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SPECIAL ISSUE: MOTHERING PRACTICES IN
TIMES OF LEGAL PRECARITY: ACTIVISM,
CARE, AND RESISTANCE ACROSS BORDERS



In search of legal stability: predicaments of asylum-seeking mothers in Berlin

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ABSTRACT

This article analyses how legal precarity overlaps with different forms of gendered racialization and impacts on migrant women's mothering practices. It traces how migrant mothers' encounters with, and categorizations by, the asylum regime have direct and indirect repercussions on the relationships with their children. The article presents the legal trajectories of two migrant women in Germany centring on three different aspects of motherhood that define these women's experiences of legal precarity. First, it describes mothering as a form of gendered and racialized hyper-visibility in the public sphere. Second, mothering practices are analysed in a bureaucratic context in which a mother's legal inscription as an asylum seeker with an unresolved national background denies access to proper certification for the children. Third, the article engages with the dimension of interdependence showing how legal precarity creates a feedback loop of fear between mothers and children.

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This article discusses how living in prolonged legal precarity in Germany impacts on two migrant women's mothering practices. It traces how their encounters with, and categorizations by, the German asylum regime have direct and indirect repercussions on the relationships with their children. Wright (2015, 391) argues that "feeling a sense of belonging (or not), being legally, morally or socially recognized as belonging (or not), truly has the power to change lives". Recognizing that legal precarity deeply challenges one's sense of belonging and recognition and has wide-ranging implications for those affected by them, I argue that there is a need to trace the effects of

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legal and bureaucratic inscriptions (Horton 2020) on mothering practices. I will present the legal trajectories of two migrant women in Germany, one of whom experienced a six-year-long phase of extended transition in which she and her family waited for legal status determination. The other woman received numerous short-term legal statuses and lived through a period of illegalization. Tracing their navigations of obtaining legal statuses, I focus on three different aspects of motherhood that were interwoven with these women's experiences of legal precarity: first, I discuss a woman's sense of hyper-visibility as a Muslim migrant mother in the public sphere. Second, I delve into the struggle for the children's documents showing how motherhood is deeply affected by bureaucratic encounters. Finally, I analyse mothering practices by examining if, when, and how mothering becomes an almost unbearable challenge. This includes a focus on legal precarity as a source of severe distress expressed through various somatic and mental responses. I thus discuss mothering as an intersubjective space between migrant women and their children highlighting "the shared dependencies and vulnerable intimacies between mother and child" (Horton 2009, 11). Ultimately, my theoretical and ethnographic approach to legal precarity aims to forge a bridge between attention to legal frameworks and analysis of embodied experiences of motherhood.

Ethnographic research in Berlin

I collected the material I present and analyse in this article during 16 months of ethnographic fieldwork which took place in two phases between the end of 2017 and March 2020 in Berlin.¹ Most of my research partners had arrived in Germany during the so-called "European refugee crisis" and came from countries in the Arab world, the African continent and Afghanistan. They held different legal statuses. Twenty-two research partners were mothers and I met them while volunteering in a refugee shelter, a legal advice centre, and a project offering service to refugee mothers and their children. Since I had stayed in touch with most research partners I'd met during the first fieldwork phase, I was able to follow and trace their trajectories for more than two years. Methods of data collection included participant observation, realization of semi-structured interviews, and the collection of life stories. Most conversations and interviews took place in Arabic or English, and a few were conducted in German. With the protagonists of this article, Intissar and Nour, I conversed solely in Arabic. I decided to focus specifically on the legal trajectories of these two women, because it allowed me to delve deeply in the details of their legal cases and the reverberations of their legal statuses on their own and their children's lives. Although the legal contexts that created their legal precarity are not the same, they were both particularly challenged by living with their children in ongoing legal limbo.

I first met Nour while volunteering in the refugee shelter, and Intissar when attending the weekly meetings organized by the project for migrant mothers and children. Given their precarious legal situations and the detailed descriptions of their legal cases I provide in this article, I aim to guarantee their anonymity by using pseudonyms and disguising as many identifying details as possible. As well as joining group meetings and socializing in public spaces, I often joined both women in their appointments with different state authorities, and they would ask me for translation or clarification after having received official communications. This allowed me to get a strong sense of their emotions, worries and aspirations, and how these were directly and indirectly forged by their contact with the German state authorities.

The process of conducting ethnographic fieldwork was considerably shaped by my status as an (expectant) mother during the first phase of fieldwork and the regular presence of my daughter during the second. Doing fieldwork as a mother shapes interactions, encounters and relationships between researcher and participants (Dreby and Brown 2013). Indeed, topics pertaining to motherhood were important and recurring elements of my conversations with most migrant women: among other themes, I was given advice on how to induce labour naturally; how to respond to infantile colic; and how to introduce solid food. In return, I was asked a variety of questions, for instance, about my perception of the youth welfare office and my views on disciplining children in public. While being mothers created a common ground and a foundation for conversations, our relationships were similarly defined by adamant differences relating to the precarity most women experienced as migrants with only limited legal protection, financial constraints, and uncertain future perspectives. As a German white woman, I represented the society into which these women had migrated and embodied aspects of white, middle-class motherhood. Our different positionalities gave room to particular conversations as the ones mentioned above; yet, they also made me aware of insurmountable hierarchies and asymmetries inherent in the research process and the unbridgeability of certain distances and precarities. The dynamics and ambivalences of my relationships with the migrant women reminded me of the longstanding debates among feminist scholars concerning the category “women” and the dominance of the Western gaze (Lazreg 1998; Mohanty 1988; Spivak 1988). They foregrounded the pitfalls of adequately representing the lived realities of the migrant women I met. Writing about the women’s experiences, narratives and relationships that had been established helped me to confront my own stereotypes and deal with how they coloured the research process. It also helped me to acknowledge that some ambiguities that mark connections with other women cannot and should not be erased (Ang 2001, 191/192).

To give context to Nour’s and Intissar’s legal status: newcomers to Germany who apply for asylum will be placed into one of four categories:

they can receive refugee status in accordance with the 1951 Geneva Refugee Convention; asylum in accordance with the German constitution; or subsidiary protection. In addition, there are newcomers who cannot be returned for humanitarian or personal reasons who then receive a prohibition on deportation (*Verbot der Abschiebung*). If the Federal Office for Migration and Refugees (BAMF) rejects these four protection statuses, asylum seekers might receive a temporary suspension of deportation (*Duldung*), which is not a legally valid residence permit, since it certifies a temporarily suspended obligation to leave Germany. Depending on their respective residency permit, newcomers have access to different sets of rights and entitlements: including social transfer payments; individual housing rights; the right to apply for family reunion; and the right to employment.

Mothering in times of legal precarity

Living a precarious life means that the present is “all-consuming”, requiring all available energies in order to get by (Allison 2016). It certainly involves “hardship and pain”, but also “resourcefulness and imagination” (Allison 2016). Tsing (2015, 2) defines precarity as “life without the promise of stability” and the “condition of being vulnerable to others” (Tsing 2015, 20). She relates precarity closely to indeterminacy and describes it as the condition of our time (Tsing 2015). Consequently, in this study, I think of precarity as ongoing and existential uncertainty and pay attention to particular forms of vulnerability and exhaustion that result from living in precarity. For Butler (2009, 25), precarity is “the politically induced condition in which certain populations suffer from failing social and economic networks of support and become differentially exposed to injury, violence, and death”. I use her analysis to examine how legal status is one of the means through which migrant mothers become particularly vulnerable and exposed to hardship. Finally, my analysis is informed by Ramsay’s (2020) attention to the temporal dimension of precarity: she foregrounds the loss of control over one’s time and of a navigable future during displacement.

In migration literature, legal precarity is defined as multi-dimensional and constructed by specific state policies, regulations, and practices of policy implementation (Goldring, Berinstein, and Bernhard 2009, 240). Following Paret and Gleeson (2017, 5), the concept sheds light on concrete structural restrictions, such as “vulnerability of deportation and state violence, exclusion from public services and basic state protections [...] and everyday discrimination or isolation”. Moreover, it places emphasis on migrants’ encounters with state bureaucracies and their experiences of legal violence (Menjívar and Abrego 2012). Ellermann (2020, 2469) argues that while precarity used to be associated predominantly with undocumented and temporary legal status, it now affects all immigration status. Hence, she favours a “more

fluid and non-linear understanding of precarity/precariousness". I use the notion of legal precarity in this article to delve into the repercussions of receiving short-term legal statuses continuously (see also Suerbaum 2021) and of living through periods of extended transition. In particular, I am interested in the myriad of uncertainties that were an integral part of the migrant women's lives. Furthermore, I use legal precarity to emphasize that holding a legal status is not a one-time event, but rather an ongoing process that requires immense energy and effort. In fact, legal statuses are constantly "struggled over, changed, and remade" (Luibhéid 2013, 19) and this process has specific implications for migrant mothers and the relationships to their children.

Legal precarity intersects with practices of racialization and social exclusion (Goldring, Berinstein, and Bernhard 2009, 241; see also Suerbaum 2021). Racialization targets the body as an entity that is judged, "known beforehand according to predetermined expectations" and consequently reduced to one of inferior status (Furlas 2015, 104). It does not only relate to phenotype but also to other markers of difference, such as religion, national origin, class, and legal status. Racism is a global formation and racialization based on skin colour, ethnicity, etc. emerges out of colonial histories of white supremacy that are re-enacted through contemporary global economic, asylum and humanitarian regimes (Besteman 2020; Thomas and Clarke 2013). In immigration regimes, racialization is institutionalized through laws and states' treatment of migrants and asylum seekers (Chacón and Coutin 2017; Luibhéid 2013). In particular, immigration law enforcement is strongly directed by racial prejudices (Gazzotti 2021, 278); implicit and explicit criteria of (un)deservingness being just one aspect of many (Ehrkamp 2017). Also, in contexts of resettlement, the colour of one's skin is frequently read as otherness and makes resettled refugees vulnerable to state intervention (Ramsay 2017a, 524). I am interested in how migrant mothers experience "the emotional weight of [their] categorical location" (Bonilla-Silva 2019) and approach the women's prolonged legal precarity as a dimension through which racialization is embodied. Religion plays a role in the racialization processes that migrant mothers in Germany encounter. As Abu-Lughod (2002) stresses, religion, and in particular Islam, is often taken as a token of "other" women's oppression. Constructing Muslim migrant women as being in need of saving reinforces a sense of superiority, arrogance, and patronizing. It adds to a picture of women migrant mothers who are not perceived to be on an equal footing and whose mothering practices are not respected as products of their different histories, circumstances and desires (Abu-Lughod 2002). Since mothering practices among migrant women are often profoundly shaped by racialization processes, mothering strategies can become sites of resistance to racism and other forms of oppression (Hill Collins 1994).

Motherhood can be understood as a biological, emotional, social, and legal status, among others. It is relational and contingent upon the context in which it is experienced (Millman 2013). Maternal work features material, affective, moral and political aspects (Brouckaert and Longman 2018). In this article, motherhood is perceived as a relationship that is defined by relative fluid boundaries of the self, connectivity and relationality, as identified by Joseph (1993, 467) in her research on Arab families. Joseph (1994, 55) argues that it is common in familial relationships that people are intimately connected with the self of another “such that the security, identity, integrity, dignity, and self-worth of one is tied to the actions of others”. I rely on scholarship that centres on mothers who experience migration, forced displacement, and illegalization to show how motherhood can take on new meanings and responsibilities in these contexts, and can forge new encounters with the state and regimes of power (Lowe 2019; Willen 2014; Horton 2009). I am interested in motherhood as “an ongoing performative process of becoming” in which moral and social expectations are continuously negotiated (Lowe 2019, 199). The choices migrant women make for their children’s future entail the sacrifices related to leaving familiar contexts behind and starting anew in (predominantly) unknown places, often facing material, social, and emotional challenges (Feldman-Savelsberg 2016, 4). Economic and material scarcity can cause maternal deprivation and can challenge the maintenance of motherly love and emotional connectivity (Brouckaert and Longman 2018). Conversely, providing a child with a loving relationship can be stabilizing, giving purpose and meaning in times of uncertainty and loneliness (Willen 2014; Luibhéid 2013, 75).

I chose to think with the concept of motherhood rather than with parenting because I attempt to acknowledge that migrant mothers are traditionally associated with particular roles and responsibilities, such as cultural guardians (Mills 2004, 165) and reproducers of traditions and structures of belonging (Gedalof 2009, 87). Certainly, “mothering practices are a focal point of regulatory interest” (Erel 2002, 132) and women have to engage with and make sense of the normative expectations that define “good mothering”. There is a context-dependent script written for migrant mothers, and women who perform this role are judged accordingly. Once they care for children, migrant women embody particularly racialized and gendered subject positions in relation to their places of origin and (temporary) settlement (Erel 2002), and they need to navigate them in their homes, the public sphere, and vis-à-vis state institutions.

Experiencing legal racialization

Intissar is of Palestinian origin and has three children. She and her husband were born in Lebanon and lived in Libya for decades before coming to

Germany. Initially, Intissar's nationality was considered unresolved (*ungeklärt*), since Palestine cannot be placed as a country of origin (Tize 2021, 6). Then, she was considered stateless.² When Intissar, her husband, and their toddler-aged son arrived in Germany in 2014 they applied for asylum. They received a rejection in December 2016. Their lawyer filed a suit to which the BAMF initially responded that, as descendants of 1948 Palestinians, the family could go back to Lebanon.³ Until January 2021 Intissar and her family held a permission to remain pending the asylum decision, which prohibited them from being active in the German labour market, receiving child allowance, and attending free German courses (Hinger, Schäfer, and Pott 2016, 459). Every six months, the family had to go to the foreigners' registration office to renew their papers. Cabot (2012) stresses that being an asylum seeker creates "a temporary relationship to a nation state in which the right to stay is itself highly transitory". Indeed, Intissar's family experienced a phase of extended transition being categorized as asylum seekers for six years and living in a state of "permanent temporariness" (Tize 2021). This liminal stage was regularly interrupted by letters from the BAMF and their lawyer regarding the ongoing lawsuit, which greatly worried Intissar who could not speak or read German. Eventually, she and her family received subsidiary protection status in January 2021. The court came to the conclusion that the family could not be sent back to Lebanon, since for stateless people only the last country of regular stay should be considered in the decision process. The court ruled that the ongoing armed conflict in Libya would pose a serious threat to the family's lives.

In the phase of extended transition, Intissar experienced moments of racialization pertaining to her Palestinian origin, which she found particularly painful. When asked about her homeland during the formal interview at the BAMF, she responded that she was Palestinian. The translator told her coldly that Palestine could not be considered her homeland in Germany. Intissar mentioned this encounter several times describing the scene with bitterness, anger, and irony. Palestinian refugees are frequently characterized as "exceptions" from the "international refugee regime" (Akram 2014 cited in Fiddian-Qasmiyeh 2016, 305), creating a sense that they have no rights or state protection; an inability to make decisions about the future; and a feeling of exclusion (Fiddian-Qasmiyeh 2016). Allan (2020, 226) describes Palestinian displacement as "*living in never ending-crisis*" (emphasis in original) and as confrontation with "entrenched racism", particularly in the encounter with European asylum regimes (Allan 2020, 228). Since 1985 Palestinians refugees in Germany have been considered as people with "unclear state belonging" (Özyürek 2016, 58), with most receiving continuous renewals of a short-term permission to stay (*Kettenduldung*). This means that they do not have access to work or social welfare (El Bulbeisi 2020). Due "to their complicated legal status as refugees without a state", it is not known

how many Palestinians are living in Germany (Özyürek 2016, 58). In both the legal sphere and German society, they often face “anti-Palestinian racism” revolving around themes like assumed criminality and Muslim anti-Semitism (Özyürek 2016, 262).

Apart from the refusal to accept Intissar’s Palestinian origin in the interview, racialization as a Palestinian in Germany meant she experienced discrimination as an individual. During the period of extended transition, she referred frequently to distant relatives, acquaintances, and contacts who seemingly had the same background as her but received a long-term legal status. She described their legal trajectories and successful outcomes but could not detect the differences between herself and these others. She often reiterated that claiming asylum in Germany was like playing the lottery and getting a legal status would depend solely on luck. She felt that migrants were not equal before the law and decisions were made arbitrarily. Her sense of inequity vis-à-vis the law is described in critical scholarship on the work of immigration regimes and street-level bureaucrats (e.g. Borrelli 2020; Pellander 2021). Immigration bureaucrats “hold discretionary power and represent the policies of the state by selectively adapting them” (Pellander 2021). Suspicion and artificial categories of selected deservingness define decision-making processes (Borrelli 2020). Overall, Intissar sensed that her life in Germany was defined by intense bureaucratic struggles and lengthy legal processes. She repeatedly stated that she was exhausted by living in Germany.

Performing migrant motherhood

Looking back at her husband’s decision to leave Libya for Germany, to which she had only reluctantly agreed, Intissar acknowledged that their arrival in Germany had been difficult. She had found the family’s initial stay in a refugee shelter particularly stressful because she had to share the bathroom and kitchen with strangers, and while she rigorously cleaned the shared areas, she would find them dirty the next time she wanted to use them. She said she experienced depression:

In the first year, I felt down a lot. Not just a little, and probably, I got diabetes because I suffered a lot in the refugee shelter. [...] I got pregnant with Abdallah [her second son] there. Before, two babies died in my tummy so I was really sad and we had not yet moved to our own flat back then.

Intissar connects her depression and diabetes with her forced displacement. Diseases are both social and biological and “the body often encapsulates complex power relationships” (Dunn 2018, 120), in Intissar’s case living in a refugee shelter. She experienced her body as a “shaky and unstable” ground (Willen 2021, 66) and her diabetes and the miscarriages become

indications of the violation of her “embodied groundedness” (Willen 2021) developed during forced displacement. Apart from her mental and physical reactions, Intissar described that the deterioration of her relationship with her husband in the refugee shelter, and that her state of mind and overall exhaustion were in sharp contrast with her toddler’s desire for activity.

Muatassem irked me in the refugee shelter. He was always trying to go out, he did not want to stay in the room, whether I was sick or not. He was always going out to play, and honestly in these camps there are thieves and robbers, like if you go to do something, you might not see the child when you return.

Responding to her son’s needs, while battling anxiety and sadness challenged her immensely. Additionally, she was confronted with interference in her mothering practices. She noticed that staff members knocked at her door whenever her son was crying. And she remembered that once, when she was sick and could not go out, a staff member asked her why she would not take her son for walks. Once, her son ran away in the refugee shelter and she found him on the top floor of the building.

I was talking to my son, and my voice was just normally loud. The employee thought that I was about to hit my son or yell at him, so he started yelling at me and bullying me. He made me feel really bad. After that, I became worried that they would take away my son and wouldn’t let me see him.

Intissar encountered the shelter’s staff as potential opponents who had the power to interfere in her mothering habits. She had to accept that the values and norms upheld in the country of residence were affecting her family (Besteman 2016). Indeed, “the social relationship between the mother and the child becomes the site of bordering processes” (Humphris 2017, 1199) and the ground of gendered racialization. The staff’s surveillance and suspicion vis-à-vis her mothering practices engendered longstanding worries in Intissar. The expected clash of differences in parenting strategies (Kleist 2010, 193) turned into an invasive fear of external intervention and enforced child removal (see Ramsay 2017b; Kleist 2010). Several years later, when the family had moved to a privately rented flat and Intissar had just given birth to her third child, she was still worried about forced child removal and thus refused to ask a midwife to visit her regularly during confinement.

During the weekly women’s group meetings, Intissar often wanted to discuss the issue of spanking and shouting at children in public, and to ask how such maternal disciplining practices were perceived. Most attendees agreed that it was important to control one’s children in public. After a lively discussion about childrearing, Intissar approached me in private in the kitchen corner of the meeting room. She said that she saw a “real German woman, not a gypsy” who yelled at her child on the Metro, and she also observed “a German woman” hitting her child on the fingers. At the same

time, however, it was she who often heard the hostile and judgemental “tz tz tz” and felt everyone’s gaze on her when her children behaved badly. Mattes and Lang (2021, 12) stress that migrants’ “being-in-the-world in the form of non-belonging includes experiencing themselves through the Othering gaze of their host society”. Indeed, Intissar describes a sense of hyper-visibility and being under a moralizing gaze as a woman who is identifiable as a Muslim migrant mother, and contrasts her experiences with those women she believes to be German, whose childrearing is not policed in public. Her experiences describe both the hyper-visibility of inhabiting racially marked skin and the hyper-awareness of this visibility (Price 2012).

Intissar was also concerned about appropriate behaviour in the context of her children’s school and day-care activities. Once, when she could not attend a celebration at her son’s school because her husband was hospitalized, she asked other members of the women’s group whether this would be misinterpreted as uncaring and uninterested. Intissar was challenged in her beliefs, values, thoughts, and ideas, and had to manoeuvre the context-specific parenting ideologies she identified in Germany (Feldman-Savelsberg 2016, 25). She constantly worried about consequences of her behaviour in a place where she could not predict how the authorities and those around her would respond to her mothering practices. Nevertheless, Intissar’s fears did not make her apathetic. Several times she approached the leaders of the women’s group to help her find a language course. Her desire to master the German language became particularly urgent when her oldest son started primary school and she realized, when checking his homework, that she was unable to pronounce the German alphabet correctly. However, attending a language course came with its own set of problems: her legal status only allowed her to attend free German courses that were offered by volunteers and NGOs, and her husband’s absence during the day meant that she had to pick up her children from nursery and school and could not focus on studying in the afternoons and evenings.

In Intissar’s case, performing migrant motherhood became both a mundane and a conscious act requiring constant self-reflection and invoking various concrete and abstract anxieties. Apart from materializing in emotions, values, and aspirations, mothering featured as a performance of particular gravity in the public sphere and when in contact with state institutions and social service actors. In these contexts, motherhood was experienced as a battleground on which her presumed otherness, worth, and values were judged and negotiated.

Mothering on paper

Apart from being a background noise that found expression in her fear of forced child removal, Intissar tangibly felt her legal precarity in the context

of her ongoing fight to acquire full birth certificates for her son and daughter who were both born in Germany. This particular struggle illustrates the significance of immigration status as a factor which “determines the ease, and even possibility, of the tasks that constitute daily life and livelihood” (Feldman-Savelsberg 2016, 12/13). The birth certificates Intissar had received for the two children do not state the father’s name, and they state that Intissar’s identity is not proven. Since the father is not registered on the birth certificates, the children have their mother’s last name. Intissar regards this as shameful as she feels it gives the impression they were born out of wedlock. Furthermore, she wanted her children to feel that they all belong to one family.

It was an early morning in winter when Intissar and I met in front of the district court to request revised birth certificates. Knowing that she could not produce what had already been asked for repeatedly, namely, her passport, an official marriage certificate, and her birth certificate, Intissar presented blue identification cards given out to Palestinians by the Lebanese authorities and a marriage contract from Libya. The civil servant repeatedly asked for a proof of her identity that the court would deem sufficient, to which Intissar responded with a bitter laugh and a crooked smile. She was unable to produce these requested documents because she feared that additional identification documents from Lebanon might invalidate her asylum request and cause the family to be deported. And thus, the appointment did not end well with the civil servant doubting that Intissar’s provided papers would convince the court to change the birth certificates. A couple of months after this unsuccessful attempt, Intissar was still determined to change her children’s last names and made an appointment for an acknowledgement of paternity at the youth welfare office.

The birth certificate is a person’s proof of identity and legal parentage. The possession of a birth certificate is necessary in order to access other rights in Germany (Gerbig, Krause, and Schubert 2021, 15). Its absence can cause various problems, such as difficulties in accessing routine health checks for the child, obtaining child and parental allowance, registering the child at the local residents’ registration office, and finding child care (Gerbig, Krause, and Schubert 2021, 26). If the parents’ marriage cannot be proven, the father’s name will not be mentioned on the child’s birth certificate (Gerbig, Krause, and Schubert 2021, 50), and, as in Intissar’s case, the child will receive the mother’s last name (Gerbig, Krause, and Schubert 2021, 51). The issuing of generic birth certificates that do not record the father as a legal parent can have implications in case of separation because the father cannot prove that the child belongs to him (Castañeda 2008). Furthermore, if the father’s name is absent, children may become stateless if they come from a country in which mothers cannot pass on their nationality

(Gerbig 2019). Additionally, being perceived to be born out of wedlock due to the absence of the father's name may lead to social stigmatization and legal disadvantages in the parents' country of origin (Castañeda 2008).

The repercussions of Intissar's legal precarity encompassed her children's identity-establishing documents and questioned the validity of the bureaucratic relationship between parents and children. It also affected her daily life when she had to register her children at the same nursery with different last names and had to explain to the teachers that these children belonged to the same family. The struggle for complete certificates that officially prove her younger children's connection with their parents shows how bureaucratic processes and legal requirements shape intimate relationships and how paper documentation has the power to create severe discomfort in day-to-day life.

Mothering as interdependence

Nour, a mother of two primary school-age children, is from Lebanon. When we first met in a refugee shelter in 2018, she told me that she fled from the sectarianism in her country in order to forestall the radicalization of her children. Her husband and the father of the children is Palestinian and Sunnite, she is Lebanese and Shia. This has caused trouble in her life and she feared that her children would also face difficulties. Over the past four years, Nour has applied for asylum five times in three different European countries. She says that her son's last three birthday celebrations all took place while the family was in the middle of asylum procedures. She arrived in Germany in 2017 and received a *Duldung*. Her husband managed to reach Germany a year later and applied for asylum. However, a few weeks after his arrival, when Nour informed him she had made an appointment with the youth welfare office because she felt that their son needed professional support, her husband bought airtickets and forced her and the children to go back to Lebanon with him that day. In spring 2019, Nour managed to return to Berlin with her children via a Schengen tourist visa she received from Spain. She was determined to stay and become the sole decision maker for herself and the children. While she described their enforced return to Lebanon as a time of deep depression, she remembered how she felt relieved upon her arrival in Germany when she could finally smell again "the odour of the Berlin U-Bahn". When her tourist visa came to an end, she applied for asylum in Germany because, in her own words, "I have two children and I don't want to live in Berlin without a legal status". While she enrolled her daughter in school, her son did not adapt well. She described him as hyper-active and unable to go to school. He attended different programmes and spent some time in a children's hospital. Reflecting on these difficulties, Nour said that Ahmad was tender and caring, smart and curious, and well

behaved with others. Yet at home, she complained, “he has no boundaries”. Nour reported that he was aggressive towards her and his sister, becoming possessive and attempting to act like “the man in the house”. She also noticed that he was often sad and tried to spend as much time with her as possible.

Nour was also worried about her own physical and mental condition. Experiencing intense pain in her stomach and chest one day, she assumed that it was a heart attack; however, a panic attack and gastritis were diagnosed. The hospital report mentioned that Nour’s condition was related to stress she experienced due to her legal precarity. It was not her first panic attack, she explained; she had experienced several during her previous stay in Berlin. In June 2019, Nour’s asylum request was rejected because she was a “Dublin case”.⁴ When she received a certificate of border crossing (*Grenzübertrittsbescheinigung*), which proved the closure of her case and an immediate threat of deportability, she became “extremely worried and scared”. Nevertheless, she decided to stay in Germany without legal status until the end of the six-month-long time limit of the Dublin Agreement. In October 2019, she experienced an attempted deportation. Nour recalled that when the police arrived, she became aggressive and had a panic attack. The children were with a social worker in the kitchen, while Nour was put on the floor of her small flat in the refugee shelter. Describing the deportation attempt several months later, she mentioned half-jokingly that she was handcuffed “like a chicken” and that she was in pain. Because of the ongoing panic attack, the deportation was halted and she was admitted to a psychiatric hospital where she was sedated and held under observation. Nour insisted that she could not leave Germany and expressed suicidal thoughts. She was tranquilized and had to stay in the secure psychiatric ward for a week. When her children visited her, they had to stay on the other side of the fence. She remembered that her son once passed a napkin through the fence and that it was immediately checked for hidden items. Looking back at this episode, she said that she had to live the life of the “crazy people” for a week.

A further attempted deportation followed ten days later. When the police arrived at the refugee shelter with a medical team, Nour and her children were not at home. Hearing of it again caused a strong physical reaction in Nour: she was in pain and felt her body cramping when she remembered how she had been handcuffed. She described that she was shocked that the authorities had not given her time to rest. Reflecting on the previous years, she noticed that the ongoing uncertainty had left a mark on her body:

In the last three years, I felt that I lived for 100 years. I lived in instability and I felt that I grew old from inside. My mental state became very bad. I cried a lot. I went through a lot of tough experiences. I am taking pills against panic attacks. They calm me down.

Legal precarity and the period of illegalization severely affected Nour's sense of bodily integrity. Her socio-political positionality has become an embodied experience affecting her "sense of self, personhood, and interconnection with others" (Willen 2019, 230–231). Being caught in acute and chronic cycles of fear triggers strong bodily reactions and somatic responses. Her "displacement, exclusion, and marginalization cause existential and health-related ruptures" (Mattes and Lang 2021, 2). Repeatedly, the space the family calls home is punctuated and infiltrated turning it into a zone of vulnerability and danger (Willen 2014, 88).

After the two attempted deportations, Nour searched for a new lawyer. Her physical and mental condition improved when she felt that her case was in good hands and her new lawyer started to act on her behalf:

When I had the appointment with the new lawyer, she took my file and contacted the court immediately. Ever since, my health condition improved. I have fewer fears and worries.

Yet, until the end of the Dublin time limit for transfers, Nour was unable to guarantee her own safety to her children. Ahmad and Fatma had witnessed their mother's attempted deportation and her time in the psychiatric ward, and the family was terrified to going through this experience again. When the period of illegalization came to an end, Nour applied for asylum in Germany and received a *Duldung*. Yet, the family's ongoing stay in a refugee shelter was a powerful reminder of their uncertain and unsettled present and future and the liminality they were living in. Nour did not want to imagine a move to another country or even another German city:

I feel safe in Berlin. My children feel that they have rights here. If we have to move again, this means destruction for my children. They won't be educated at all. I will exhaust myself and this will have a bad impact on my children. They might destroy a family that only wants to live in stability

Emphasizing the intimate connection between her own bodily and mental integrity and her children's well-being, Nour added that "it was tough to always be strong for the children" and that she needed time for herself. As a coping strategy, she said, she would visit a close friend whenever she had a few hours to spare, "flying from the lightness and joy" these hours away from her children gave her.

Tracing Nour's legal trajectory in Germany sheds light on the relational aspect of motherhood and the interdependence between the mother's and the children's well-being. The mother's state of mind, her sense of lack of embodied belonging and her consequent struggle for certainty and stability affect the children's comfort and vice versa. Jackson's words come to mind:

Our lives are interwoven with the lives of significant others, so that the struggle for being is never simply a struggle to be ourselves but to be with others, to be there for them, to find ourselves through them. (Jackson 2015, 165)

Nour's narrative adds to Jackson's perspective that being there for others in the context of motherhood is a matter of ongoing negotiation. Nour notices her own physical and mental capacities, her need for recovery, at the same time as she is painfully aware of the weight of her presence and stability in her children's lives. Nour's perspective invites us to grasp the less celebrated side of "pulling oneself together" which Willen (2014, 91) identifies as a core aspect of mothering in illegality. While Willen describes how motherhood becomes an "inhabitable space of welcome" (Willen 2014, 86) and a mode of "living decisively, on one's own terms" (Willen 2014, 87), Nour's condition sheds light on the burden of the responsibility to endure in order to guarantee one's own, and in extension the children's, well-being.

Mirroring mothering practices

Nour had fled because she feared exposing her children to radicalization and sectarianism. In January 2020, she only wanted "to find stability for herself and her children". She longed to become like "any other human being", describing that her children were tired of the situation and that the family desperately needed certainty. Still, Nour's main theme of concern was Ahmad's development.

[The children and I] are very close. We went through a lot together. We were exhausted together, we were crying together, we laughed together. Fatma can understand the situation but Ahmad is very tender and sensitive. And this stresses me.

Even though Nour collaborated with the youth welfare office, had accepted the help of a socio-pedagogical family assistant, and sought medical and psychological support for her son, she felt that she could not give him what he desperately longed for, namely, stability and a settled life.

Ahmad feels anxious all the time. He needs friends. He tells me: "I don't have friends. I don't have a home. I don't have toys". This is because he is moved a lot. He's searching for a place to settle in.

Motherhood can create specific forms of intersubjectivity, opens horizons of opportunity, and invites self-reflection (Willen 2014, 93). It is in interaction with, and conversation about, her children that Nour experiences the depth of her legal precarity. Her son's distress, behaviour, and reactions to the overall situation and vis-à-vis his mother, clarify and prove their existential uncertainty on a daily basis. Nour's narrative shows that mothers do not struggle alone with the burden of legal precarity. Instead, it produces "a continuous feedback loop" between her children's fears and worries and her own (Horton 2009, 3).

Observing her son's behaviour and mood swings carefully, Nour described that he was constantly alert and by her side.

If I want to go grocery shopping or do anything else, he is always with me. If someone talks to me, if I want to cry or laugh, he is always with me. Ahmad became my mirror. This is a burden on me. He feels that he carries responsibility that is more than what he is supposed to carry at his age. If I am exhausted during the day, he thinks that he is the reason. He is not the reason. I am getting exhausted on behalf of them.

Nour's narrative clarifies that "we endure because there is always more than our individual survival that is at stake" (Jackson 2015, 165). Yet, this endurance comes with its own set of intimate challenges. Describing her son as her mirror gives room for different forms of interpretation: a mirror is candid in its reflection; it is an intimate companion that is consulted in private; a mirror does not have a life of its own but bounces back that with which it is confronted. At the same time, however, a mirror image does not reflect exact actions but instead reproduces them in a mirror-inverted manner. Attempting to make sense of the metaphor, Sahlins (2011) definition of kinship as "mutuality of being" and of kin ties as "intrinsic to the social constitution of persons" (Carsten 2004, 83) comes to mind. Being mutually affected can be both positive and negative and penetrates the core of one's being (Meinert and Grøn 2020, 588). Stevenson (2020, 652) suggests understanding kin "as those who dwell in a shared world of fear". Furthermore, she identifies an aspect of "social contagion" in kin relations and argues that they are defined by being intimately affected and haunted by another person's fear. In Nour and Ahmad's case, it is the fear for the mother's integrity and well-being that creates a deep connection, an interactive bond and the son's constant reflection of and response to his mother's struggles. The mother's emotions become the son's and vice versa.

In December 2020, Nour's *Duldung* came to an end and her lawyer informed her that she might experience another deportation attempt. Nour and her children moved in with her neighbours periodically in case the police would appear to enforce the deportation. Nour sought different ways to secure her stay in Berlin: she wanted to apply to the Berlin Senate as a case of hardship and tried to receive more legal stability by getting a job. Yet, by summer 2021 the family's legal status was still precarious, insecure and temporary.

Conclusion

In this paper, I shed light on three different aspects of mothering practised under the constraints of prolonged legal precarity. First, I described mothering as a form of hyper-visibility and confrontation with a moralizing gaze in the public sphere. Being perceived as a (Muslim) migrant mother creates specific responses in one's surrounding which require deciphering. It is the mother-child relationship that is constantly judged and assessed indicating the high level of regulation that migrant women who are read as "other"

mothers are confronted with. The reactions to one's mothering practices evoke various emotions, including fear. Intissar's fear of forced child removal is both elusive and vague as well as sharp and concrete, thus affecting her judgement of encounters and guiding her avoidance of support structures. Lacking a clear sense of the prevalent discourses around "good mothering" in Germany and a stable position that allows her to make an informed judgement creates ongoing insecurity and self-consciousness when being confronted with her hyper-visibility as a migrant mother in public and vis-à-vis social workers.

Second, I analysed mothering practices in a bureaucratic context in which one's legal inscription as an asylum seeker with an unresolved national background denies access to proper certification for the children. We learn that legal precarity takes shape in encounters with state authorities and has repercussions for migrant mother's everyday lives, since the absence or presence of proper certificates structures migrant women's (and men's) relationships with their children. And third, I engaged with the level of interdependence showing how mothering practices also need to be directed towards the self, since children's well-being relies on the mother's actual presence as well as physical and mental integrity. Legal precarity proves to be an embodied condition with wide implications for a mother's relationship with her children and creates situations in which mothering becomes an almost unbearable challenge. Severe disturbances of physical and mental integrity need to be dealt with. The mother's emotions and mental and bodily responses to their socio-political positionality affect the children's lifeworld. Through the responses and reactions they reflect back to her, their mother's emotional struggle is multiplied.

Notes

1. The same fieldwork formed the basis for Suerbaum (2021, 2022). Ethical approval for the study described was not obtained from the Max-Planck-Institute for the Study of Religious and Ethnic Diversity because this was not required at the time the research was conducted. All social scientific research at the Max-Planck-Institute for the Study of Religious and Ethnic Diversity, particularly concerning informed consent, is designed to follow the ethical guidelines formulated by the American Anthropological Association and other professional bodies in sociology. All respondents were fully informed about the purposes of this research and how their responses would be used and stored. All respondents have been anonymised and gave consent to be interviewed for the purposes of this research.
2. The majority of the case law in Germany has considered Palestinians without another nationality to be *de jure* stateless (Bianchini 2014, 39).
3. Following the UNRWA 1952 definition, "a Palestine refugee shall mean any person whose normal place of residence was Palestine during the period of June 1, 1946 to May 15, 1948, and who lost both home and means of livelihood

as a result of the 1948 conflict" (Bocco 2009, 237). UNRWA's administrative title is inherited to children of original registered refugees (Bocco 2009).

4. The Dublin Agreement allocates responsibility for dealing with an asylum seeker to the EU state of their first entry, where their fingerprints were taken or asylum was claimed (Robbers 2021). An application for asylum is inadmissible in Germany if another country is responsible for its processing. In this case, a 'transfer request' will be sent to the EU state concerned. After the EU member state agrees, the transfer must take place within 6 months (Federal Office for Migration and Refugees 2021).

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