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To cite this article: Bani Gill (2022) Dead papers: migrant 'illegality', city brokers, and the dilemma of exit for unauthorised African migrants in Delhi, Journal of Ethnic and Migration Studies, 48:9, 1961-1979, DOI: [10.1080/1369183X.2021.1940891](https://doi.org/10.1080/1369183X.2021.1940891)

To link to this article: <https://doi.org/10.1080/1369183X.2021.1940891>



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Published online: 29 Jun 2021.



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## Dead papers: migrant ‘illegality’, city brokers, and the dilemma of exit for unauthorised African migrants in Delhi

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### ABSTRACT

Through the empirical optic of ‘dead papers’, this article highlights the lived complexities of documentary regimes in Global South contexts by exploring strategies and responses to the agency of migration documentation that are past their expiry date. Drawing upon 12 months of ethnographic fieldwork with African migrants and city-based actors such as property brokers conducted in two unplanned settlements of Delhi between 2015 and 2017, it focusses on the intersections between paperwork, im/mobility, and emergent ‘migration infrastructures’ (Xiang, Biao, and Johan Lindquist. 2014. “Migration Infrastructure.” *International Migration Review* 48 (1): 122–148) mediating the impermanent trajectories of racialised and legally precarious African migrants in Delhi. It argues that colonial era laws that criminalise visa transgressions necessitate flexible strategies of urban navigation for unauthorised migrants and substantially complicate their capacity to return to home contexts. In this way, the article highlights the role played by property brokers as situated intermediaries critical to urban transformations, whose entrepreneurial ‘connections’ are often instrumental in the facilitation of mobility within the city and beyond. In tracing the ways in which the mediations of such localised migration infrastructures regulate broader processes of transnational migration, the article considers ‘new’ entanglements between migrants and city actors as integral to a conceptualisation of exit practices for unauthorised migrants, beyond binary oppositions of forced/voluntary movement.

### ARTICLE HISTORY

Received 11 March 2021  
Accepted 7 June 2021

### KEYWORDS

Paperwork; Global South; India- Africa; City Brokers; Exit/Deportation; Migrant ‘Illegality’

Sitting in an African hair salon in Delhi on a December evening in 2015, Kim, a Nigerian woman, tells me she would like to leave India as soon as possible but can’t. While Kim was getting her hair braided, we had engaged in conversation about her experiences in Delhi, the difficulties she encountered in her garment trade business, and the hostility she often faced from her neighbours as a single, young, African woman. In this candid conversation, Kim voiced unhappiness at her current situation and expressed a longing to return to Nigeria. ‘But I can’t’, she says, ‘because we are not free’. Confused whether this lack of ‘freedom’ is with reference to her limited social mobility which

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she had earlier attributed to experiences of racism, I ask how that may impact her decision to leave India. Kim clarifies that she has overstayed her visa by six months, making her exit options now difficult. She is not alone in this dilemma, it would appear. The Nigerian male hairstylist tending to her agrees that leaving India is a difficult proposition for migrants like her. 'They will just put you in jail', he continues, 'If it were easy to leave, a lot of people would go'. Kim exhales a long deep sigh in agreement and says, 'Now that my paper is dead, it is very hard to leave India. We spend a lot of money just trying to exit'.

Considerable literature has attuned us to the structural conditions of immobility as prescribed through financially costly and increasingly restrictive immigration regimes that, simultaneously, fuel industries of clandestine migration, unauthorised modes of entry, and border control (Andersson 2014). The dilemma voiced by Kim, however, diverts our attention to another facet of immobility faced, counterintuitively, over the issue of exit from host destinations. When Kim left Nigeria for India a year ago, her freshly minted visa documents procured from a broker facilitated her passage across various airports and border checkpoints and finally into Delhi. In the months since her visa expired, her now 'dead papers' have marked her as an 'illegal' migrant, a juridical and socio-political condition that excludes her from the body of the nation state and hampers access to necessities of housing, healthcare, and employment. Equally importantly, her dead papers have rendered her 'stuck' in India where she now requires official permission to leave, otherwise risking criminal charges and possible incarceration. How then do migrants with 'dead papers' navigate everyday life in the city, and what are the various negotiations that mark their *afterlife* in relation to dwelling and mobility practices? What happens to migrants with 'dead papers' who want to leave but are unable to due to the criminalisation of migrant 'illegality'? Finally, how do we synthesise the varied exit practices emerging from such legal stipulations in terms of the localised 'migration infrastructures' (Xiang and Lindquist 2014) mediating them, and how do these disrupt conventional binary oppositions such as return migration /deportation and forced/voluntary movement?

In engaging with these questions, this article foregrounds trends of South- South migration and the intersections between paperwork, im/mobility, and emergent migration infrastructures mediating the trajectories of racialised and legally precarious African migrants in India. Given the scant literature on contemporary African migrants in India, this study contributes an important intervention in foregrounding the everyday experiences of a racialised migrant community that is frequently overlooked in mainstream and academic accounts. To elucidate the lived complexities of documentary regimes for racialised migrants located in Global South contexts, the article draws from a larger project that is based upon 12 months of ethnographic fieldwork conducted between 2015 and 2017.<sup>1</sup> Located in two unplanned settlements<sup>2</sup> of Delhi, the project employed ethnographic methods of participant observation, interviews, and mobile methods such as the 'go-along' (Kusenbach 2003) with over 40 interlocutors, comprising West African migrants primarily, as also Indian actors, including, landlords, property brokers, traders and retailers, policemen and lawyers. For the purpose of this article, I bring into conversation the narratives, practices, and experiences of migrants with those of city actors such as real estate brokers.

In conducting fieldwork, the intersectionality of my raced, gendered, and classed position- as a South Asian woman from Delhi who is a migrant and researcher based at a foreign University- significantly shaped questions of access. While some African migrants were keen to share their experiences with an 'Indian' national, others were cautious for the same reasons and my access was gradually facilitated by relations of trust forged with key interlocutors through frequent meetings in diverse settings, ranging from mutual experiences of waiting outside the office of the UNHCR, to participation in protests, and activities ongoing in African Pentecostal churches. Through my daily encounters, I was gradually led to the offices of a couple of real estate brokers, some which interlocutors identified as key to their navigations and others who helped me secure housing and other facilities in the fieldsite. Engagements with such market actors were useful to consider the immediate concerns of housing in unplanned settlements in the throes of massive urban transformation. Equally, the workings of such actors was intrinsic to a conceptualisation of documentation as particular sociolegal and material configurations of power that generate overt and covert networks and linkages between actors, institutions, and processes implicated in processes of localised mobility and transnational migration. This is especially significant for migrants with dead papers due to legislations such as The Foreigners Act, 1946, that render unauthorised entry and residence in India a crime punishable with up to 5 years of penal incarceration.

Following this introduction, Section 2 of the article locates the impermanent mobility trajectories underpinning contemporary Africa- India circulations and the dilemmas of paperwork they entail. In engaging with the strategies and responses to the agency of migration documentation that are past their expiry date, Section 3 builds upon theoretical interventions that have called into question strict binaries between state/market and legality/illegality (Sørensen and Gammeltoft-Hansen 2013) in the regulation of international migration. In Section 4, I trace the myriad ways in which dead papers mediate sociospatial strategies for unauthorised migrants located in urban contexts, with the threat of detection engendering conditions of both precarious dwelling and sociospatial im/mobility. Where the experiential relevance of law appears as contingent in migrant narratives, Section 5 explores how dead papers potentially acquire spectacular visibility in state registers via an exploration of data released by the National Crime Records Bureau of India (NCRB). Official statistics indicate that the criminalisation of migrant 'illegality' constitutes a major source of legal insecurity for migrants, with up to 38.5% of the current undertrial 'foreign'-national prisoner population in India charged with transgressions of migration legislation (CHRI 2019). These 'cimmigration' (Stumpf 2015) paradigms that illegalise (De Genova 2002) and criminalise migrants hinder access to necessities such as housing and substantially complicate the capacity of unauthorised migrants to return to home contexts. Consequently, they also engender their localised collaborations with a range of intermediaries whose services are essential to the practise and organisation of mobility processes within the city and beyond. Drawing upon ethnography conducted with real-estate brokers located in the field site I explicate the role of property brokers as spatially embedded and socially networked city actors deriving legitimacy from the ongoing dynamics of 'emergent urbanisms' (Keith et al. 2020). The workings of such actors are crucial to an assessment of how differentiated 'regimes of mobility' (Schiller and Salazar 2013) traverse and overlap, with

localised mobility infrastructures within the city intersecting with broader regulatory processes of transnational migration. In the conclusion I reflect on how state logics of immobility through the criminalisation of dead papers are negotiated through alternate migration infrastructures the workings of which, empirically and analytically, reshape and reconstitute trajectories of return.

### **Africa- India migrations: impermanent trajectories and the dilemmas of paperwork**

Since the 1990s, as states across the Global North have acquired renewed vigour in tightening their immigration regimes, the ensuing diversification of mobility flows (Haugen 2012) have resulted in the emergence of 'new' destinations for migrants from the African continent. India is rising in popularity to this extent, primarily for its robust educational and medical industries (Modi 2017) and, equally, for its manufacturing prowess that holds appeal for the figure of the 'Global African Entrepreneur' (Saul and Pelican 2014) invested in the pursuit of new entrepreneurial opportunities, ranging from trade to service provision. Whilst there are longer histories of migration between India and the African continent, several Africans arrive in India today for reasons of entrepreneurial self-actualisation, through which 'business' as an aspirational trope entangles with the project of mobility and related imaginaries of travel and cosmopolitanism.

Official data on African migrants in Delhi/India, including demographic details on nationality, religion, gender identity, is largely unavailable. Nigerian migrants are, however, estimated to constitute the largest presence in India (about 100,000), with about 15,000–20,000 located in Delhi.<sup>3</sup> Consequently, the African interlocutors for this study comprised of mostly West African migrants, and Igbo Nigerians in particular, who self-identified as 'businesspeople', regardless of the visa they may have arrived on. Several of them participated in informal transnational trade, procuring goods such as electronics, garments, and human hair from India for export and retail across Africa, or service provision such as informal restaurants and hairstyling. Once in India, the objective for many was not permanent settlement per se, but rather to make the most of their time there in preparation of onward journeys, whether back to their home countries or to future destinations. Independent of the visa category interlocutors may have arrived on, or in their continued residence in India beyond the duration of their visa, in this article I foreground the self-representation of interlocutors as 'businesspeople', to critically gauge the disjunct between state classifications of migrant status and migrant articulations of entrepreneurial self-fashioning and personhood, across local and transnational registers.

The estimated numbers of African migrants may seem inconspicuous in relation to the population of India. However, fractious exchanges and racial tensions have accompanied this migration in cities such as Delhi, that include a spectacular raid directed against African migrants by a sitting minister in the Delhi government in 2014 (Negi and Taraporevala 2018) as also several incidents of vigilante and mob violence causing injury, harm, and even death (The Wire 2017a). The violence endured by African migrants, on account of racialisation paradigms that construct blackness as 'immoral', 'illegal' and 'criminal', in combination with precarious living conditions in a country marked by high levels of socio-economic inequality were major reasons why

interlocutors voiced apprehensions about the possibilities of long-term settlement in India. In addition, despite the large numbers of refugees and migrants that India has historically hosted, India does not have a cohesive migration framework that allows for long term residency, evident also in the refusal to sign The 1951 UN Refugee Convention and 1967 Protocol as well as the use of the term ‘foreigner’ to define all non-Indian nationality holders in key domestic legislation. Visas are instead issued on a temporary basis, and are riddled with opaque conditions, temporal stipulations, and changing documentary prerequisites. Stringent residency requirements perpetuate, in turn, successive cycles of legal liminality with migrants devising various strategies to maintain residency through means of marriage, education, or visa overstays. Such irregularities of documentation and visa status may normatively be designated ‘illegal’. Yet, state conceptions of ‘illegality’ are challenged by migrants who draw upon registers of efficiency (Alpes 2017), moral worth (Abarca and Coutin 2018), and indeterminacy (Reeves 2013) to evaluate the legitimacy and ethics of documentation. The possession of dead papers signifies caution and vigilance in daily urban manoeuvrings but, as I will subsequently demonstrate, their afterlife is calibrated along various registers that do not determinatively obstruct projects of entrepreneurial self-making, regardless of their formal categorisation. Where, ostensibly, the state has ideological claims to authority, anthropological work has critically reassessed notions of ‘the state’ as a monolithic order generating entity, whilst drawing attention to the alternate set of governmentalities and extra-legal realms of authority through which power is so constituted, experienced, and resisted (Hansen and Stepputat 2001; Hansen 2005).<sup>4</sup> In this context, migrant documentation can be conceptualised as having not a singular but multitude of lives and even afterlives for, despite being ‘dead’, documents continue to find relevance in various in/formal migrant, state, and market registers.

In including market actors, such as real-estate brokers, within the ambit of migration mediators, I follow the lead of scholars who de-naturalise the state as the sole regulatory authority (Abraham and Van Schendel 2005) by emphasising the increasing commercialisation of international migration and the role of non-state actors embedded therein (Sørensen and Gammeltoft-Hansen 2013). Brokers have acquired an increasingly critical role in transforming the possibilities of mobility across borders and geographies, as actors that are embedded within intersecting and relational migration infrastructures. However, whilst the role of migration brokers has been studied in relation to modes of entry that nuance statist discourses of ‘smuggling’ and ‘trafficking’ (Alpes 2017) and as locational actors facilitating the infrastructure of mobility (Lindquist, Xiang, and Yeoh 2012) across national borders, there is less emphasis on brokerage networks facilitating mobility within the city and even less so on their role within regulatory logics vis a vis questions of return and departure from host contexts. The ‘mobility turn’ (Urry 2000) has questioned hardened oppositions between different forms of social and physical movement across a range of scales (Schiller and Salazar 2013), and the conceptualisation of migration infrastructures has further demonstrated the range of commercial, regulatory, social, technological, and humanitarian frameworks through which international migration materialises as ‘intensively mediated’ (Xiang and Lindquist 2014, 124). But the ways in which localised actors and networks intrinsic to navigation within the city become instrumental to the facilitation and regulation of transnational trajectories remain only partly explored. To this extent, this article highlights the role of property

brokers as situated intermediaries critical to both urban dwelling and mobility, whose entrepreneurial skills and ‘connections’ between different realms of the city prove instrumental in the steering of transnational mobilities and return journeys. Where the question of return for migrants with dead papers has predominantly been approached through deportation, conceptualised as a form of ‘forced movement’ (Peutz and De Genova 2010), my fieldwork suggests that such a theorisation stands enmeshed in Euro-American frameworks where sedentarist aspirations to ‘settlement’ are assumed. Instead, this article foregrounds the dynamic trajectories constituting South-South migrations, as well as the role of brokers and localised migration infrastructures through which deportation imperatives are translated into practice. Here it is important to note how the empirical specificities of performing stateness (Hansen and Stepputat 2001) in combination with migrant aspirations and localised legal, political, and socio-economic configurations produce differentiated effects and modes of deportation across diverse contexts (Reeves 2015; Gaibazzi 2018).

Through this argument, my aim is to further a qualitative understanding of the ambiguities of dead papers rather than to assess the violence of deportability experienced by African migrants (De Genova 2002). Indeed, the threat of deportation remained a concern for several of my interlocutors, not least due to the stigmatisation of blackness; African migrants constitute a new entry on the sociocultural landscape of India, but their racial marginalisation has emerged through deeply embedded histories of colonialism and caste-colour-religion inflected vernacular grammars of exclusion in their intersection with global and hegemonic representations of race. Hyper exaggerated accounts of difference further lend to discourses of alleged civilizational deficiency, immoral personhood, and suspicions of ‘illegality’ (Gill 2019). Consequently, African migrants, especially those with a precarious legal status, were vigilant in their daily manoeuvrings to evade the threat of deportation and/or criminal incarceration. Yet, because exit from India was an eventuality imagined in the planning of futures, the criminalisation of migrant ‘illegality’ also threatened to render them ‘stuck’. It is against this background that unauthorised migrants seek the assistance of various city-based mobility infrastructures to facilitate their *voluntary* exit through complicity with the deportation apparatus. In the face of state logics of immobility and criminality there emerge alternative strategies and infrastructures of mobility through which the agency of dead papers is negotiated, in often counterintuitive ways.

### **Dead papers, dwelling, and mobility: local and transnational registers**

As modes of ‘bureaucratic inscription’ mediating asymmetrical power relations between state and migrants (Horton 2020), paperwork tempers migrant experiences as also the extent, intensity, and limits of migration regulation in receiving contexts. Yet, the plurality of such configurations underlines the dynamic registers through which dead papers acquire an afterlife. The condition of migrant ‘illegality’ may produce embodied modes of ‘being-in-the-world’ (Willen 2007) and hamper access to housing, healthcare, and dignified employment (Khosravi 2010). But paperwork is also the site of robust politics (Bloch, Sigona, and Zetter 2014) through which are formulated claims to urban citizenship (Varsanyi 2006). In a context where the (il)legibility of paperwork is itself constantly evaluated, translated, and produced by state functionaries (Mathur 2016), the possession



of dead papers is characterised neither by absolutist states of victimhood nor resilience. Instead, the transformative potential of paperwork in relation to the curation of mobility strategies and aspirations of entrepreneurial self-making across local and transnational registers is calibrated on an everyday basis for several of my interlocutors, as the case of Tom will illustrate.

In early January 2018, I met Tom at a popular mall in Delhi after a gap of several months. Excited about his prospects in the New Year, Tom declared that 'God has been very kind'. He explains that this is the year he plans to leave India as he has managed to earn enough money to go back to Nigeria like a 'big man'. His euphoria and talk about going back was in stark contrast to conversations we had had earlier; having overstayed his initial tourist visa Tom's dead papers had previously been a concern in the planning of his future trajectory.

A young man in his twenties, Tom had come to India after the sudden death of his father with hopes of supporting his family back home. Invited by an extended kin relation who had since relocated to a destination in South-East Asia, in the five odd years that Tom had spent in Delhi, he had managed to make ends meet by engaging in small-scale informal trade, buying clothes, shoes and human hair from commercial hubs and sending them to clients located in Nigeria. But Tom's ventures in trade were not always successful; delays in shipment, confiscation of goods at the Nigerian border and obstacles in remittance transfer often meant that Tom did not have enough capital to even procure commodities. Unable to pay rent and dependent upon temporary and/or shared housing, due to both the monetary and documentary logistics so involved, Tom remained careful about his everyday movements and restricted himself to church, commercial marketplaces, private residences, malls, and the occasional leisure time game of football in neighbourhood parks. Whilst malls and other places of hyper consumption were identified as 'safe' due to the cosmopolitan anonymity they allegedly offered, travel to unfamiliar locales or via public transport such as the metro was flagged as anxiety generating. From other interlocutors I would hear how they preferred to make use of public spaces or socialise after daylight hours, when 'Indians' were more likely to be indoors. Such spatial and temporal strategies were accompanied by the regulation of sociocultural and subjective positioning. Keenly aware of his racialised hypervisibility, Tom explained that to survive in Delhi was to avoid confrontation with 'locals'. To react in anger to the harsh slurs and hostility he encountered was potentially escalatory, inviting not only police intervention and accompanying checks on his legal status but also possible violence. Tom was instead active in community-based organisations and, like several other African migrants in Delhi, mapped and accessed alternative locations of worship and leisure. For instance, even as Tom shuttled between various residences, these were usually located within specific unplanned settlements that host a large number of domestic, regional, and international migrants. It is within these neighbourhoods that are located Pentecostal churches for African devotees, as well as informal restaurants, hair salons, and grocery stores that cater specifically to an African clientele. Informal and impermanent, such establishments usually operate under precarious arrangements made with brokers, landlords, as well as lower ranking police functionaries, not least due to considerations of paperwork.

'Foreigners' on a long-term visa (exceeding 180 days) are expected to register with the Foreigners Regional Registration Office (FRRO), the primary national agency responsible



for migration regulation in India. Hotels and private actors renting accommodation to 'foreigners' are required to submit their details to designated authorities in the form of documentation referred to as Form C. Additional rules indicate that landlords are expected to follow tenancy verification procedures, and ensure registration with the FRRO to avoid penalty or prosecution themselves. Migrants like Tom are consequently wary of renting accommodation that would involve a disclosure of their legal status in official registers, resorting instead to shared accommodation or involving trusted intermediaries to liaison on their behalf. Even as relations of licitness (Abraham and Van Schendel 2005) are established with orders of social and political authority through informal negotiations, the deportability of unauthorised migrants renders these configurations fragile while intensifying threats of expulsion and/or predatory policing (Gaibazzi 2018). The intricacies of dead papers then require for migrants to be mobile in relation to threats of detection, through a frequent change in residential set ups as rents are increased or cosharing arrangements disrupted, and curtailed movement in certain temporal and spatial geographies of the city through which visibility in state registers is sought to be managed (Talavera, Núñez-Mchiri, and Heyman 2010). Yet, such mobility strategies also lead to precarities of dwelling when the very act of formalising place through a residential address is steeped in legal, documentary, and socioeconomic risks. The relational nature of dwelling (Brun 2016), involving cohabitation with material and non-material surroundings and the affective and cognitive labour of building social relations, is further key to an understanding of the sociocultural and spatial im/mobilities experienced by racialized and legally precarious African migrants.

Housing markets constitute a dense terrain of navigation for gendered and racialised subject populations in India, where discrimination on the basis of sociocultural identities of caste, religion, ethnicity, and gender are well documented phenomenon (Thorat et al. 2015). In a context where African migrants are widely stereotyped as 'drug dealers' and 'sex workers', legal status constitutes only a partial marker of tenant desirability with documentary regimes entangling with broader processes of socioracial boundary making. Unplanned settlements across Delhi have historically hosted a large and diverse demographic and whilst these localities are often sociopolitically, spatially and infrastructurally marginalised, they nevertheless offer affordable housing options. But even in these mixed income settlements, the restructuring of accumulation patterns and housing markets render African migrants vulnerable to the disruptions of 'ordinary gentrification' (Negi and Taraporevala 2018). The precarities of paperwork and racialised considerations of dwelling engender the emergence of localised mobility infrastructures-constituted of a plethora of actors ranging from agents and brokers providing services of housing, visa renewals, informal banking to police actors- that facilitate and regulate mobility strategies for migrants with dead papers. For instance, even as the field site was occasionally the target of police raids against 'illegal' migrants, the possession of dead papers by such migrants was also the grounds upon which relations with lower-level state actors were potentially negotiated, ranging from one off bribes to more long-term arrangements.

Despite these intricate mediations shaping the everyday experiencing of dead papers, there was one crucial space that was identified as relatively unhampered by exigencies of paperwork- that of the market. On my visits with Tom to the commercial marketplace he procured goods from, I would notice as vendors called out to him enticing him to visit

their shops with promises of lucrative deals, some even speaking a smattering of Igbo. The market was described as a space devoid of formal policing, with Tom observing, 'Delhi is not Europe or USA – there is no police there'. Whilst the market is subject to other types of regulatory logics, in Tom's articulation of Delhi's difference to Euro-American contexts is revealed the empirical specificity of paperwork and its perceived discontents. On the one hand, Tom negotiates a spectral existence and curates everyday spatial strategies that are attuned to the threat of detection and the differentiated impact of financial loss or forcible deportation it may entail. On the other, there appears to be continuity in his business prospects. This tightrope illustrates how the experiential relevance of paperwork is indexed in relation to specific spatial geographies, localised mobility infrastructures, perceived state capacity and interest, sociocultural identities of class, religion, gender, caste, race and, equally crucially, the planning of future trajectories (Galvin 2015; Schuster and Majidi 2015). In a context where India is not imagined as a destination of permanent settlement, migrants like Tom seek to capitalise on their entrepreneurial aspirations that are not necessarily constrained by the temporalities of paperwork.

In fact, despite the death of Tom's papers, his business options had acquired fresh momentum as he explained during our meeting in 2018. It appeared that in the months since we had last met, he had been able to broker a new business deal with a Nigerian friend, providing informal remittance services for African migrants with limited access to formal banking services in India. For Tom, this opportunity presented the possibility of a steady cash supply with which he could sustain his other activities, equipping him with the financial as well as emotional resources to think about making the journey back home. In our previous interactions, return to Nigeria had not been on the agenda for Tom due to high expectations of the return migrant:

In Nigeria, when people hear you have travelled, they want to see what you have got for them, if you have become a big man. You need to come back with gifts, buy a house, have a car ... So that initiative drives people ... even when their paper expires, they involve themselves in different things. To cover the shame, that you come back from abroad empty-handed – you didn't support your family ...

Tom remarks upon processes of social becoming in West Africa where mobility stands intimately intertwined within kin networks and relations (Fioratta 2015), and expectations of the figure of the international traveller. Idealisation of the return migrant prompts Tom to remain in India, despite his precarious legal status, because to return empty handed risks 'shame' in home contexts. Tom remains aware of the ramifications of dead papers and the consequent threat of deportation that would also risk stigmatisation in Nigeria, as the migrant who 'came back from abroad empty-handed'. Yet, having spent more than 2000 USD to get a visa to India through a broker, return within six months- the initial duration of his visa- would be incompatible with his desire of entrepreneurial self-actualisation. Return in this situation would also result in similar feelings of shame from having failed to meet expectations of kin networks whose monetary and logistical assistance may have enabled the migratory process in the first place. In this sense the sociocultural ramifications of an 'unsuccessful' returnee potentially outweigh the legal resonances of dead papers in receiving societies.

In addition to these factors, there are financial reasons why return becomes an untenable option. During fieldwork, I heard from interlocutors that they had sometimes been

misinformed by brokers located in their home contexts about the opportunities on offer in India or had positioned India as only a temporary stop on the journey towards more lucrative destinations in the Global North. Having spent a substantial sum on brokerage services, visa, and flight tickets, some people simply lacked the monetary capacity to return and remained stranded till they were able to gather resources to plan their return and/or future trajectories. The afterlife of dead papers is then plotted around multiple axes, where the condition of migrant illegality is far from desirable and yet is endured for varying aspirational, sociocultural, and financial reasons.

This section has detailed how responses to dead papers entail non-linear im/mobility trajectories (Schapendonk, Bolay, and Dahinden 2020) positioned at the intersections and dissonances between paperwork and legislation, aspirations and economic considerations, sociospatial dwelling and social networks across local and transnational registers. In the next section, I shift focus from migrant experiences and strategies to the social and regulatory infrastructures that regulate and facilitate mobility in the afterlife of dead papers.

### **Crimmigration paradigms and emergent migrant infrastructures**

In India, a migrant with dead papers is not only a deportable subject but also a criminal one. Official data suggests that 68%, 76% and 60%, of all cases pertaining to the arrest of 'foreigners' in 2014, 2015, 2016, respectively, related to three colonial immigration laws, namely The Foreigners Act, 1946, The Registration of Foreigners Act, 1939, and The Passport (Entry into India) Act, 1920 (Ramachandran 2019, 16). More recently, in 2019, almost half of the 2251 cases reported against 'foreigners' related to The Foreigners Act and the Registration of Foreigners Act (NCRB 2020).<sup>5</sup> Migrant experiences of dead papers have then to be juxtaposed with the threat of penal incarceration that constitutes a real threat to the lives and livelihoods of unauthorised migrants.

In a context where the afterlife of paperwork is criminalised, various actors, networks, and practices become integral for knowing and navigating in the city. But these localised mobility infrastructures- migrant networks and community-based organisations, informal banking systems, informal cosharing residential agreements, ephemeral places of worship and leisure, traders and vendors, landlords, state actors- are also crucial to the planning and practise of transnational mobility trajectories out of India. Brokers have received considerable attention within existing scholarship in context of labour mobility (Xiang and Lindquist 2014), transnational marriage and matchmaking (Yeoh, Chee, and Baey 2017) and sex work (Lainez 2017). In introducing to this literature localised urban actors such as property brokers, seemingly disconnected from the world of transnational migration, I suggest a closer look at the ways in which migration infrastructures emerge through the new hybrid relationships forged between migrants and the city form, and the interdependencies between paperwork, im/mobility, and dwelling.

Neoliberal transformations and the making of 'world class' Delhi (Ghertner 2011) have substantively altered property relations in the city, often mediated through a vast array of intermediaries and middlemen (Sud 2014). The ubiquitous property broker stands out in this regard as a figure who mediates the selling or renting of already built houses or apartments through dealing in an economy of 'connections' and 'linkages' (Cook 2015; Lindquist 2015). In the sites where fieldwork was conducted, property

brokers constitute crucial nodes through which changes in real estate and housing markets are negotiated by residents and migrants alike. As erstwhile rural settlements that are gradually being incorporated within the rapidly expanding borders of Delhi, these neighbourhoods consist of densely clustered and unregulated constructions stemming from the largescale sale and subdivision of what used to be agricultural land (Negi and Taraporevala 2018). With increased residential constructions, these localities also grapple with the question of populating these newly built infrastructures with a tenant population that is, at one level, willing to pay rents commensurate with commodified land markets and, at another, is deemed morally and culturally suitable for 'original' residents as gauged by markers of class, caste, race, ethnicity, and gender. At the forefront of these complex negotiations are property brokers who mediate between different orders of the city (Cook 2015). For several interlocutors, property brokers were amongst the first local contacts they established in Delhi. Relationships forged between them were also more than merely commercial, in that interlocutors had often to supply intimate information to brokers- about food habits, marital status and legal status- on the basis on which suitable residential options could be identified. In this context, property brokers operate as differentiated mediators of information and contacts who can shape shift and transform relationships in their roles as conduits, benefactors and even exploiters combining profit motivation with elements of trust (Lindquist, Xiang, and Yeoh 2012, 9).

Despite the fairly large number of property brokers who operated in the field site, the office of ABC Properties came up often in my interactions with African interlocutors. ABC Properties is today operated by Vandana and Avinash, who conduct their operations from the shop front adjoining their home. Vandana tells me that they were amongst the first property brokers to have started dealings with African migrants as they began to arrive in the locality nearly 6–7 years ago. She narrates that moved by the 'torture' they saw inflicted upon African migrants in the vicinity- ranging from verbal taunts to physical assaults and violence- they began to 'cooperate' with Africans by helping them find safe accommodation. Vandana is known by several of my interlocutors and is described as an empathetic figure- a considerable feat, given that Vandana is a relatively new entrant to the locality and to the property market herself. Vandana used to previously work in a company that had frequent dealings with municipal officials. It was upon their advice that she, along with her family, moved to the neighbourhood nearly 10–15 years ago, predicting a rise in land prices due to grand infrastructural projects being built nearby. In negotiating the possibilities of a favourable future in real estate, she had also to establish a foothold with regard to local competitors. Vandana's sympathetic approach to African migrants may have been prompted by motivations of profit and the opportunity to cater to a niche clientele amidst ongoing contestations over urban space but, over the years, she has also forged relationships of trust with them. Vandana in her role as a property broker operates as a cultural translator for African migrants as she deals with residents and landowners in the area, allays fears about the African Other and appraises African tenants about the unwritten rules of social order. In this way Vandana mediates between different sociocultural groups and adjusts to the exigencies of changing land-based economies. As I sit with her one evening, she gets a call from the local constable of the area warning her that there has been 'trouble' with African migrants in the adjoining locality, and she should be aware of the possibility of violence erupting in her own neighbourhood. Such connections

amongst lower-level functionaries of the police may be leveraged for other purposes as well.

On one occasion, as I enter the office of ABC Properties, I find Vandana in animated conversation with a young African man who appears visibly distraught. She ushers me in saying she has to find Avinash who will be better equipped to handle the situation. As she leaves her office in search of him, I ask the man what's wrong. He tells me that India is a strange country; why doesn't it let him leave when he wants to go back to Nigeria? Danny, who came to Delhi as a student, has overstayed his visa by a couple of months. Now that he wants to leave, he is being pressurised into a bribe by an official at the FRRO in exchange for an exit visa. If this official requirement of the exit visa is not forthcoming, Danny faces criminal charges and possible jail time for having overstayed. He is thus seeking the help of Vandana and Avinash for advice and possible assistance. As Avinash and Vandana re-enter the office, Avinash takes Danny outside to continue their conversation. The next time I meet Avinash, he dismisses my query about Danny saying it is a usual occurrence for the police and FRRO to harass African migrants. Remarking upon the futility of incarcerating migrants like Danny who want to return, Avinash will try and assist Danny secure orders to leave the country.

As per official guidelines, 'foreigners' who have overstayed their visa must apply for an exit visa before they are allowed to leave. In practical terms, however, getting hold of an exit visa is reported to be a cumbersome process riddled with bureaucratic paperwork, and a commitment to being tossed around the labyrinth of administrative machinery. Documents required to this extent include, amongst others, a detailed explanation for the overstay, Form C, police clearance certificate and a letter from the consulate concerned. The juggernaut of paperwork often leads to paradoxical situations – for instance, one can't apply for an exit visa without a Form C proof of residency and yet a valid visa is required for renting accommodation in the first place. In addition, considerable discretionary powers of the 'sanctioning state' produce ambiguity in how disaggregated state institutions and actors engage with migrants (Gandhi 2017). In a context where the FRRO, in particular, is widely regarded as erratic and 'corrupt', migrants with dead papers expressed fear of making themselves visible to the FRRO precisely because of its perceived 'illegibility' (Das 2004). Some like Kim feared arrest on the spot. Others like Danny had allegedly been asked to pay large sums of money in return for an exit visa. Where encounters with state actors involve uncertainty, and where documents needed to ease a passage of exit out of India are seldom at hand, the services of entrepreneurial actors such as Vandana and Avinash become integral.

During fieldwork I gathered that formalities of the exit visa and threats of penal incarceration are possibly mitigated by such actors through their frequent interactions and existing connections with street level police actors forged in the course of their everyday work in property markets. For instance, documentary logistics of tenancy verification- a form that requires for details, photograph, and identity proof of tenants to be submitted online or in person to the local police station- are often outsourced to property brokers. Such profit-oriented services so offered entail mundane and recurrent interactions with public facing state functionaries that facilitate more enduring relations of in/formal exchange and sociality. In the context of 'dead papers', the expertise of such actors is foregrounded through their capacity to develop relations with differentiated stakeholders, from landowners to tenants, migrants to state actors, functioning as channels through

which the disciplining imperatives of paperwork are potentially mitigated. These emergent relations and practices illuminate the workings of migration infrastructures that criss cross realms of state and market, formality and informality, procedure and practise by implicating wide networks of institutions, people, and practices (Lindquist, Xiang, and Yeoh 2012) in often counterintuitive ways. While deportation has been conceptualised as a form of ‘forced’ movement where ‘the decision to deport is in the hands of the state rather than that of individual migrants’ (Coutin 2015, 672), crimmigration paradigms and emergent migration infrastructures would tell a different story. In Danny’s case, we see how migrants with dead papers may initiate the process of visibilising themselves for return, a practice I loosely term ‘self-deportation’. In this situation, unauthorised migrants may opt for ‘compulsory removal’ (Peutz and De Genova 2010) through the deportation apparatus to deintensify the threat of penal incarceration.

The mediated nature of deportation has been noted by scholars who emphasise the multiplicity of state institutions and intergovernmental bodies such as the IOM involved (Xiang and Lindquist 2014; Weber et al. 2020). In addition to these state centric factors, my fieldwork suggests that non-state and city-based actors- beyond those of employers, family members or NGOs (Coutin 2015)- are also relevant to the regulation of migration and deportation processes. The figure of the property broker stands out in this regard; as distinctive urban intermediaries whose becoming is intimately linked to the emergence of new and relational forms of city-making- undergirded by the arrival of new migrants, new built forms and their interplay with evolving material and legal infrastructures within the context of changing accumulation patterns -property brokers are familiar with the dynamics of urban mutation and the collaborations with state and market forces they necessitate. To be sure, property brokers are not unique figures of brokerage in India, where a plethora of fixers, middlemen, touts, and agents facilitate myriad services and transactions (Jeffrey and Young 2012). Nor are brokers entirely benevolent actors, often also peddling in misinformation, extravagant promises or even violence and intimidation. Yet, where narratives of state illegibility, corruption and racism thrive, brokers emerge as credible figures through whom informal commitments to formal guidelines of exit visa and deportation can potentially be secured.

## Conclusion

Building on insights of migrant ‘illegality’ as historically, politically, and socially constructed (De Genova 2002) and as mediated through ‘bureaucratic artefacts’ of paperwork (Horton 2020), this article has analysed when and how dead papers acquire critical resonance for racialized African migrants in Delhi. The juridical condition of migrant ‘illegality’ imposes several socioeconomic im/mobilities upon unauthorised migrants that are sought to be endured through frames of transiency and impermanence. While the criminalisation of migrant ‘illegality’ threatens such migrants with the possibility of penal incarceration, scholarship has also illustrated how the exercise of state sovereignty includes not only formal practices of categorisation and inscription but also ‘non recording’ practices (Kalir and van Schendel 2017). Dead papers entangle with ‘crimmigration’ paradigms and ‘non recording’ practices in various ways, and generate mediated relationalities between migrants and state actors, often through urban actors facilitating mobility within the city. Introducing urban networks within the



framework of migrant infrastructures allows us to understand how the regulation of migration is often predicated upon intricate relationships that pulsate according to the relational and situational logics of the city. In the afterlife of dead papers are then revealed the workings of several other actors, institutions, and processes, beyond those of state and migrants, through whom the regulation of migration *actually* transpires.

For unauthorised migrants, the experiential relevance of paperwork is calibrated along registers of entrepreneurial self-making and imaginaries of the successful return migrant in home contexts rather than formal rules and legislation, especially since India is not imagined as a destination of permanent settlement. Where the juridical condition of 'illegality' is far from desirable, it is negotiated through differentiated strategies of im/mobility and dwelling, with migrants curating and accessing alternate spaces of work, worship, and leisure often located in unplanned settlements across the city. While the possibility of forcible return in the form of deportation threatens a negative impact on remittance flows and transition to responsible social personhood, the fact of return to home contexts appeared as mundane for interlocutors. The criminalisation of migrant 'illegality' however makes the proposition of return complex by threatening such migrants with the possibility of penal incarceration unless they have official permission to leave. In this context, migration infrastructures and brokerage networks become key channels for migrants seeking to mitigate the legal ramifications of dead papers. Whilst a range of brokers and fixers operate in the socio-political landscape of India today, this paper has explored the role played by property brokers. The figure of the broker here operates as more than a market actor; their power and capacity to mediate derives from their location as city actors deeply embedded in ongoing transformations of land and housing markets, their embodied cultural expertise as well as the range of services offered through which they emerge as actors crucial to the regulation of mobility and migration.

Such migration infrastructures facilitate migrant negotiations of precarity with regard to dwelling and im/mobility within the city, as well as conditions of transnational immobility vis a vis return to home contexts. Alongside, the curious practice of 'self-deportation' indicates how law is subverted and is, simultaneously, 'dynamically inhabited' (Anjaria 2011, 58) by migrants with dead papers. 'Self-deportation' in this context underlines the complex negotiations through which laws are translated into everyday praxis and represents a curious juxtaposition between 'forced' and 'voluntary' return. Even as deportation is embedded in state practices, the case study presented here indicates that the forced/voluntary binary obfuscates the relationality between such forms of movement, and the migration infrastructures underpinning them. For unauthorised migrants for whom eventual return to home countries is visualised, deportation may well serve as an agential device to that end. Where literature has attuned as to the disruptive dynamics of deportation, case studies from the Global South offer critical reflections on deportation as both an event of anticipation and avoidance, as spectacular and mundane (Galvin 2015). There are two key avenues that I wish to highlight for future research; First, as this paper has demonstrated, the study of deportation would benefit from a further investigation of the brokers and intermediaries through which 'removal' processes are operationalised. Second, the implication of these myriad migration infrastructures attunes us to the politics of visibility and opacity in the afterlife of dead papers. If, when, and how migrants visibilise themselves to intermediaries or the state in specific structural,



legal, and sociopolitical contexts is then perhaps a more robust empirical and analytical lens to approach deportation than discourses on voluntary or forced movement alone.

Taken together, the key contribution of this paper has been to reflect on the strategies employed by migrants to negotiate the agency of dead papers. Even as paperwork mediates power asymmetries between migrants and state (Horton 2020), the relevance of paperwork also waxes and wanes as per certain contexts. The experiential realities of ‘illegality’ materialise as provisional in migrant narratives in contexts where lived experiences of racism and xenophobia pose as much of a rupture as the precarities of legal status, and for whom the transiency and impermanence of mobility trajectories is both a source of risk and agency. Second, the criminalisation of migrant ‘illegality’ often lends to the emergence of alternative migration infrastructures that operate from the specificities of place, regulating not only entry and mobility within arrival contexts but also conditions of transnational im/mobility. Lastly, the intersections between paperwork, im/mobility and emergent migration infrastructures may open up new avenues of research on deportation processes and practices, especially in the Global South. Literature has explored how normative dichotomies such as state/market, legal/illegal, forced/voluntary materialise as unstable configurations that are co-constitutive rather than oppositional in the charting of migrant trajectories as also in the praxis of migration regulation (Sørensen and Gammeltoft-Hansen 2013). Such an instability is often mediated by the emergence of new relationalities between diverse actors that are predicated upon city dynamics and intracity mobility. It is by attending to the granular realities of mutable urbanisms and the various brokerage networks through which emergent conditions of precarity are negotiated by migrant populations that we can better grasp the contestations and collaborations through which ‘dead papers’ acquire a dynamic afterlife.

## Notes

1. In keeping with the Scientific Integrity mandatory training of The University of Copenhagen, oral consent was obtained from interlocutors. All names/interlocutors have been anonymized.
2. Official registers describe 8 settlement types in Delhi, ranging from ‘planned colonies’ to ‘unauthorised colonies’, ‘rural villages’ and ‘urban villages’. For more information on these typologies see *Cities of Delhi Project* (2015).
3. Tentative figures estimated during an interview with an official at the Nigerian High Commission in Delhi (2016) and largely corroborated in media reports.
4. In context of the National Capital Territory of Delhi, state actors of the police and the Foreigners Regional Registration Office (FRRO) fall under the jurisdiction of the Ministry of Home Affairs, Government of India, rather than the regional government of Delhi.
5. In 2019, there were 1044 cases recorded under these regulations. Whether these numbers account for ‘foreign’ detainees held in institutions outside of prisons is, however, ambiguous (Ramachandran 2019). In Delhi’s detention centre, Lampur Sewa Sadan, while data on numbers and demographic composition is unavailable, the debilitating conditions endured by detainees have been reported in several media accounts (The Wire 2017b).

## Acknowledgements

I am grateful to all participants and interlocutors in Delhi; their candour and generosity has been pivotal to this work. I thank Ravinder Kaur and Michael Keith for their comments and support of

this project. Thanks also to the anonymous reviewers and editors for their constructive suggestions.

## Disclosure statement

No potential conflict of interest was reported by the author.

## Funding

The research for this work has been funded by the Independent Research Fund Denmark (Grant Number: 1319-00086B), and fieldwork support of the Augustinus Fonden, Oticon Fonden and the Asian Dynamics Initiative, University of Copenhagen. The writing stage has been supported and informed by the PEAK Urban programme, funded by UKRI's Global Challenge Research Fund, Grant Ref: ES/P011055/1.

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