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"No One is Illegal" As a Reverse Discourse Against Deportability

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ABSTRACT

After 2015, state authorities in many European countries actively stigmatised asylum-seekers and paperless, framing them as "illegal". In Finland, this illegality discourse was countered by resistant non-citizen and citizen subjects at multiple levels. This article examines the ways in which the arguments presented in the "No one is illegal" campaign can be considered to constitute a reverse discourse in a Foucauldian sense, and how it operates in the context of deportability which maintains structural inequality and racialised hierarchies based on the logic of political exclusion/inclusion embedded in state-centric sovereignty. It demonstrates how the state's illegality discourse contributed to a strong advance of social controls but enabled the formation of a reverse discourse that helped promote non-citizens' legal and political demands. While operating within the legal–illegal binary under which non-citizens were "disqualified" by the state, simultaneously, the reverse discourse strategically challenged it by utilising shared humanity as a common category.

Introduction

Since the beginning of the so-called "European refugee crisis" in 2015, state authorities in many European countries have framed refugees and asylum-seekers, as well as their and their supporters' acts of resistance, as illegal. The strong emphasis placed on the illegality aspect must be understood as a social construction and *political* by its very nature. Defining what/who is "legal" or "illegal" is a political act that frames people's choices and actions, in the same way, that defining what is "normal" or "abnormal" (Foucault 2007). The illegality discourse effectively distinguishes between proper citizens and undesirable non-citizens. In other words, power is exercised through the illegality discourse in representing paperless refugees as unwanted and deportable "others" who do not belong to the nation state.

Discussions around illegality are related to broader discursive frameworks through which the large number of refugees arriving in Europe was characterised as a serious "crisis" with frequent references to the exceptionality of the situation, described even

as a state of "emergency" requiring extraordinary measures (e.g. Crawley et al. 2017; Krzyżanowski, Triandafyllidou, and Wodak 2018; Triandafyllidou 2018; see also Nykänen et al. 2018; Seppälä et al. 2020).[1] In this kind of a context, it is not surprising that asylum-seekers were illegalised in state discourses. In most cases, the discursive changes were also intimately connected to concrete changes in asylum policies. After 2015, governments all over Europe not only started to use substantially stronger rhetoric but also introduced a broad range of restrictive measures, including tightened asylum controls, stricter requirements for permanent residency and lower social benefits for asylum-seekers.

The entanglement of illegalisation at the discursive level and the concrete policy level means that it is not easy to analyse these aspects independently of each other—they co-constitute a complex "material/discourse nexus" (Lilja and Lilja 2018, 90). In focusing more on the discursive side of the phenomenon in the specific context of Finland, the aim of this article is twofold: first, to examine how the changes in law and policy were linked and partly gave rise to a new kind of illegality discourse through which Finnish authorities framed asylum-seekers and certain forms of political activism against their deportations as illegal; and second, how this illegality discourse became challenged through different kinds of campaigns, arguments and slogans. While the most visible campaign in Finland was the "Right to live" protest, which has been extensively studied in the field of migration and refugee studies in Finland, this article focuses on a less explored "No one is illegal" campaign as an active effort to contest the illegality discourse. More specifically, it examines the ways in which the arguments presented in the campaign can be considered to constitute a reverse discourse in a Foucauldian sense, and how this reverse discourse operated in the context of deportability. In this way, the article offers new empirical and theoretical input in relation to the concept of reverse discourse, which has not been utilised in resistance related research as much as, for example, Foucault's concept of counter conduct. The article thus seeks to contribute to the field of resistance studies by demonstrating that the notion of reverse discourse can broaden the discussion on discursive forms of resistance, offering new perspectives and encouraging new lines of research. Moreover, it shows that reverse discourse can be utilised in unorthodox ways and in contexts that do not, at first sight, appear obvious for this type of analysis.

The research material consists, on the one hand, of official statements and policy documents of the Finnish government and the Finnish Migration Service, and on the other hand, of public statements and posts published on the official "No one is illegal" campaign website, social media posts on the campaign's Facebook and event pages, as well as news and interviews published in media during the time when the campaign was active, that is, from February to December 2018. This part of the material was collected in 2019–2020. Additionally, two semi-structured thematic interviews were conducted with activists involved in related refugee solidarity networks in autumn 2021. The material was analysed through qualitative text analysis in three different phases; first, going systematically through the whole material and dividing it into different

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[1]This "crisis" rhetoric has been criticised from multiple perspectives (e.g. Triandafyllidou 2018, 3; Crawley et al. 2017), and many scholars find the term "refugee management crisis" more suitable as the 2015 situation demonstrated the inability of national reception and registration systems to keep up with the arrivals, casting doubt on the sustainability of the Common European Asylum System (e.g. Baldwin-Edwards, Blitz, and Crawley 2019; Brekke and Staver 2018).

categories on the basis of the main themes of their content; second, categorising them into smaller, more detailed groups on the basis of their relevance to the research aims; and third, going through the material through specific analytical lenses determined by the theoretical framework. Through these analytical steps, it became possible to chart the key elements in the construction of the illegality discourse as well as the processes and elements that were integral to the formation of the reverse discourse.

The article is structured as follows. In the following section, I discuss the main theoretical concept—the Foucauldian reverse discourse—as I understand it in this context. Thereafter, I proceed to the analysis of the case study, first focusing on how the illegality discourse was constructed, side by side with restrictions in law and policy, by the Finnish state authorities, and second, describing how the reverse discourse was formed and positioned in relation to the illegality discourse. After this, the key arguments of the reverse discourse are deconstructed and discussed. In the conclusions, the main findings are elaborated from a broader perspective, also considering their relevance for other/further studies.

Theoretical and conceptual considerations

Deportations, deportability and stigmatising or criminalising paperlessness can be understood as technologies of citizenship that are constitutive of state/nationhood, serve to maintain structural inequality and reinforce racialised social hierarchies based on the logic of social and political exclusion/inclusion embedded in state-centric sovereignty (Cruikshank and Cruikshank, 1999; Khosravi, 2018; Walters, 2002). The concept of *deportability* has been defined in different ways. Here, I draw on the definition by Horsti and Pirkkalainen (2021, 182), who refer to it as "a condition in which a person might be deported at any time" and which "involves a cruelty that does not appear to be violence in the conventional sense". In other words, structural violence is deeply embedded in processes and mechanisms related to deportation. From the perspective of this article, deportability is a relevant concept as it is intimately connected to the illegalisation discourse—I argue that producing deportability, that is, making deportation easier and increasing its public acceptability, is the main goal in the construction of the state's illegality discourse, even though the authorities would not publicly admit this (see also Anderson, Gibney, and Paoletti 2011; De Genova 2002; Hasselberg 2016; Peutz and De Genova 2010; Jansen, Celikates, and de Bloois 2014; Khosravi 2018).

This article is premised on the idea that these elements—illegality and also deportability—are constructed and maintained not only materially but also through discursive practices, which applies to practices of resistance against them as well: they can be also discursively contested and challenged. Instead of the more commonly used concept of counter discourse, I am utilising Foucault's concept of reverse discourse here. According to Foucault, reverse discourse becomes possible and is activated and constructed always in direct relation to the discourse it seeks to challenge—it is not autonomous or independent from it. The argument that "[t]here is not, on the one side, a discourse of power, and opposite it, another discourse that runs counter to it" (Foucault 1978, 100) reflects his general understanding of the relationship between power and resistance as intimately interconnected (Foucault 1978, 95–96). In practice, this means that a reverse discourse often uses the same terminology and is based on the same (or very similar) categories

than the discourse it is contesting. Foucault (1978, 101) demonstrates this through an example of homosexuality, which "began to speak in its own behalf, to demand that its legitimacy or 'naturality' be acknowledged, often in the same vocabulary, using the same categories by which it was medically disqualified".

In the field of force relations, discourses operate as tactical elements, and there can be "different and even contradictory discourses within the same strategy" which can "circulate without changing their form from one strategy to another, opposing strategy" (Foucault 1978, 101–102; see also Butler 1997, 91–96). Hence, Foucault (1978, 100) urges us not to "imagine a world of discourse divided between accepted discourse and excluded discourse, or between the dominant discourse and the dominated one" as there can be multiple discursive elements, which are formed and activated in different strategies. Discourses operate in complex processes and can be instruments as well as effects of power: they "are not once and for all subservient to power or raised up against it" (Foucault 1978, 100–101). On the one hand, "[d]iscourse transmits and produces power; it reinforces it" but on the other, it "undermines and exposes it, renders it fragile and makes it possible to thwart it" (Foucault 1978, 101).

In the words of Butler (1997, 100), "the disciplinary apparatus produces subjects, but as a consequence of that production, it brings into discourse the conditions for subverting that apparatus itself". This means that the issue or phenomenon that is made existent in the dominant/first discourse can mobilise resistance and be repositioned to contest the normalising regime of the dominant/first discourse, due to which the reverse discourse is/was formed in the first place. As Butler (1997, 93) emphasises, this must not be understood as pure opposition, as the term is first used as a normalising concept and only after that as a challenging element. Thus, what is at stake does not imply "an opposition between reactionary and progressive usage but rather a progressive usage that requires and repeats the reactionary in order to effect a subversive reterritorialization" (Butler 1997, 100; see also Butler 1995). The reverse discourse is thus parasitic on the dominant/normalised discourse and must be understood as an effect of power (Butler 1995, 236–237; see also Lilja 2018, 75–76, 2018). Given that "power works through processes of normalization", resistance needs to react to these very same processes—reverse discourse "resists regimes of normalization by which it is produced", as Lilja and Lilja put it (2018, 75, 88).

What is then interesting about discourses in the Foucauldian sense is not so much "what strategy they derive from, or what moral divisions they accompany, or what ideology-dominant or dominated-they represent", but they can be critically evaluated

> on the two levels of their tactical productivity (what reciprocal effects of power and knowledge they ensure) and their strategical integration (what conjunction and what force relationship make their utilization necessary in a given episode of the various confrontations that occur). (Foucault 1978, 102)

This necessitates understanding power in a way that

> replaces the privilege of the law with the viewpoint of the objective, the privilege of prohibition with the viewpoint of tactical efficacy, the privilege of sovereignty with the analysis of a multiple and mobile field of force relations, wherein far-reaching, but never completely stable, effects of domination are produced. (Foucault 1978, 102).

I interpret this so that by paying attention to these tactical and strategical elements, it becomes possible to explore what sort of political power is at play/stake, and on what kinds of terms the forces that seek to dominate and forces that seek to resist are flowing and interacting with each other.

The formation of the illegality discourse

As mentioned in the introduction, the Finnish state's discursive illegality strategy, which stigmatised asylum-seekers, was closely connected with changes in law and policy—most notably, the tightening of The Aliens Act, the national immigration law in 2016. The process was led by the conservative government consisting of the Centre Party, the National Coalition Party and the nationalist Finns Party. This government removed the category of humanitarian protection from international protection in The Aliens Act as a reason for granting a residence permit, which had been used in cases in which the grounds for asylum or subsidiary protection were not fulfilled, but it was impossible to deport a person due to war, conflict or natural disaster in the country of origin (Finnish Immigration Service 2016a), as well as decided not to anymore grant temporary residence permits for asylum-seekers with a negative decision to their second asylum application. Moreover, the asylum-seekers' right for legal help was restricted (which was justified on the basis of the economic burden it brought to the state), and also the demands for providing evidence of personal persecution were made stricter (Laki ulkomaalaislain muuttamisesta 2016; Laki oikeusapulain muuttamisesta 2016).

These changes were implemented by the Finnish Immigration Service, which, in addition to the actual implementation of the law, tightened some of its own interpretations and policies (Finnish Immigration Service 2016a, 2016b). For example, it redefined its country information on three countries from where Finland was receiving most arrivals—Iraq, Afghanistan and Somalia—categorising them or their certain areas as safe return destinations, which enabled negative asylum decisions (Finnish Immigration Service 2016c; Horsti and Pirkkalainen 2021, 183). Also, the number of cases in which the Finnish Immigration Service accepted fear of violence as a justification for asylum declined remarkably (Saarikkomäki et al. 2018). Taken together, these changes and new restrictions resulted in a rapidly growing number of negative asylum decisions and paperless people who were considered illegal in the eyes of the state. This made their situation very difficult (Nieminen 2016), resulting also "in deportations at a level never seen before" (Horsti and Pirkkalainen 2021, 183). As pointed out by Näre (2020, 987), "[a]fter these legal changes, asylum-seekers were no longer equal before the law in Finland".

The Finnish government justified the changes very straightforwardly on the basis that it was necessary to manage incoming migration and reduce its costs (Government proposal HE 43/2016 vp. 2016). The government also argued that the changes were necessary to streamline its asylum policies with other European countries, especially with Sweden (Ministry of the Interior 2018; see also Mäntymaa 2018). Indeed, very similar developments took place in other Scandinavian countries. Sweden, Norway and Denmark changed their policies in a restrictive direction for asylum-seekers and "strived to avoid becoming their preferred destination and consequently sought to offer less favourable conditions for entry and welfare" (Hagelund 2020, 2; see also Hernes 2018). The

Swedish government introduced tightened border controls, curtailed the residence rights of refugees and shifted from permanent to temporary residence for protection beneficiaries. Furthermore, it introduced stricter self-sufficiency and maintenance requirements for those seeking permanent residence or family reunification (Hagelund 2020).

The justifications provided by the Finnish and Swedish governments were very similar in emphasising the promotion of the goal of a more equitable and fair sharing of the burden of receiving refugees. While the Finnish government explicitly sought to ensure that "Finland does not appear as a particularly attractive country for asylum seeking" (Government proposal HE 43/2016 vp. 2016), Sweden argued that it "could not offer better conditions and prospects than other countries" (Hagelund 2020, 9). In Denmark, the asylum regulations were tightened "by restricting access to permanency and family reunification for some types of protection beneficiaries", while the changes in Norway included "faster return and other measures to deter asylum-seekers, but also several clauses affecting the social rights of asylum-seekers and refugees" (Hagelund 2020, 13). The Norwegian government also argued, similarly to those of Finland and Sweden, that it must ensure that the country "does not appear as economically attractive in relation to comparable European countries" (Hagelund 2020, 13).

The key aim in all these Scandinavian countries was, thus, to effectively deter new arrivals. However, the difference between the other countries and Finland was that the number of asylum-seekers arriving in Finland was much lower. In comparison to other EU and Scandinavian countries, which received over 100,000 asylum-seekers in 2015, in Finland, the number was only 32,000. Yet, in the Finnish context, this was unprecedented as, for example, in 2014 only 3,000 asylum-seekers had arrived in the country (Finnish Immigration Service 2019). The number of refugees in Finland is much lower when compared to other Scandinavian countries, which also reflects the low number of immigrants in Finland in general—they constitute only 8% of the population (Ministry of the Interior 2021).

The Finnish government's new restrictions, along with their justifications, started heavily influence also the broader public discourse. As the number of paperless started rapidly growing due to the tightened provisions of The Aliens Act, also the concept of "paperlessness" became obscured in the public debate—it was equalled with illegality. Even though paperlessness as a term is not connected to criminal activity but refers to a lack of administrative status of legal residence and staying in the country without permission, in the state discourse, the term was increasingly often connected to terminology of illegality. For example, in a document entitled "The fight against illegal immigration requires cooperation between authorities", it was stated that "Finnish legislation stipulates that everyone should have a clear status in society and no one should reside in the country illegally" (Ministry of the Interior n.d., a). In the Finnish version of the same document, paperless are defined as people illegally residing in the country, and it is explicitly stated that the Ministry does not recommend using the term "paperless"—instead, it should be evaluated whether a person is residing in the country "legally or illegally" (Ministry of the Interior n.d., b).[2]

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[2] Under the new government, this document has been updated. It now mentions that asylum-seekers may reside in the country legally during their application process (Ministry of the Interior n.d., b).

However, as several refugee support organisations emphasise, a person that is seeking asylum in Finland, is not in fact, staying in the country illegally (Refugee Council 2019; Finnish Refugee Advice Centre, n.d.). As pointed out by Nieminen (2016), people who are met in the country illegally (without a residence permit) can be either paperless or people who will later register as asylum-seekers, which in effect makes their stay legal according to The Aliens Act 301/2004, 40.3 provision (Ministry of the Interior 2004/ 2019). Indeed, it is generally estimated that the majority of people who end up as paperless have originally arrived legally in the country (PICUM n.d., a).

The state authorities in Finland did not seek to clarify these different aspects of paperlessness, but just the opposite. In addition to the above-mentioned documents, in an implementation strategy document dealing with the prevention and management of illegal residency approved by the working group of Ministers in December 2016, it was explicitly argued that the term "paperless" should be consciously avoided (Ministry of the Interior 2016; see also Hirvonen 2017). This was criticised in a joint statement by the Project for Undocumented Migrants, the Finnish Refugee Advice Centre and other associations and NGOs working with refugee issues. They strongly recommended using the term "paperless" as it describes this broad phenomenon much better than any other term. Moreover, they emphasised that the new group of paperless that the implementation strategy document concerned, constituted only a small fraction of the paperless in Finland. The statement also stressed that the basic human rights of any group should not be restricted, and that people should not be categorised on the basis of their residence status (Paperittomat.fi 2016).

This echoed the perspective of a campaign that was launched already in 2014 by Pro-Tukipiste, an NGO that supports refugees and victims of trafficking in Finland, which underlined that talking about illegal migrants works to strengthen the all-too-common view that paperless migrants have no rights. For its part, the campaign of Pro-Tukipiste drew on the principles of PICUM, a Brussels-based association following and seeking to advance the position/status of paperless in Europe and influence EU immigration policy. In 2014, PICUM launched the "Words matter" campaign that reminded that so-called "illegal" immigrants have the same basic human rights as everyone else regardless of their residence or immigration status. PICUM recommended using the term "paperless immigrant", although not even this term reflects very well the situation of all those migrants who are left outside official systems in different countries. Moreover, not all situations are related to paperlessness as such—in some cases, becoming paperless may be related to regular, legal immigration, but for some reason, people have ended up in an unauthorised position (PICUM n.d., b; Pro-Tukipiste 2014).

Despite the above-mentioned and other opposing arguments, in the early phases of the "refugee crisis" the term illegal immigrant was purposefully adopted by Finnish state authorities (Hirvonen 2017). The chosen terms have great societal significance. The argument that some people are staying in the country illegally has strong negative connotations and is linked with unwanted phenomena. Illegality is easily associated with criminal activities and various kinds of threats and security risks. As Hirvonen (2017) states, the term illegal excludes people; it places them outside society. Hence, labelling people illegal can be considered a form of power that creates and maintains inequality, and which serves as the first step towards criminalisation of paperlessness. This does not only affect the paperless but also other asylum-seekers, as they become

represented as persons that potentially reside illegally in the country, which justifies and legitimises the state's measures of surveillance, control and punishment (Hirvonen 2017).

Typically, the terminology of illegality also creates strong connotations of the need to protect and maintain the security of the state and its internal order (Nieminen 2016). In political science and international relations, this is often referred to as "securitisation" which means that a phenomenon is detached from its original context and rhetorically defined as a security issue. The securitisation of a phenomenon enables legitimising exceptional procedures and activities in order to control it. As securitisation obscures the exceptionality of the chosen measures, it usually becomes very difficult to politically oppose these measures. Security thus becomes an incontestable value that can be used for advancing certain political aims (Holkeri, Peltoniemi, and Alvesalo-Kuusi 2018). In the context of refugees, this can mean, for example, that asylum-seekers are framed as a unitary and homogenous group that poses a direct or undirect threat to the state and its citizens, which results in centralising the perspectives of national security and governance, instead of human rights and the refugees' need for protection (see for example, Huysmans 1995; Bello 2020).

While the illegality discourse was originally initiated by the government and state authorities, it strongly resonated with the views held by far-right groups and anti-immigrant populist actors who participated in its circulation in a way that contributed to the strengthening of the illegality discourse in the public sphere. It also gave rise to new kinds of anti-immigration sentiments and worked to legitimise the already existing anti-immigrant views. The ways in which the paperless refugees were represented in the state discourse effectively framed them as an unwanted and potentially dangerous population unworthy of asylum and protection—and thus, deportable.

"No one is illegal" campaign and its political demands

The "No one is illegal" campaign was launched in Finland in February 2018 by The Left Youth of Finland, the youth association of the national Left Party. The campaign itself is international—it started already in 1997 in Germany under the name *Kein Mensch ist illegal,* and since then, it has spread to many countries, being especially popular in Canada. It works as a loose network, connecting various asylum initiatives and groups that represent non-resident immigrants, especially refugees who are staying in a country without permission and thus under risk of deportation. The campaign supports immigrants in obtaining work, medical care, education, training and accommodation regardless of their immigration status.

Some Finnish associations and groups working with refugees have been involved in the campaign for a longer period of time, but the campaign itself was publicly launched in Finland only in 2018, a few years after the beginning of so-called "refugee crisis". The international campaign become localised in the sense that it was building on broader, long-term struggles in the country. One of the most significant in this context was the "Right to live" protest that had been the first large-scale political protest by non-citizens in Finland and the second-longest demonstration ever organised in the country (Näre 2020). It started on 10 February 2017 in front of the Museum of Contemporary Art Kiasma in Helsinki, but later moved to the Railway Square next to the main railway station. The protest lasted for over six months (Hirvonen 2019).

The "Right to live" protest was initiated by Iraqi and Afghani asylum-seekers who arrived in Finland in autumn 2015 (Näre 2020), and it was implemented through the Stop the Deportations network they established, receiving also support from Finnish activists and solidarity actors who had been active in refugee support and solidarity movements (Interview 2). These protests are argued to have generated "the 'we' of political subjects between refugees and citizens" (Hirvonen 2019) that binds them "together in a relationship of political reciprocity'" (Oudejans 2014, 14). The protesters were strongly critiquing the asylum decisions by the Finnish Immigration Service, arguing that they were faulty, unjustified and leading to life-threatening forced deportations. Also, the violent treatment of the detained and the deported and evictions of asylum-seekers from reception centres after receiving negative decisions were criticised. The protesters demanded that all deportations should be immediately stopped and argued that the right to life, as the most fundamental of all human rights, is uncompromisable and belongs to everybody (Hirvonen 2019).

In her ethnographic research, Näre (2020, 979) has analysed the "Right to live" protests in Finland as a way for the asylum-seekers to visibilise "the structural and bureaucratic violence of the state that violates their fundamental human rights". In discerning the modalities of the injuries experienced by asylum-seekers and their critique of the state, which "focuses on the bureaucratic violence of rendering asylum seekers illegal and the threat of deportation, as well as the violence of an arbitrary state expressed in legislative changes", she interprets these non-citizen protests "as an engagement in the politics of human rights" (Näre 2020, 979). As also Hirvonen (2019) explains, the protest camp represented the politics of human rights, because for the activists, "human rights were not depoliticized rights but weapons for promoting equality, advancing emancipation and protecting human beings from alienating state power". They sought to make visible the fact that the rights of the asylum-seekers had been "deprived by means of policy-making, legislative, normative, judicial and administrative practices" (Hirvonen 2019). In a Rancièrian sense, the protesters were arguing that "[h]uman rights are the rights of those who do not have the rights they have" and that "[h]uman rights are the rights of those who have rights they do not have", which can be interpreted so that political disagreement over human rights "does not simply concern existing rights, but also and more importantly, it both reconfigures and invents rights" (Hirvonen 2019).

When the "No one is illegal" campaign was launched, it continued this line of critique in very explicit terms, building on similar arguments. The main difference was that while the "Right to live" protest was initiated and implemented by asylum-seekers themselves, in the "No one is illegal" campaign, solidarity actors played a much more central role (Interview 1, 2). Additionally, it was closely connected to parliamentary politics through the Left Party, which was one of the opposition parties at the time. The strong criticism presented in the campaign towards the conservative government must thus be understood as a part of broader opposition politics.

The stated main objective of the "No one is illegal" campaign was to support asylum-seekers and work against forced deportations (Vasemmistonuoret 2018a). In one of the first interviews, one organiser stated that "asylum-seekers, refugees and paperless immigrants are entitled to legal rights" and that "the actions of the Finnish government do not bear critical examination"—it was thus straightforwardly argued that the government was ignoring the human rights of refugees in Finland (Vasemmistonuoret 2018a;

Vasen Kaista 2018; Libero 2018). The government's asylum policy was represented as inhuman and cruel, as it resulted in deporting people to unsafe countries and thus jeopardising their lives (Vasen Kaista 2018). The campaign strongly criticised the government's decision to no longer grant a residence permit based on humanitarian protection when the requirements for granting asylum or providing subsidiary protection are not met, but the applicant could not return to his or her home country or country of former habitual residence because of an environmental catastrophe or a bad security situation which might be due to an armed conflict or a poor human rights situation. Returning humanitarian protection as a reason for granting a residence permit was a key political demand in the campaign, directly targeted at the government (Vasemmistonuoret 2018a, 2018b, 2018d, 2018e, 2018f, 2018g).

One of the arguments was that

Refugee status should not be the only way to be able to gain protection. Personal persecution or belonging to a certain societal group are not the only reasons why people are forced to flee their home countries. Therefore, it is not enough just to be able to seek asylum. (Vasemmistonuoret 2018a, translation by the author).

It was also demanded that Finland must advance the use of a humanitarian visa in EU. The Vice Chair of The Left Youth of Finland, Hanna-Marilla Zidan, argued that Finland should be amongst the forerunners in seeking solutions to humanitarian crises and allocate more resources to peace mediations and development aid (Kansan Uutiset 21.2.2018). These views resonated with the broader objectives of The Left Youth of Finland, as it aims to make immigration and free movement of people easier by making visa and residence permit criteria lighter. It also stresses that applying for asylum must be made easier by allowing those seeking asylum to obtain refugee already in the countries of origin, and that paperless immigrants should be ensured free access to public health care and their children a right to education (Vasemmistonuoret 2015).

The "No one is illegal" campaign organised several action days in larger cities such as Helsinki, Tampere, Joensuu, Turku, Oulu and Jyväskylä. During these events, the main demands and critiques were repeated in multiple forms, highlighting the human rights perspective and that the global responsibility of Finland as a prosperous country was to take the plight of vulnerable people into account. It was stressed that Finland was receiving only a small fraction of all people seeking protection in Finland (Vasen Kaista 2018). The activists also took part in writing many petitions and participated in co-organising several different protests against deportations, for example, the "Don't Send Afghans Back" protest (Kukaan ei ole laiton, post 26.2.2018), the "Lov is an asylum" protest in Loviisa to defend an Iraqi family that was under the threat of deportation (Kukaan ei ole laiton, posts 1.2.2018, 27.2.2018; Vasemmistonuoret 2018c), against the deportation of Kurdish activist Behdad to Iran (Kukaan ei ole laiton, posts 23.5.2018, 26.5.2018, 1.6.2018, 3.6.2018, 16.7.2018) and against deportation of an Iraqi asylum-seeker Mostafa (Kukaan ei ole laiton, posts 11.6.2018, 13.6.2018, 14.6.2018). In the case of Mostafa, it was noted that "Finland is bound by international law and its own constitution to not send anyone to mortal danger" and demanded that the Finnish government should abide "by the non-refoulement law written in its constitution" and not "send Mostafa to the mortal danger at the mercy of the militia in Iraq". The campaign requested that Mostafa's asylum application should be taken under reconsideration

because "Mostafa, who has for years made a home here, has the right to live without the danger of death, with his friends in Finland" (Kukaan ei ole laiton, post 11.6.2018).

Moreover, the "No one is illegal" campaign argued for an independent investigation of the work of the Finnish Immigration Service as well as of the impacts of government's new, stricter restrictions on asylum-seekers (Vasemmistonuoret 2018d, 2018e, 2018f, 2018g; Kukaan ei ole laiton, posts 21.3.2018, 23.8.2018, 1.10.2018; Kansan Uutiset 21.2.2018; Interview 1, 2). The campaign also shared practical instructions on how to practice civil disobedience to protect asylum-seekers against deportations (Kukaan ei ole laiton, posts 23.7.2018, 25.7.2018, 31.7.2018) that were produced by the Stop Deportations network (Interview 1, 2).

The construction of a reverse discourse

In exploring the relationship between the discourses, it needs to be analysed how the reverse discourse positions itself with regard to the discourse it seeks to challenge. In this case, the state illegality discourse argued that only some of us (or, rather some of *them*) are legal, while some of us/them are not. Against this "some are illegal" discourse, the "No one is illegal" as a reverse discourse presented a view that *none* of us/them are illegal—it thus basically argued that we/they *are all legal*. It is important to note that the creation of the reverse discourse became possible only after a subjectification had occurred through the illegality discourse, which also enabled the formation of more detailed political demands which were described in the previous section.

While it is certainly true that the reverse discourse operated *within* the legal–illegal binary established from above—indeed, it is based on this binary and cannot escape it —yet, when considered in broader, strategical terms, it can be argued that the reverse discourse simultaneously attempted to challenge the very conceptions of legality and illegality in this context. The central argument was that no human is illegal, and that the state (or any other authority) should not be able to declare people illegal (which implicitly implies that they should not have the power to declare anyone legal either). Humanity thus became the defining, common category for everyone.

Yet, as critical migration scholars have pointed out, there are inevitable paradoxes in asylum-seekers' activism and political claims based on shared humanity. In the context of the "Right to live" protest tensions became evident when the migrant activism contested "the exclusiveness of citizenship as a means for inclusion in the political sphere, while being dependent on the same logic"—that is, their demand appealed "to equal and inseparable human and basic rights, but the demand can only be made to the nation-state, which is the authority that ultimately guarantees these rights" (Näre 2020, 982). However, the interpretation of Arendt's (1968) claim, which is usually understood so that only a nation state is in a position to grant an individual "the right to have rights" can be extended, as Näre (2020, 982) does, suggesting that instead of "perceiving human rights in existential terms, as Arendt seems to suggest, human rights can be understood as strategic (Schaap 2011)", which makes it possible to talk about the politicisation of human rights and the politics of human rights (see also Ingram 2008). Indeed, in the case of "Right to live" protest, non-citizens in Finland managed to visibilise the structural and bureaucratic violence inherent in the asylum and migration regimes which rendered "them illegal from one day to the next", and through this critique,

they were "able to make human- and fundamental rights-based claims … due the fact that Finland should follow supranational human rights legislation", especially the principle of non-refoulement (Näre 2020, 983, 989–990). Thus, the asylum-seekers' claims for a shared humanity actually went "beyond the exclusionary logic of formal citizenship", which does not reflect the common view that "the demand for the recognition of universal human rights can only be posed to a nation-state that can guarantee those rights" (Näre 2020, 979; cf. Arendt 1968; see also Ataç, Rygiel, and Stierl 2016; McNevin 2013; Nyers 2006; Tyler and Marciniak 2013). Therefore, taking seriously the human rights claims of asylum-seekers and going beyond their struggle for the rights to have rights which are "situated within the context of a nation-state, but make claims reaching beyond the frame of the national constitutional state" requires an alternative conception of politics and rights (Näre 2020, 279). For example, in Rancière's (2004) notion of human rights politics, the right to have rights equals a right to politics —"human rights become political when they are denied and when this denial is contested" (Näre 2020, 980).

When the "No one is illegal" campaign is explored from this perspective, it becomes clear that it is based on very similar premises. However, what makes it distinct and differentiates it from the "Right to live" protest is the fact that it can be conceptualised as a reverse discourse, and which, as such, needed to actively challenge the normalised position of the illegality discourse within the nation state (that is integral to the maintenance of power through the control and management of migration and refugees), which lies in the effective framing of the paperless as deportable non-subjects which the sovereign declares and exercises the right to exclude socially, politically and physically. The illegality discourse worked as a medium for the flow of power to the direction that served the interests of the Finnish nation state, and the reverse discourse attempted to change the direction of this flow of power. However, even though it has become evident that the "No one is illegal" as a reverse discourse was explicitly constructed against the illegality discourse, and in this way, it did represent resistance to it, at the same time, the reverse discourse continued to be marginalised by the dominant discourse (as it was not possible to change the foundational ideas on which the discourse relied), and thus the power of the reverse discourse was bound to remain limited and restricted (see e.g. Butler 1997, 73). Indeed, often reverse discourse does not serve "to overturn the [original] discourse, but rather to change the meaning and value placed on it" (Tilsen and Nylund 2010). In other words, it is "through reiteration, rearticulation or repetition of the dominant discourse with a slightly different meaning" that this kind of resistance can slowly transform dominant discourses and "undermine domination, yet without achieving complete liberation", as explained by Lilja and Vinthagen (2018, 221; see also Lilja and Lilja 2018, 75; Lilja and Vinthagen 2014).

On the other hand, there are alternative ways to interpret the "No one is illegal" as a reverse discourse. One option is to interpret it as an attempt to reclaim the terminology, by pointing out that we/they are all legal, not just some of us/them. To understand resistance through reverse discourse as resistance to identification, labelling people legal or illegal, would echo also the perspective of Butler (1990, 1991) that in resistance, subversion can happen through performance, acts and gestures (Discoursejunkie 2008). If viewed from another perspective, for example, that of Halberstam (1998), it could be claimed that rather "creating new, more diverse and inclusive 'labels' of identification

for those who currently remain unnamed" would generate reverse discourses "and in turn, politically mobilize in order to facilitate resistance" (Discoursejunkie 2008). Both approaches are derived from Foucauldian concepts but suggest different ways of creating resistance to dominant/normalised discourses.

Conclusion

This article has explored the "No one is illegal" campaign in Finland, analysing the ways in which the arguments presented in the campaign can be considered to constitute a reverse discourse in a Foucauldian sense and how this reverse discourse operates in the context of deportations and deportability, which, as technologies of citizenship that are constitutive of statehood and nationhood, serve to maintain structural inequality and reinforce racialised social hierarchies based on the logic of social and political exclusion/inclusion embedded in state-centric modern sovereignty. First, the article described how the illegality discourse was constructed, side by side with restrictions in law and policy, by the Finnish state authorities. It was demonstrated that the illegality discourse of the state contributed to "a strong advance of social controls" (Foucault 1978, 101), and as a result of the state discourse, the terminology of illegality also spread more widely into the public discourse in which paperlessness was first represented as illegal by right-wing and populist anti-immigration groups, but which later was integrated more widely into the everyday language and media discourse. The illegality discourse thus not only legitimised already existing anti-immigrant views but participated in creating new prejudices. When authorities talked about "illegal" people, they painted a picture of an unwanted and potentially dangerous group of refugees who are not worthy of protection. The illegality discourse, combined with tightened asylum policy, lowering the extent and quality of legal support and active efforts to criminalise paperlessness, had many material effects on the lives of the asylum-seekers. It worked to exclude and outlaw them from society, which eroded the rule of law in Finland by denying vulnerable people equal treatment, legal protection and basic human rights (Hirvonen 2017).

While the illegality discourse worked as a medium for the flow of power to the direction that serves the interests of the Finnish nation state, it simultaneously enabled the formation of a reverse discourse that sought to change the direction of this flow of power. The second part of the article analysed the "No one as illegal" as a reverse discourse that challenged the illegality discourse by arguing that *none* of us/them are illegal, which, in other words, means that we/they *are all legal*. While the reverse discourse can be considered operating *within* the legal–illegal binary established from above, when viewed in a broader, strategical sense it, however, at the same time sought to contest the very conceptions of legality and illegality. Even though it was not possible to overturn the illegality discourse, the reverse discourse managed to challenge some of its meanings and values and redirect the flow of power to at least to some extent by questioning some of its key arguments that were used to dehumanise individuals and groups by labelling them "illegal". In doing this, the reverse discourse utilised arguments related to human rights and appealed to shared humanity as a common category. In this way, it also became evident that the reverse discourse is not without paradoxes. While the reverse discourse helped promote the demands for legal and political recognition of non-citizen subjects, with support from citizen subjects, in doing so, it

utilised similar vocabulary and categories under which they were "disqualified" by the state in the first place.

In further/future studies, it would be important to analyse the potential differences in the ways in which the non-citizen subjects (asylum-seekers) and the disobedient citizen subjects (activists and solidarity actors) participated in the construction of the reverse discourse—a task in which the concept of "proxy resistance", signifying a practice performed on behalf of and/or in solidarity with the "Other/s", developed by Baaz, Lilja, and Vinthagen (2017) could be very useful. It would be also possible to utilise the findings of the study by Horsti and Pirkkalainen (2021, 196–197) to explore the ways in which the solidarity actors can, through their privileged citizenship positions, work more effectively to reveal and dismantle the otherwise invisible slow violence of deportability at the individual, system and societal levels.

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Note on contributor

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