHA 1998). UNHCR's role is questioned as a deflection from its primary task of protecting refugees. Conversely, forming a discrete label of 'IDP' can be construed as containment and restricting forced migrants from accessing the more privileged label 'refugee'.

The international community has also had great difficulty in dealing with the mass exodus of refugees from intra-state wars and so-called 'failing' or 'failed' states: Liberia, DRC, Somalia, Sierra Leone are obvious examples here. Duffield offers a compelling explanation of the way globalization provides both the 'space' and the dynamic for these, often violent, transnational transformations to take place (Duffield 2001; see also Shaw 2005). The occurrence of 'failed states', whose demise is paradoxically contradicted by the rise of new states constructed on the basis of ethnic nationalism and ethnic cleansing (and genocide in some cases), is still the major driving force behind the dramatic rise of refugees and other forcibly displaced populations in the post-Cold War era. For the most part, 'refugees' from these wars have been contained within region. Only when Europe became the destination for what were perceived to be unsustainable numbers, or when states 'failed' on western Europe's borders, such as in Bosnia and Kosovo, did different labels start to emerge and become embedded. The response to these spillover effects was the escalation of temporary protection labels, refugee deterrence policies and offshore processing, all embodying notions of the 'other'. Even developed countries far more remote from these conflicts, such as Australia and Canada, adopted similar policies in response to the global migration of refugees from these violent social transformations.

There are also different, more subtle, forms of persecution in the contemporary world which reflect a less categorical interpretation of the label 'refugee' and the slow onset of forced exile. Minority groups are persecuted through insidious forms of social, political and economic exclusion, often without explicit violence, and often over protracted periods—ethnic nationalism without explicit ethnic cleansing. These circumstances generate continuing numbers of people seeking refugee status because socio-economic inequalities grow while basic human rights recede. Sometimes these

conditions are associated with irredentist claims, and at other times low-level conflict may occur, or at least it is low level in the media and public consciousness. Lacking the evidence of clear-cut war and sudden mass exodus, which often gave legitimacy to the label 'refugee' in the past, it is now much harder for these forced migrants to assert persecution and flight in fear of their lives, and thus the refugee label. The large number of Kurds claiming refugee status in Europe is one example; refugees from DRC, Tamils from Sri Lanka, and a variety of political and ethnic minorities fleeing Iraq both before and after the Saddam era are others. Of course, preventing human rights abuse is a vital pre-condition to avert refugee exodus. Ironically, however, a discourse framed around human rights abuse—a currently favoured discourse—rather than explicit persecution, is a far less powerful instrument with which marginalized people such as these may claim the refugee label.

Prolonged socio-economic exclusion of ethnic minorities creates a powerful sense of injustice. Failing states and warlord economies are predatory and threatening environments, particularly for the economically excluded who may also be ethnic minorities. It is easy to see how these conditions of injustice and fear produce deep-seated perceptions of persecution and create sufficiently compelling reasons for people to flee to seek a better life. The increasing volume of new 'boat people' from sub-Saharan Africa, attempting the hazardous journey across the Mediterranean, are the most obvious current example. Are they economic migrants or refugees?

Yet, these more muted conditions for refugeehood point to the increasing difficulty, which governments perceive, in distinguishing between forced migrants and the much more numerous volume of people labelled economic migrants.

Whilst in their own minds these are necessary conditions for those in exile to claim the refugee label, they are usually insufficient to convince the bureaucratic labellers. In the minds of policy makers and immigration officials it is necessary to fragment and make clear cut labels and categories of the often complex mix of reasons why people migrate and migrate between labels—the so called asylum-migration nexus (Castles and Miller 2003: 17; UNHCR 2006: 56–57).

A globalized world also challenges the image of a refugee in exile, physically cut off from social and economic relations with those who have remained behind, or enacted by the often dangerous and covert cross-border movements back home—whether temporary or permanent. Instead, these relationships are globally networked, virtual interactions. Large numbers of refugees remit money to extended families, using electronic transfer payments which put money in the hands of family 'back home' (Lindley 2007), part of the wider phenomenon of migrant remittances the volume of which appears substantially to exceed development aid from the OECD Development Assistance Committee (ID21 2006; World Bank 2006). Using the transnational machinery of a globalized economy fits uneasily with the label of a

refugee exiled from, and out of reach of, his/her country. But this is clearly not the case: refugees are part of the network society (Castells 1996). What does this tell us about the refugee who by definition 'is outside his country of origin... and unable or unwilling to avail himself of the protection of that country...'? How are conventional notions of exile challenged by this here-and-there belonging of a refugee? The myth of refugee return is also challenged by these new processes. How have the 'new' refugees adapted their social and material worlds to the virtual world of electronic communications and what does this tell us about the deterritorialized social networks of forcibly displaced people? (see e.g. Koser 1997; Koser and Pinkerton 2002).

A global diaspora of refugees no longer exists as atomized clusters of co-ethnics and co-nationals, randomly distributed around the world, who may never see each other again. It is a 'community' of people instantly in touch with each other not only across many exilic locations, but with the 'home' as well. Where and what is home, not just as physical entity and location, but as a process of belonging, in a very different deterritorialized world (see Warner 1994 and Malkki 1995)?

These more nuanced understandings of the label 'refugee' introduce the second line of analysis of the *problématique* of forming the label. Forced migrants are one category in a much larger population of migrants who are moving for equally complex but essentially voluntary reasons. The challenge has been how to manage these large scale flows and how to distinguish between the different labels which the migrants claim.

A significant rise in international migration has accompanied economic globalization: the World Bank estimates that upwards of 200 million economic migrants temporarily live and work outside their countries of origin (World Bank 2006). Although mostly, but not exclusively, originating in the south, these new migrations have substantially impacted the countries of the 'north'. In marked contrast to a prolonged era during which national immigration policies regulated labour migration and severely limited entry to most western European countries, since the early 1990s there has been an unprecedented and sustained rise in economic migrants, as well as refugees and asylum seekers, gaining entry. This has provided a powerful impetus for a new political discourse on migration and on how the labels 'refugee' and 'migrant' are formed and managed in the context of settlement and integration (Penninx 2000).

Notably in Europe, but across the developed world as a whole, there is tension between the freedom of movement enabled by economic liberalization, and the 'protectionist political discourse on migration in most European states' (Boswell 2003: 25). Contradicting the precepts of market enablement, these countries have been far more reluctant to accommodate the 'new' migrants—or at least certain categories of economic migrants and refugees. The rising volume of migrants challenges the stated intention of European governments to 'manage migration' (Geddes 2003), whilst the superdiversity (Vertovec 2006) of the so called 'new migrants', a label loosely

incorporating the increasingly diverse ethnic, religious and cultural affiliations of migrants from both eastern Europe and the south, confronts popular perceptions of ‘national identity’, citizenship, cohesion and migrant incorporation (Soysal 1994). The securitization of migration, and fear of the increasingly diverse ‘other’, contrasts with an earlier period when there were more effective entry controls and fewer but more clearly defined migrant ethnicities—at least in the public mind (King 2002; Zetter *et al.* 2006). The fear is reflected in escalating racial intolerance against migrants and refugees across Europe; negative reactions to an amnesty on Mexican migrant workers in the USA provide another example.

How have these factors impacted the formation of the refugee label? The decisive point, of course, given the reluctance of these countries, until recently, to relax national immigration controls and open their labour markets, is that refugee status has remained the only systematic and relatively accessible entry route for large-scale, globalized migration. Yet, it was exactly at the time when these global economic transformations were intensifying in the 1990s, that the parallel and equally dramatic increase in the volume and diversity of refugees took place. Confronted by the global movement of refugees no longer contained in the ‘south’ (as in the past), and also by refugee influxes from violent conflicts within and close to Europe, the centre of gravity of the international refugee regime fundamentally shifted to the ‘north’. ‘Refugee’, or rather ‘asylum seeker’, became the shorthand label for any migrant.

But what are the appropriate labels to account for why people migrate and migrate between labels? Were receiving states hosting ‘refugees’ or ‘economic migrants’? What are the necessary and sufficient conditions to acquire the label and who decides? The response, as I shall now demonstrate, was to transform the label.

Transforming the Label—Fractioning the Label ‘Refugee’

Labels do not exist in a vacuum. They are the tangible representation of policies and programmes, in which labels are not only formed but are then also transformed by bureaucratic processes which institutionalize and differentiate categories of eligibility and entitlements. In this way, labels develop their own rationale and legitimacy and become a convenient and accepted shorthand. Transformation reinforces the apparently objective truth of the many new labels for particular types of refugees. But this process of categorizing and differentiating refugees is predicated on highly instrumental practices which serve the interests of the state.

The concept of labelling reveals and contests the subjectivity and arbitrariness by which labels are made, and the way in which everyday bureaucratic processes transform identities. By showing how labels ascribe simplified meanings and artificially discriminate between people whose needs

for protection are paramount, we can explain why alienation, reluctance to conform to the label, and often dysfunctional behaviour, emerge.

Pragmatically in the late 1980s then rapidly and systematically embedded in the early to mid 1990s, Fortress Europe was constructed around a comprehensive framework of asylum and immigration policies and procedures (Zetter *et al.* 2003). Like a well-travelled suitcase, national governments repeatedly re-labelled the normative conditions of refugee status determination, a process mirrored by harmonization of asylum and immigration policy at the supranational level. The objective was to respond to what was perceived to be a threatening rise in migration which extant domestic policies and procedures had failed to stem. Alongside these changes there were calls for reform of international instruments, notably the 1951 Geneva Convention because of its perceived failure to handle the diversity of causes and patterns of migration.

The European response was mirrored across the developed world: most countries put in place a remarkably similar battery of legislative instruments and policies to deter putative refugees and other migrants, to severely restrict access for those who made it to their borders, and relentlessly to curtail the rights and assistance afforded those who managed to gain entry (Zetter *et al.* 2003).

In reaching this point, the instrumentality of state processes has radically transformed the label ‘refugee’ from its Convention and conventional interpretation. The decisive point here is the fractioning of the label.

First, there is a variety of extra-territorial instruments for interdiction—for example offshore processing, third country readmissions, bilateral return agreements, airport liaison officers. By creating a new range of bureaucratic devices and categories, these deterrent measures seek to prevent access to the label ‘refugee’.

Second, we now have ‘genuine refugees’, implicitly different from refugees without this prefix, although the Convention is silent on this distinction. ‘Asylum seeker’ is now a mainstream label, institutionalized in the immigration statutes, policies and practices of most European states. Most countries in the developed world deploy a variety of labels for ‘temporary protection’ or so-called Category ‘B’ refugee status, which keep the vast majority of refugee claimants in a transient state, often for years. Yet there is no basis in international law for temporary protection.

Across the developed world, decreasing numbers of people are afforded full refugee status. Instead they are increasingly subjected to the transformed label ‘asylum seeker’ which is demarcated by the wholesale withdrawal or reduction of established rights: examples here are fast track appeals and deportation, limited judicial review, more detention, so called white lists of countries presumed not to persecute, European conventions preventing multiple applications in EU Member States.

The purpose of this new temporary protection label and the associated instruments is, of course, to enable the bureaucracies to manage and, I would

argue, to decline refugee claims. The proliferation of new labels designating different kinds of refugee claimants, underpins a deliberately transformative process to create far less preferential categories of temporary protection (e.g. in the UK, Indefinite Leave to Remain, Exceptional Leave to Remain and now redefined as Humanitarian Leave to Remain). As if to institutionalize the fragmentation of the label, the Immigration and Nationality Department of the UK recently introduced a revised, so called segmented model for processing refugee claims: asylum seekers are summarily designated into one of seven categories with different assessment criteria which, in effect, predetermine the outcomes of the claims.

Third, deterring would-be refugees from entry has been matched by equally powerful policies of restrictionism within all the major countries of asylum. Government agencies have been scaled up, or newly established, to manage the rising influx of refugees awaiting status determination. Far-reaching and complex bureaucratic procedures transform the label into far more discriminatory outcomes. Some asylum seekers are allocated to reception or detention centres, mirroring the iconic refugee camps of the developing world in the 1970s and 1980s. Others are forced into dispersal and accommodation schemes far away from preferred temporary locations and social networks (Zetter *et al.* 2003a). A 'dispersed asylum seeker' in the UK and Ireland, for example, is more than a bureaucratic category. It is a transformative process which is imposed not chosen, which excludes not incorporates. It marginalizes the refugee from his/her social and cultural milieu, alienates him/her from local hosts who understandably resent impoverished migrants forcibly dispersed into their already deprived communities, and compels the claimants to live in controlled poverty.

Fourth, changes in domestic policy and practice were mirrored in perfunctory calls, made by some governments (notably EU Member States) in recent years, to renegotiate the Geneva Convention. The claim has been asserted that the definition (label) of a refugee, prescribed half a century ago and modified in scope, but not interpretation, by the 1967 Protocol, was no longer appropriate to contemporary root causes and globalized patterns of refugee mobility. Genuine refugees, it was argued, were poorly served by a Convention label which was exploited, in the political and popular mind, by large numbers of other types of migrants. The proposition of a failing Convention was buttressed by a seemingly neutral managerial rhetoric calling for an international consensus to organize quota systems and to introduce offshore processing of refugee claims by international agencies such as UNHCR. Problematizing the issue of international migration as the need to rewrite the Convention label is turning the challenge on its head: it blames the victims and would immeasurably rein in eligibility for refugee status.

Fifth, the very different labels of 'refugee' and 'economic migrant' have frequently, and perhaps deliberately, been conflated by national interests (Geddes 2003; Schuster 2005); the phrase 'irregular migration' effectively captures this uncertainty and confusion. Partly this is because increasing

numbers of claimants, as we have noted, are fleeing complex root causes in which persecution *and* socio-economic exclusion are combined. More significantly, labels have become conflated because governments themselves have failed (and are still failing) to develop ‘managed migration’ policies which distinguish between entry rights for economic migrants and the labour market needs of their global economies, and the fundamentally different entitlements and needs of the more specific category of refugees. But, in an era of seemingly closed borders, the label ‘refugee’ has offered greater potential to gain access; indeed, it has been the most clearly established means of entry.

Yet trying to discriminate between refugee and economic migrant in contemporary migration flows is not easy. A not uncommon experience is as follows: born a Somali; subsequently an asylum seeker after the violent upheaval in the late 1980s; arrival and grant of refugee status in Italy (thanks to the historical accident when Mussolini decided Italy needed an African empire in the 1920s and 1930s); an Italian citizen; a European citizen (thus enabled to come to the UK thanks to the Single European Act of 1986 permitting the free movement of EU citizens among the members states); and a UK resident. These labels form a life narrative and an overlapping sequence of events, not just static features of geographical origin, national identity and legally designated statuses. Through a process of sequential labelling like this, many refugees seem to conform to the functionalist terms of European Commission policies for refugee integration: they appear to validate the label ‘integrated refugee’ and, self evidently, they are the archetypal mobile ‘European citizen’, at home, so to speak, in Italy or the UK. Yet, this says nothing about integration as a negotiated process between the refugee and his/her hosts, nor the role of agency, modes of inclusion (Soysal 1994), rights (Penninx 2000), and differential forms of citizenship (as between Italy and the UK for example) (Castles 2003). In other words a stereotypical label fails to capture the rich and multilayered ‘identity’ of any one of the over 4 million forced migrants seeking refuge in Europe over the last decade.

As this example of multiple labels and layers of identity shows, and as I demonstrated in my original paper, the transformation of labels is not a one way process. Refugees are not always dependent victims of larger institutional powers outside their control. However, in the context of deterrence restrictionism and the fractioning of the refugee label, those claiming refugee status are more likely to be forced to transform or subvert the labels imposed on them because of the constraints and burdens which these labels may produce. Thus, reducing eligibility to the privileged label ‘refugee’ forces putative claimants into illegality and trafficking to assert their rights. It promotes ‘illegal’ employment by restricting the right to work. Yet ironically, of course, it is not the claimants who are transforming the labels, but precisely state policies and practices which effectively criminalize refugees for seeking asylum. This cause–effect cycle generates yet more labels such as ‘clandestine’ or, worse still, ‘illegal’ or ‘bogus’ asylum seekers. But the lack of

official documents does not, as the Convention makes clear, constitute grounds for rejecting a claim for refugee status.

The argument, here, is not about the rights of nation states to manage migration. Rather, it is how the instruments and processes to manage migration impact on migrants themselves and especially on the protection and rights of refugees.

Institutional needs transform a story into a bureaucratic label and ascribe an identity of the 'other'. The concept of labelling reveals how seemingly essential bureaucratic practices to manage the influx of refugees, and thus manage an image, in fact produce highly discriminatory labels designed to mediate the interests of the state to control in-migration.

Politicizing the Label

Bureaucracies need labels to identify categories of clients in order to implement and manage policies designed for them. But the concept of labelling provides a powerful tool to explore the political in the seemingly apolitical arena of bureaucratic practices. The concept reveals how bureaucratic labels both reproduce themselves in the prevailing political discourse and popular vocabulary, and are instrumental in further politicizing the label.

Pejorative labels are a particular feature of this new era: 'spontaneous asylum seekers' (with implications of fecklessness and presumably different from a planned asylum seeker), 'illegal asylum seekers', 'bogus asylum seekers', 'economic refugee/asylum seeker', 'illegal migrant', 'trafficked migrant', 'overstayers', 'failed asylum seeker' (note not failed refugee), 'undocumented asylum seeker/migrant'. The vocabulary is varied in its scope but singular in its covert intention—to convey an image of marginality, dishonesty, a threat, unwelcomed, the 'wasted lives' of Bauman's vividly titled book (2004). These degraded labels indicate the increasingly pernicious power of labelling and provide insights into the subverted and politicized transformations of the label 'refugee'.

Anyone has a right to claim refugee status; but claims to the refugee label are controlled by the draconian mix of deterrent measures and in-country policies and regulations. These new, and often pejorative labels, are created and embedded in political discourse, policy and practice. Previously enjoyed rights are curtailed and, above all, restrictionism increasingly criminalizes those claiming refugee status as they desperately seek asylum. The outcome is a new set of labels which compound the perception that the protective label 'refugee' is no longer a basic Convention right, but a highly privileged prize which few deserve and most claim illegally.

The not so paradoxical outcome is to subvert further the refugee label in support of political imperatives as bureaucratic labels are reproduced in and, themselves, reproduce the political discourse. This has enabled national governments to respond to the anti-immigrant stance which now pervades much of the developed world, or at least to give the illusion that policies are

being systematically developed and managed to tackle immigration. Institutionalizing public disquiet in an array of new, complicated and exclusionary sub-labels of 'refugee', conceals and legitimizes the political objective of regulating claims as no more than a bureaucratic process. Immigration procedures thus become the vehicle for mediating the interests of the state; but for those fleeing persecution, however, the labels may be the difference between life and death. Significantly, by asserting the Agenda for Protection, UNHCR has alerted us to the danger of confusing the inviolable right of protection for refugees with broader patterns and processes of migration and reception in the asylum–migration nexus (UNHCR 2006: 56–57).

At the same time, the process of transforming the label 'refugee' provides the impetus for the state to co-opt wider agency in its political agenda and reproduce social concerns as normalized policy and practice. Carriers' liability, fines for employers using asylum seekers or other 'illegal immigrants' debarred from working, fines for traffickers all exemplify the range of statutory provisions which extend the reach of the state beyond migrants to the citizenship as a whole. Simultaneously incorporating the wider community as agents of national immigration policies, whilst criminalizing our non-compliance, they further legitimize state agency in controlling immigration. We are all part of the political process of labelling.

At its core, the discourse on the refugee label transcends the world of institutional practices and statutory processes. It relays anxieties about the fear of the 'other' and social relations between newcomers and settled communities. It reflects a growing preoccupation with culturalism, as apparently secure national 'identities' of the past are perceived to diminish in a global era. Migrants are a potent representation of these concerns, whilst the specific label 'refugee', conveying undesirable images of destitution and an unwelcome burden, is a powerful synonym for these apprehensions. The concept of labelling shows how political agendas about identity become incorporated in ostensibly neutral bureaucratic categories, such as 'refugee'.

A number of factors accentuate the sense of alienation and anxiety about the 'other' (Zetter *et al.* 2006). A strident political discourse, the ambiguous or hostile disposition of the media towards refugees and 'bogus' asylum seekers (Runnymede Trust 2005), the ascendancy of far right nationalist political parties (in France, the Netherlands, Denmark and to a lesser extent in the UK for example), reception policies which detain asylum seekers or forcibly disperse them to communities already marked by severe social deprivation and structural inequalities, all fuel anxieties about migration and its impacts on identity, employment, and public and welfare services (Griffiths *et al.* 2005; Craig *et al.* 2003). The backcloth of so-called global terrorism post 9/11, and the 'securitization of migration', heighten anxieties about the 'other'. This has a particularly stigmatizing impact on Islamic communities, especially as the majority of refugees come from Islamic countries, at the present time.

Sovereignty and the nation state appear to be threatened, both literally and metaphorically, as Europe's permeable southern borders are constantly breached by refugees *and* migrants (perhaps it is refugees *or* migrants?) entering 'illegally'. In this context it is hardly surprising that the search for a common Immigration and Asylum Policy within the EU, envisaged under the Treaty of Amsterdam in 1997, has remained one of the last and most intractable of the measures for harmonizing Europe.

Government immigration policies, notably across Europe, generate contradictory and conflicting political interpretations of the label. The dominance of the refugee/asylum seeker *problématique* has tended to obscure the much larger challenge of international labour migration in an era of economic globalization. Cheap labour is an essential precondition for neo-liberal economies to retain a competitive position in a global market place. Yet the international community and national governments have neither responded with coherent 'managed migration' policies, nor, as yet, have they found long-term, workable alternatives to refugee status as a designated entry route for large-scale migration. Political discourse has been conveniently served by conceptual confusion in which the refugee label, and the larger number of less privileged sub-labels, have become a shorthand for any form of migrant and the vehicle for regulatory reaction.

As Castles points out, these same governments 'tacitly use asylum and undocumented migration as a way of meeting labour needs without publicly admitting the need for unskilled migration' (Castles 2003: 16). At the same time, policies which simultaneously deter and restrict refugees, yet promote cohesion and assimilation of migrant communities also produce uncertainty and confusion (Cantle 2005). As I have written elsewhere,

the issue of migrant settlement and incorporation is now problematized, in policy terms, as a perception that new trends in migration somehow challenge notions of a cohesive 'national identity' . . . [and] jeopardize commonly held norms and values by which a nation state . . . identifies itself (Zetter *et al.* 2006: 5).

Labels are clearly not neutral, neither for those bestowing the label nor for those claiming the label. Thus agency is not a one way process. Not surprisingly, claimants subvert the labels and exploit the contradictions, often at enormous personal and life threatening cost. Governments, on the other hand, become more unyielding as migration and refugee policies 'fail'. They invoke harsher as well as more innovative means to plug the physical and institutional gaps in entry channels. The outcomes are ironic. The process of claiming refugee status becomes increasingly criminalized, undermining the fundamental and unqualified right enshrined in the Convention; more complex restrictions on immigration increase the costs of trafficking, so that refugee status becomes a commodity to be bought, which only the more wealthy can afford, rather than a right.

Like the criminalization of refugees 'illegally' entering a country of asylum, labels like 'dispersed asylum seeker' also transform an identity into something

which conforms to the populist and politicized image of the label—destitute, dependent, above all an alien because they have no right to belong. Through these bureaucratic processes an individual ‘story’, claim and self-image are being exchanged for an imposed and marginalized status. Only by conforming to this transformed label, and one which reproduces a politicized version of an institutional category, can a refugee exercise her/his fundamental claim.

Labelling refugees as outsiders reinforces their own sense of alienation, so they too politicize their own identity in various ways to reflect prevailing discourse. As I observed in my original paper, but as my current research shows in a now radically different context, refugees may display the contrasting affiliations of exit, voice and loyalty (Hirschman 1970). Reacting to the increasingly hostile and marginalizing policy environment in which they operate, refugee community organizations have proliferated in a number of European countries (Zetter *et al.* 2003a, 2005, 2006; Griffiths *et al.* 2005). In part this reflects the diversity of ethnic and national origins of the ‘new’ migration. Principally, this is in response to the crisis of social exclusion these new communities experience. Thus a complex picture of formal and informal networking in refugee communities emerges, combined with a notable resistance to the formalizing of their networks and to state incorporation—an inevitable reaction to restrictionist policies and a hostile political discourse. These organizations are less the prime mediators of refugee integration, as in the past. Now they exist for the essentially defensive and immediate tasks of advocacy, protecting basic rights, supporting asylum claims, and filling the increasingly large void left by the withdrawal of state support, not for longer-term settlement. The informal networks are also powerful agencies in the economic sphere amongst some communities, enabling the start up of small enterprises and facilitating the vital task of remittances back home.

At the same time refugees, and indeed other migrants, can and of necessity do sustain a ‘plurality of affiliations, and the coexistence of cohesion and separateness’ (Zetter *et al.* 2006: 14)—belonging to but also excluded from their host society and, because they are refugees, belonging to but also excluded from their country/society of origin. Simultaneously cohering to different social worlds and communities is part and parcel of the contemporary social life for refugees and other migrant groups in an increasingly globalized world. But managing these multiple identities challenges the contemporary discourse on citizenship and social cohesion as it shifts to a more assimilationist and mono-cultural model of integration in response to the perceived ‘threat’ of the other in an era of global migration.

The new era of refugees and international migration has profoundly changed the political landscape of the developed world. Transnational social transformations may be the root cause of forced migration in a globalized era. But, the consequential social transformation on host countries in the north, is both profound and largely unwelcomed by them (Zetter *et al.* 2006).

The refugee label is formed, transformed and ‘normalized’ in policy discourse by bureaucratic practices which seem necessary, appropriate and even benign. Yet the very familiarity of institutionalized labels conceals the highly politicized role of these processes in structuring and mediating social relations. Albeit that the proliferation of new labels is a messy political response to an intractable and confusing problem for most western states, the label ‘refugee’, and its many sub-categories, reflect a political discourse on migration which has deconstructed and reinvented interpretations and meanings in order to legitimize state interests and strategies to regulate migration.

Labels reveal the political in the apolitical.

The Label Remade

My paper has identified various strands of labelling—the political, the populist, the bureaucratic, the self, amongst others. My argument has been to show how a complex and contested label is transformed by bureaucratic and regulatory processes, which both reproduce and reflect a political discourse of alienation and resistance to refugee claims. By revealing the interplay between these at times confusing and overlapping strands, the concept of labelling shows how apparently legitimate and objective processes are in fact pernicious tools which fraction the claim to a fundamental human right.

I now draw conclusions from this analysis, highlighting both continuity and change in the concept over two decades.

First, anyone has a right to claim refugee status. However, this prized label is not a negotiated identity, defined by reference to the complex social circumstances of the forced migrant. Instead, it has become buried in the apparently neutral, apolitical requirements of immigration procedures and bureaucracies which are part of the much larger apparatus of state power and state interests. For target groups like refugees this means life-securing rights must to be claimed, and social relations managed, under conditions of great disadvantage since their migration is forced not voluntary. A concept of labelling helps to inform an understanding of these contested landscapes.

Second, despite the proliferation of labels to describe different forms of forced migration, paradoxically the label ‘refugee’ has become much more blurred than in the past. This is because increasingly complex social transformations have generated more complex forms of persecution and means of exile, whilst globalization enables refugees to reach far more varied and distant destinations. The transformational shift in the way labels are used and fine tuned for bureaucratic purposes reflects the fact that the underlying paradigm on which approaches to the phenomena of refugee and other migratory processes and patterns are constructed, remains unchanged. The outcome, however, is that claiming the refugee label is no longer a right but a prized status and expensive commodity.

Reflecting this complexity, the label ‘forced migrant’ increasingly replaces ‘refugee’ in the research literature. ‘Forced migrant’ better captures the complexity of contemporary root causes, whilst at the same time contextualizing refugees within the wider migratory processes of transnational social transformations. However, it reduces the focus on protection as the fundamental right of a refugee enshrined in the Geneva Convention.

In contrast to this generic label, public policy and practice prescribe and invent an increasing variety of new labels institutionalizing categories of semi-permanent transients. The proliferation of labels reveals the political agenda. Governments try to regulate, discriminate and differentiate the migratory impacts of socio-economic social transformation, representing them as viable labels in order to regulate entry. But labelling reveals contested territory. In every case there are fundamental distinctions and contradictions between how refugees perceive their label and how bureaucratic policies and practices prescribe a label. Fractioning is in marked contrast to earlier times. The outcome is to leave the label ‘refugee’ as the most privileged amongst many inferior statuses. Claiming the label ‘refugee’ is no longer a right but a highly prized status.

Third, the label ‘refugee’ is now preceded by new labels in the processing chain such as ‘asylum seeker’ and ‘temporary protection’: these labels act as reservoirs to contain entry and intercept access to the most prized claim. An analysis constructed around the concept of labelling emphasizes how this fractioning drives the claim to refugee status further back into the process of migration—both metaphorically and geographically—reducing the opportunity to achieve the ultimate status, or worse still criminalizing claimants who try to avoid these barriers.

Fourth, a most significant difference in the contemporary era is that national governments are the dominant power in forming, transforming and politicizing the label ‘refugee’, not NGOs and humanitarian agencies as in the past. I am not referring to the legal definition of a refugee, *strictu sensu*, which has not changed, but a definition established through the process of labelling—creating convenient images and shaping public policy practices. This shift to state agency in making labels for forced migrants has profound implications for refugees.

In the past, the concept of labelling focused on how *humanitarian agencies* formed, reformed and politicized the refugee label. Now, in revealing the multiplicity of labels for refugees, the concept of labelling points to *government agency*. In the past, the objective of humanitarian labelling was the *inclusion* of refugees, although the consequences were often destructive. By contrast, state action mobilizes bureaucratic labelling to legitimize the *exclusion* and marginalization of refugees. In the past the concern of labelling was to explore the *distributional consequences* of different categories (i.e. ‘labels’) of need—food, water, shelter, medical assistance. Now the concept of labelling demonstrates why the fractioning of the label ‘refugee’ conceals the political agenda of *restricting access* to refugee status in the seemingly

necessary apolitical bureaucratic processes. In the past the political discourse on refugees focused on *rights and entitlements*. Now, the analysis of labelling as public policy practice shows how this discourse is preoccupied by notions of *identity and belonging* embedded in debates about citizenship and the ‘other’ in an era of global migration. In the past the label ‘refugee’ shed light on the often disturbing impact of altruism and charity presented as *humanitarian assistance*. Now labelling reveals a process of citizen *co-optation* in a wider, and possibly more pernicious, political project.

In this way, the label is formed and reformed as part of a social compact between the state and its citizens so that we are all incorporated in the political project of making labels in convenient images, while keeping the refugees and other dispossessed people at a distance. In the past my concern was with the labelling of refugees: now, it is about the fractioning of the refugee label and, arguably, about de-labelling refugees.

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