Title:

On not seeking asylum: migrant masculinities and the politics of refusal

Abstract:

Much contemporary research on precarious mobility starts from the perspective that people moving across borders will seek out opportunities for legal protection, if these are available to them. However, this is not always the case, as some migrants who would qualify for asylum or refugee status choose not to seek legal recognition of their status. This paper is an ethnographic exploration of people who refuse to seek asylum. I examine how such refusals are narrated and made sense of from the vantage point of Juba, South Sudan. Taking seriously these refusals as agentive decisions, the paper explores how men who have the informational and material resources to chart paths that bypass juridical protection narrate refusal through their own grammars of masculinity. Thinking with refusal is generative in two important ways. First, refusal refocuses attention away from the specificities of particular power geometries and towards the underlying juridical orders and assumptions on which these geometries rely. Second, refusal offers a window into the social constellation and relations in which such migrants actively invest. Building on work that explores the intersection between masculinity and mobility, I show how gendered ideologies shape not just the decision to embark on a new migration project, but also inform how migrants evaluate the legal status-destination dyad as they plot their futures.

Keywords: mobility regimes; refugees; asylum seekers; refusal; masculinities; East Africa

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I. Introduction:

I told you, my wife, she's in the States...so they are always telling me: "Why not go there? Your wife can, like, can sponsor you to go there" and stuff like that.

... But I'm telling them: No! If I go there, I know from the stories... when they go back there [to the States], they are poor! Like ... the government has to actually help them pay off their rentals. You know? ...It doesn't make sense.

(Issa, mid-20s, Somali)

No. I don't like it [Sweden]. Because, in Europe it is too hard to live, eh? Because [in Europe] they are feeding with a teaspoon. They are not working ... I want to eat by my own hand, and they are giving me by teaspoon.

(Yemane, late-30s, Eritrean)

A year and a half after fighting first returned to South Sudan, I sat with Issa, a young Somali man and one of the many migrant businessmen who chose to stay on despite the war. We sipped soda on the patio of one of Juba's mid-range hotels, as the conflict ground on into its second year. The economic and security situation in the country was, at this point, in the middle of a rapid and devastating decline. While Juba itself was fairly calm, the currency was losing value daily, and negotiations to bring to an end the violence raging outside of the capital seemed to make little progress. Yet Issa remained remarkably up-beat about his prospects in South Sudan, and dismissive about the risks that attended to working in such an unstable and unpredictable context. It was, he made clear, far better than the alternatives. Just a few hours earlier, Yemane, an Eritrean man, a decade older with more experience under his belt, had expressed much the same sentiment, convinced of the opportunities that were there for the grabbing, and equally unimpressed with the kind of lives offered to those who sought asylum in Europe or North America.

Much contemporary research on precarious mobility starts from the perspective that people moving across borders will seek out opportunities for legal protection, if these are available to them. Indeed, documenting the ways in which displaced people and other migrants interact with and seek recognition from the juridical orders that make up the international refugee regime is a core empirical and theoretical concern not only of the interdisciplinary fields of refugee and migration studies, but has also been well explored in anthropology, sociology, sociolegal studies and human geography. However, as a small but growing area of scholarship documents, this assumption does not always hold (Fontanari, 2018; De Genova, 2002; Coutin, 2005; Landau 2014). In this paper, I take up the question of not seeking asylum, that is—the decisions by some displaced people to refuse to submit to the legal orders governing refugee recognition and political asylum. While there are a range of reasons why someone might not apply for asylum, my aim here is not to make an exhaustive typology but rather to hone-in on instances of deliberate refusal that surfaced in my ethnographic data. Too often these deliberate decisions to avoid entanglement with the categorizing logics of states offering protection have been discounted as second-best fallback options for those unable to meet the legal standards.

But what happens when we take these refusals seriously? What do they help us understand both about the nature of juridical protection, and about the affiliative commitments and affirming relations that these refusals shore up? As I will show, refusal shifts our frame of focus, allowing the role of spatially contingent masculinities in mediating migratory trajectories to come into view. The paper unpacks the interrelations between the juridical statuses offered to displaced people, the geo-economic conditions attendant upon these categorical recognitions, and constructions of masculinities.

I open this article with bold statements of refusal from two men, both unable to return to their home countries, both with clear pathways towards migrating to and gaining legal status in Europe or North America. But as these statements make clear, neither were interested in seeking asylum. Indeed, it was a proposition they explicitly refused. Instead, both sought out their futures elsewhere, setting up and operating businesses in a risky and dangerous city in the middle of an ongoing civil war (see Newhouse, 2017). In this paper I seek to better understand such refusals by exploring the ways in which spatially contingent masculinities (Walsh, 2011: 518) shape migratory trajectories in deeply networked diasporic communities. I trace these interrelations as they play out in the ways in which similarly situated migrant entrepreneurs in Juba, South Sudan navigated mobility and narrated their choices around migration (on navigation see Vigh, 2006). I focus in particular on a subset of migrant men who, in 2015, continued to do business in South Sudan despite the deepening violence of the civil war: those who might meet the definition of a refugee, but who refused to seek legal recognition of their status. As I will show, such refusal were narrated through a grammar of masculinity, as agentive choices to move towards autonomy, responsibility and away from dependency, even as they were animated by structural constraints imposed by waning geopolitical commitments to refugee rights globally, and shrinking opportunities for (and restrictions on) foreigners in East African economies.

The research for this paper is part of a broader project aimed at understanding role of regional migrants in urban economies in conflict in the East African neighborhood. The research took place in Juba, South Sudan over 6 months in 2015 (from February-July), at the point when South Sudan's economy went from a slow decline to a headlong collapse as a result of renewed fighting and the waring parties' intransigence in negotiating peace. While focusing on the perspectives of two interlocutors, I also draw here on my wider research archive made up of formal audio-recorded interviews (93), focus group discussions (4), as well as detailed fieldnotes of conversations and observations gathered in more informal settings through participant observation and shadowing over the 6 month period. Participants in the research were recruited through a canvass of local businesses in several key commercial hubs in the central city. In all cases, pseudonyms have been used to protect the identities of participants. Where quotations are used, these reference direct quotes made during audio-recorded interviews.

In the main, I recount in detail conversations and stories that one of my interlocutors, Issa a young Somali clothier and entrepreneur, shared with me over several meetings in various cafes and hotel patios around Juba. I supplement this data with corroborating insights from an interview with Yemane, a middle-aged Eritrean temporarily running an internet cafe, but who had plans to develop an industrial recycling plant. The narratives presented here were shaped in relation to their perceptions of me (a female Europe-based post-doctoral researcher), as well as to my specific questions, which centred on why they had decided to come to Juba. As the analysis takes up self-narration, I restrict my in-depth analysis to those who agreed to have their interviews audio-recorded. However, the broader conceptual discussion was developed in conversation with a considerable archive of field data from participant observation and shadowing with the close-knit Eritrean and Darfuri businesspeople with whom I regularly socialized, many of whom did not wish to be quoted directly (approximately 30 people). he perspectives of Issa and Yemane are their own, but concord broadly with *some* of the Somali men and *many* of the Eritrean men with whom I spoke and spent time.

In highlighting refusal, I stress that, for my interlocutors, coming to Juba was not a journey of last resort, nor were these men desperate or destitute. Indeed, by and large, entrepreneurial men who refused seeking asylum in favor of building businesses in Juba were comparatively well-educated, had capital to invest, and could draw on broad networks of diaspora knowledge and finance in their economic pursuits. And, as the statements above showcase, many of them had pathways towards legal status in countries such as the United States, Canada, the UK and Sweden among others. With this in mind, attention to these precarious yet agentic migrant trajectories into conflict highlights the complexity of mobility choices in a political landscape characterized by anti-refugee sentiment and economic restriction.

2. Contingent masculinities & migration trajectories

It has long been recognized that migration is deeply gendered. Perhaps the most classic early study of migration attended to the differential experiences of migration across gender (Ravenstein, 1885). It would take nearly 100 years for overtly gendered analyses of economic migration to grain traction. Early gestures toward an implicit recognition of gender relations were made in structuralist analyses of migrant labor through a focus on the production/social reproduction binary (Burawoy, 1976). With the emergence of the new economics of labor migration, further attention was focused on the household (rather than the individual) as the unit through which to understand decisions around migration (Stark & Bloom, 1985; Stark & Taylor, 1989). Under this approach, economists and other scholars recognized that households might use the migration of a single or multiple family members strategically, with an eye to the overall wellbeing of all members of an extended, transnational family or household (Stark & Taylor, 1989; Boyd, 1989; Massey, 1990). As these geographically split and transnational households came to the center of analysis in migration studies, so did the transformations in gender relations that often accompanied it (Glick-Shiller et al, 1992; Radcliffe, 1991; Lawson, 1998). As Hondagneu-Sotelo (1994), Lawson (1998), and later Pratt & Yeoh (2003), and Parreñas (2000, 2001) have shown, migration often results in a reconfiguration of notions of femininity and masculinity, as well as re-balancing of power relations within families. This has been shown to be true regardless of whether it is the male 'head of household' who migrates (Osella & Osella, 2000), when couples or families migrate together (Hondagneu-Sotelo, 1994; Yeoh et al, 2005), or when it is the woman who migrates and the man who remains at home (Huang & Yeoh, 2011; Lam & Yeoh, 2018). This strain of feminist migration research attends to the gendered experiences of migration, the re-working of intra-household hierarchies, as well as broader social transformations around labor and social reproduction—including who is working outside the home, how financial resources are allocated, who has the authority to decide on issues of collective concern, and who performs child rearing in the home, and the emotional geographies of care (Lawson 1998; Silvey 2004; Blunt 2007).

Complimenting this work on gender, families and migration, another strain of research looks instead at the ways in which migration projects and notions of masculinity become tightly wound together. In one of the early analyses that explicitly unpacks migrant masculinities, Osella & Osella's (2000) tease out the way in which Gulf-migration among men in Kerela produced new genres of masculinity which indexed men's ability to accumulate and judiciously expend wealth earned through migration. They show how migration to the Gulf came to form a critical step in men's imagined life-trajectories, as well as how successfully navigating the possibilities and pitfalls of labor migration both tied into and transformed pre-existing hegemonic masculinities. Still more research has shown that masculinities respond flexibly in light of the need for men to work in feminized jobs while they are abroad (Batnitzky et al, 2009). Yet, masculinities inform migration practices not only 'after the fact' as migrants adapt (or not) to new social positions and gender orders, or try to navigate the obligation to kin back at home. Hernandez-Carretero & Carling (2012: 410) argue that "[m]igation aspirations are formed in specific social contexts. Rather than absolute poverty, the decisive factor is often the perceived inability to fill a social role." The specific contours of the role will differ across contexts, but their study shows the work that local masculinities do not just in shaping aspirations to migrate but in fortifying men in light of the difficulties and challenges that migration presents. This strain of research evidences the how narrations of mobility can work to recuperate the agentic aspect of masculinity, where moving becomes a matter of actively taking on risks and going after the possible, rather than bowing under existing conditions.

The discussions of gender in refugee studies has wound through other analytical trajectories in ways that both conform to and depart from the insights developed in relation to economic or labor migration. Up until the closing years of the Cold War, the notion of the political asylee was implicitly masculine, most often imagined as a (male) dissident in danger for reasons of their formal, public political views (Chimni, 1998). While the gender of the imagined dissident remained unmarked in the legal framework of refugee law, the view of what constitutes 'politics' hails practices and forms of political dissent that are linked to masculinity (Wallace, 1996; Chimni, 1998). This masculine image of the refugee shifted in the turbulent 1990s, with the promulgation of guidelines specifically recognizing gender-based claims to asylum (Wallace, 1996; La Violette, 2007) the thawing of cold war animosities (Keely, 2001), and the succession of mass exoduses of refugees from conflicts during that

time (Malkki, 1995). Empirically speaking, but also in the realm of popular imaginaries, the notion of the refugee came to be feminized, associated with women, children and dependency (Malkki, 1996; Johnson, 2011).

As noted by Chimni (1998), it is not coincidental that this shift in public imaginaries of what a refugee looks like—more likely brown or black, female, and fleeing civil conflict as part of mass displacement events—was accompanied by a geopolitical shift towards refugee containment in large camps in the regions of origin and the promotion of return as the preferred durable solution for refugees. Protection in the region of origin has often meant an attenuation of the rights enshrined in the refugee convention, such as limitations on the rights to work, to pursue higher education or to move freely inside the country (see also: Loescher, 2001; Hyndman, 2000; Cambell, 2006; Jaji, 2012; Newhouse, 2013, 2015a, 2015b). This development has been coupled with a parallel drive toward more restrictive asylum policies and less generous (often temporally limited) protection in Europe, North America and Australia (Koser & Black, 1999; Mountz, 2010; 2011; Samers, 2004; Rajaram, 2003; Keely, 2005; Hyndman & Mountz, 2008). In Europe and Scandinavia in particular, refugee reception policy has grown increasingly paternalistic, determining where refugees are allowed to settle through dispersal policies (Bloch & Schuster, 2005; Wren, 2003), and intervening more directly in refugees' private lives through the arms of the welfare state (Larsen, 2011). In both advanced economies and the developing world, then, these geopolitical shifts produced refugee-ness as characterized by a state of (enforced) dependency.

This set of broad and pervasive changes in both the political and economic valence of being a refugee has been experienced in profoundly gendered ways by those seeking or considering seeking asylum. It has been widely recognized that the transition to being a refugee is more difficult for those for whom this accompanies a demotion in status, regardless of whether this results from living as camp-refugee in the majority world or as recognized asylee in advanced industrial countries (Lamba & Krahn, 2003; Franz, 2003; Smyth & Kum, 2010). As Jansen (2008) has noted, male professionals or semiprofessionals in their middle years may be hit the hardest, as they may not be able to practice their profession or trade, may not earn the same degree of social respect in the public sphere, in addition to changes in the private sphere that offer women more authority, as they move into employment and play more active roles in steering and maintaining family life (Jansen, 2008; Turner, 1999; Franz, 2003). Particularly for men, the combination of economic dependency on the welfare-state or the UN coupled with increased intervention by these actors in relation to family life is experienced as a direct challenge to their own understandings of masculinity (Kleist, 2010; Turner 1999; Gass 2014; Markussen, 2018).

As this review suggests, some form of interrelation between situated masculinities and mobility is well recognized. However, this survey demonstrates that studies of migrant masculinities have largely focused on three contexts: the role of hegemonic masculinities in initiating migration projects, the reworking of masculinities in migrant receiving contexts, and the renegotiation of masculinity after return migration. We know less about how gendered ideologies and situated masculinities shape destination selection of those considering migratory projects. This is urgent, particularly as diasporic transnational social fields have become increasingly informationally dense since the 2000s, with cheaper and more wide-spread access to communication technologies. In well-established diasporas, those contemplating mobility projects may have clearer and more fine-grained pictures of their legal, social and economic prospects in a variety of destinations than did previous generations. And, it is unsurprising that those pursuing onward migration take the corpus of such information into consideration as they chart their own mobility trajectories (Newhouse, 2017, 2018; Belloni, 2019; Ciabarri 2014; Steinberg, 2016). This raises the question of how spatially contingent masculinities shape not just the decision to embark on a new migration project, but also inform how migrants evaluate the legal status-destination dyad as they plot their futures. As refugee status has increasingly come to index dependency, helplessness and constriction, I document how men who have the resources to chart paths that bypass juridical protection narrate these choices through their own grammars of masculinity. In documenting concrete instances of refusal of the juridical apparatus of refugee recognition, I show how enrollment in that juridical order cuts against spatially contingent masculinities that prize autonomy, risk taking and responsibility toward kin.

3. Quiet refusal

To make sense of how particular regionally situated masculinities shape mobility decisions around seeking protection, I look to an emerging body of scholarship that takes up the question of refusal. In recent years, scholars have begun to think analytically with the concept of refusal, building on the decolonial theorizing of Audra Simpson (2007, 2014, 2016). Refusal has been taken up in contrast to concepts such as resistance, resilience and reworking (see Katz, 2001), to index a more

¹ While research has shown migration trajectories to be contingent and indeterminant (Ciabarri, 2014; Landau, 2012; Echeverri Zuluaga, 2015; Steinberg, 2015; Collyer, 2007; Schapendonk, 2012; Crawley et al, 2015), migrants do often make well considered choices about their (next, if perhaps never final) destination (Newhouse, 2017, 2018; Ciabarri, 2014; Steinberg, 2016).

fundamental contestation of power relations, one that questions not just the components and arrangement of these relations, but also the political and juridical frames within which such relations are negotiated. I find thinking with refusal generative precisely because of the way it refocuses attention away from the specificities of particular power geometries (though of course these are also important), and towards the underlying orders on which these geometries rely.

Simpson (2007) writes about refusal in multiple registers. One registers the limits of ethnography, or what part of collective and individual social life are made available to analysis, to documentary ways of knowing, to authoring practices aimed at translating these for audiences elsewhere. Another registers Mohawk people's refusals of juridical categories emanating from settler colonial occupation and dispossession—practices that insist on other geo/political orders. In later writing, she names this "refusal to let go, to roll over, to play this game" (Simpson, 2016: 330) as a way of unmasking the falsity of an underlying juridical premise, of, indeed, the idea of the juridical order altogether. If this is a refusal to play the (juridical) game, it is also a recognition that the rules have already been fixed, and that the field is not level, and (to continue with the metaphor) that before, the field of play was a place of dancing. Simpson points to the bind of articulating political demands on terms other than one's own, and names the reward offered to do so as something of little benefit (Simpson, 2016: 328). In this paper, I refer to the limiting conditions of living on (juridical) terms other than one's own as half-lives—not so much as a metaphor, but an echo of the ways in which my interlocutors described the experience of living as recognized refugees or political asylees.² Refusal, then, posits a shift, a calling attention to the fundamental injustice of having to make claims based on underlying political and juridical orders that can only bind, that can only offer the untenable.

Building on, and in conversation with Simpson's work, McGranahan (2016a, 2016b, 2018) offers an exploration of refusal in a political context that explores the relevance of the concept for those who have been displaced (in her case, Tibetans refugees refusing citizenship in India and Nepal). McGranahan (2016b) calls attention explicitly to the generativity of this refusal. She sees refusal as a redirection, or, at times, a proactive anticipation and sidestepping of particular foreclosures, a way of opening to other political possibilities or commitments. For the Tibetans in South Asia, refusal offers a platform on which political claims to Tibetan sovereignty can be made and made more urgent. And yet, reminding readers that "one cannot receive a gift that is not offered," McGranahan (2016b: 340) further highlights the peremptory potential of refusal. Refusal, then, exceeds the horizon of what might have been offered (or not offered) in the first place. This too is the generative power of refusal, as an opportunity to decide for oneself and one's community the categories and commitments that define which relational constellations are salient. Sobo (2016) likewise argues for refusal as a practice that prioritizes certain affiliative commitments over others. She writes, "[r]efusal's immediate focus is not structural reform but the health and vitality of one's immediate social relations" (Sobo, 2016: 343). For both Sobo and McGranahan, refusal works as much to affirm as to reject particular social and political relations and, importantly, to offer alternative and distinct ways of understanding the self-in-relation (Simpson, 2007, 2016; McGranahan, 2016b; Sobo, 2016; see also Prasse-Freeman, 2020).

Both affiliative and aimed at undermining claims to encompassment within particular juridical orders, refusal also may manifest in an insistence on existing claims, or a set of rights under other political constellations than that which people are presented with (Simpson, 2014). As Feldman (2018: 58) documents, refusal of the juridical categories offered to Palestinian refugees offers a glimpse at the "flip-side" to the bind of "life lived in relief." In her research, refusal has a particular temporal dimension, coming to the fore largely during threshold moments of immediate displacement and in contexts in which a desire not to relinquish a political claim is weighed out against the materiality of immediate survival. Given these stakes, Feldman highlights the rarity of decisions to refuse, but also the ways that in the Palestinian context, refusal operated to shore up, and also undermine patriarchal relations in both families and humanitarian efforts. This highlights that refusal, too, often works within existing social grammars—such as hegemonic gender relations—with their own power geometries.

Here I want to consider the question of immediacy in theorizing refusal. If we expand the temporal focus beyond the immediacy of such 'eventful' threshold moments and look instead to the ongoingness of acquiescence to such categorical enrollments, then other, more banal moments in which refusal surfaces may come to light (see also Prasse Freeman, 2020:16). For most people confronted with the option of seeking recognition of their refugee status, their tangle with legal categories will be a chronic condition, one that unfolds and extends over years, if not decades, or generations (Feldman, 2018). It is only in comparatively rare cases that such people arrive into stable legal categories. This means that the negotiation of juridical orders and categories form an ongoing concern for people who are subject to, or who subject themselves to such juridical

² In using the term half-lives, my aim is to call attention to the *disabling* material consequences—the social, economic and political restrictions—that go along with accepting the *en*abling legal protection of refugee or asylum status (see also Newhouse, 2015a). In this way it compliments terms such as absent-presence (Sivardsdotter, 2013) and haunting (Mountz, 2011) which attend to the experiences of being undocumented or of being in the process of or actively prevented from seeking asylum respectively.

forms of recognition. For displaced people and other migrants, legal categories, openings for regularization, mechanisms for status determination or status conversions change over time, from place to place, and are rolled out differently for people with different backgrounds, nationalities or mobility histories (Coddington et al, 2020: 7, 9). Often shifting enforcement and ad-hoc or discretionary decision-making means those seeking status must expend considerable time and resources navigating these changes (see for example: Shrestha, 2019). This is often not just an accidental by-product of discretionary forms of regulation of mobility, but an intended effect (Coddington, 2020; Feldman, 2018). Playing with categories operates not just in the field of migrant counter-conduct, then, but also at the institutional level at the hands of various governance structures that participate in status determination and that are afforded wide latitudes of discretionary power (Massa, 2018; Coddington, 2020; Mountz, 2005; Feldman, 2018; Papadopoulos et al, 2008). Such playing with categories highlights the active way in which the displaced and other migrants seeking protection must negotiate their status in an uneven international policy environment characterized by frequent arbitrary change; one in which legal recourse or redress is often extremely difficult or impossible (Human Rights Watch, 2019; Guardian, 2020). This also highlights that, given the chronic, extended nature of refugees' encounter with a variety of juridical orders, refusal is not limited to threshold moments: it may surface at any time.

While reckoning with the categorizing impetus of juridical orders has long been recognized by scholars of migration and displacement (both from a critical perspective and those in favor of deeper securitization), within this discussion there is a tendency to focus on how displaced people and other migrants navigate *towards* enrollment in juridical statuses that offer stability and protection. And rightfully so, as for many the stable legal status of recognized refugee or political asylee is instrumental to building better lives. However, there is a relative silence about migrants and displaced people who reach the conclusion that the determination or recognition of refugee status offers them little in the way of rights, and instead may further constrain their room to maneuver (but see Fontanari, 2018; De Genova, 2002; Coutin, 2005).

What happens, then, when we take seriously cases in which protection is not pursued? What social constellations and relational investments does such refusal affirm? In the second half of this article, I look to these less eventful, quieter refusals, to sketch out the particular half-lives on offer in refugee recognition (that is, the juridical-political stakes), and explore how refusal simultaneously points to affirmative commitments to particular, gendered narrations of the self-in-relation. For my interlocutors, refusal to seek legal recognition of their refugee status, or to engage in what I have previously called the humanitarian bargain (Newhouse, 2015a), is a rejection of the half-lives offered as the condition of being able to claim a hollowed out bundle of largely unenforceable rights. At the same time, I explore how the contours of juridical protection premised on dependency refract through and inform gender ideologies and performances in ways that have both material and geopolitical implications.

4. Juridical protection and the half-lives of recognition

It is impossible to understand the refusal to seek asylum or recognition of refugee status, without offering an account the increasingly restrictive legal and political context that refugees have faced since the 2000s, regardless of where in the world they seek protection. For both of the men whose refusals I document here, recognition as refugees and enrollment in the juridical categories that purported to offer protection were available to them, not only in East African states, but also in presumably more desirable destinations in North America and Europe where their wives and other close family members already resided. Yet both refused quite explicitly these half-lives, instead opting for other migratory channels and statuses, aiming to build their own businesses in the newly established South Sudanese capital. To make sense of these refusals, I first look at the half-lives on offer in seeking recognition for their status as refugees and the corresponding enrollment in the juridical orders that manage refugee mobilities and economic horizons in the region and further afield.

4.1 Protection in the region: shrinking room to maneuver

In East Africa and the Horn, as in many places in Asia and Africa, those seeking recognition as refugees generally face restrictive policies of encampment where minimalist material support is provided and many of the rights accorded to refugees under international law are restricted (see Newhouse 2015a; Belloni, 2019; Hyndman 2000; Kibreab 2007; Krause & Gato, 2017; Massa, 2018), including free movement, the right to work and to engage in business. With a few notable exceptions (e.g. Uganda), legal openings for urban self-settlement and self-support have steadily shrunk over the last decades. The shrinking room to maneuver for refugees in East Africa is exemplified by the trajectory of Issa and his immediate family.

For Issa and his family—solidly middle class, entrepreneurial and with access to diaspora resources—Nairobi, the capital of Kenya, had for a time offered a balance of limited protection and opportunity (Pavenello et al, 2010; Jaji, 2012; Campbell, 2006; Lindley, 2007; Carrier & Lochery, 2013; Shaerrer & Carrier, 2019). But in the early teens, the Kenyan government began

to take and increasingly restrictive stance towards Somali refugees, demanding that self-settled refugees return to the large camps in the desert northern reaches, and pushing for repatriation (Horst & Nur, 2016; Lowe & Yarnell, 2019; Varming, 2020;). This political pressure from above was accompanied by an uptick in surveillance and petty harassment by state agents at the street level (BBC 2010; Varming, 2020; personal communication). Throughout this period, the Kenyan government spoke regularly about actively enforcing encampment of Somali refugees, where they face considerable restrictions in relation to mobility, employment, the business environment and higher education (Newhouse 2015a, 2015b; Horst & Nur, 2016).

Domestic pressures notwithstanding, the moves by the Kenyan government must be read alongside more global trends of refugee containment and the erosion in what constitutes adequate protection for refugees (Hargrave et a,l 2016; Olingo, 2016; Boswell, 2017). In Kenya, at least in relation to rhetoric, the political pressure on refugees reached its apex immediately after the EU-Turkey deal of 2015 was made public. In that agreement, the European Union offered Turkey both money and policy concessions in exchange for the Turkish government's commitment to control the onward migration of Syrian refugees within their territory. Sensing a political opportunity in the deal making around refugee containment in Europe, and cognizant of their own up-coming election cycle, the Kenyan government threatened to close the Dadaab refugee camp complex, home to over 600,000 mostly Somali refugees, and forcibly repatriate its residents to Somalia (Olingo, 2016; Hargrave et al, 2016; Horst & Nur, 2016; Rawlence, 2016; McConnachie, 2017). It was against this backdrop that Issa plotted the future for himself and his business ventures.

Yemane, in contrast, did not speak at all about his route out of Eritrea. He was clear however about the impossibility of returning to his country. The silences of his narration correspond with findings by other scholars that Eritreans outside of their home country are often vague or evasive when speaking about their past (Belloni, 2019). The Eritrean business community in Juba remained extremely circumspect about their experiences in their home country, how they managed to leave, and their trajectories toward Juba. In their silence, they practiced a purposeful obfuscation that Browne (2015: 21) has named "dark sousveillance," honed in relation to the surveillance practices of their own government but just as vital in navigating their varied onward trajectories (see Belloni, 2019). And it is for this reason that I am only able to report their perspectives in more generalized ways to protect their confidentiality. Nevertheless, scholars documenting the conditions facing escapees from Eritrea describe the camp conditions in Ethiopia in broadly similar terms as those in Kenya, highlighting in particular limits on mobility, access to employment or markets outside of the camps (Belloni, 2019; Massa, 2018; Trieber, 2014). While encampment in Ethiopia was described by one refugee as "dying slowly" (Belloni, 2019: 53) the conditions in Sudanese camps were often much more dire. Sudanese camps were targeted by organized criminals who scaled up from people smuggling to systematic kidnap for ransom throughout the 2010's (Humphris, 2013). For my participants, seeking refugee recognition in these contexts was refused or sidestepped to preserve the possibility of onward mobility on terms of their own choosing (see also Massa, 2018; Belloni, 2019; Trieber, 2014).

4.2 Asylum half-lives

Access to asylum and resettlement outside the region has become increasingly difficult as a result of the cumulative effects of more than a decade of interdiction at sea and strategic readmission agreements (Hyndman & Mountz, 2008; Hirsch & Bell, 2017; McConnachie, 2017; Mountz & Loyd, 2014). Over time, the reduced access to the legal processes that offer possibility for asylum and refugee resettlement, including by rerouting these claims through subsidiary and temporary forms of protection, in places like the EU, North America and the Antipodes has had the knock-on effect of cutting down on possibilities for family reunification through follow-to-join programs (See Wissink, et al 2017: 3; Groenendijk et al, 2017). These trends became particularly acute in the wake of the Arab Spring uprisings which saw a dramatic uptick in refugees in that region and the collapse of pre-existing externalization arrangements, (particularly in Libya) that kept refugees from reaching promised shores (Mountz & Loyd, 2014; Tazzioli, 2016).

At the same time, we have also witnessed an erosion in the quality of protection offered through refugee status. Even when granted international protection, the suite of rights that accompany refugee status have been curtailed (Boswell, 2017). In the EU, Scandinavia, North America and the Antipodes, refugees face significant structural constraints to their economic independence and personal autonomy. These include mobility and residence restrictions related to dispersal policies,³ income or language requirements,⁴ the de-skilling that occurs when qualifications are not recognized, mandatory re-training,⁵ difficult

³ For UK see Glorius et al, 2017; Netherlands see Huizinga & van Hoven, 2018; Denmark see Wren, 2003; Kreichauf, 2020.

⁴ For Netherlands see Bonjour & Duyvendak, 2018, Norway see Kofman, 2018.

⁵ For Germany see Kaabel, 2017.

regulatory environments for starting new businesses,⁶ discrimination⁷ and—in a new trend—the confiscation or limitations on the use of monetary assets.⁸ Faced with these obstacles, refugees can end up in a state of enforced dependency on welfare provisions, a situation that was widely viewed, at least from Juba, with distaste (see also Kliest, 2010; Muchoki, 2013; Gass, 2014).

For Issa, seeking recognition as a refugee in Kenya or in the United States would have resulted in acquiescing to significant restrictions in his mobility and access to business opportunities, resulting in diminishing autonomy and scope to project familial responsibility through the management of risks and opportunities. The shrinking space to maneuver for Somalis in urban Kenya also corresponded with a critical life-course transition for Issa: his attempt to leave youthful dalliances behind and to become a responsible adult. As I will show, he also judged it much more difficult to achieve the kind of economic standing and social respect accorded to men as providers for their family if he followed his wife to the United States. Similarly, for Yemane, who had been doing business since he was a teenager, the kind of life offered to those who were able to gain legal status in Europe lacked basic human dignity, as it represented for him enforced idleness and stalled opportunities.

5. Refusing to play the game

To unpack what animated their refusals, I attend to the ways in which Yemane and Issa narrate the interlinkages between their self-conceptions and their histories in business, their plans for the future, and the various spatial-counterfactuals against which they evaluated their decisions around mobility (see Newhouse, 2017). Such narratives help us to understand the ways in which both men make sense of and structure their histories in dialogue with the researcher (Goffman, 1978; Riessman, 2003), in this case a white European-based female researcher with a long-term engagement with South Sudan.

From the beginning, Issa directed our interview, taking my prompts and questions and running with them, offering up his life story and his ambitions in long winding tales. He narrates himself as an ambitious man in his mid 20's, born in Nairobi to a Somali family of some means. His mother has run a successful business in Eastleigh for at least a decade, importing textiles from Dubai. Like many Somalis, he had other family members spread across the world. The family had enough resources to send Issa to university in Malaysia to study accounting and Islamic finance. While there, Issa started doing some business on the side. In the end this distracted from his studies which he did not complete. Returning to Nairobi in 2011, Issa narrates the difficulty he had in facing up to the shame of not completing his studies:

And it was really hard because I could not face my mother and tell her that all that time, the money that she's been paying it didn't pay off. I don't have any degrees. So I just lied to her, I was like okay I graduated now, I am like, ready.

He applied for a few jobs, but wasn't excited about the low salary. When offered a position, he took the offer to his mother, and made a case for her to invest some capital with him in a new business, instead. He narrates the ensuing discussion as follows:

...she was like "I know you... you're used to spending money anyhow, so unless you can show me that you've changed, and you know the value of a dollar, then, and only then, I can give you, I can trust you with money."

After a six-month trial period, she was convinced that he was finally ready to be serious, and offered some initial capital that he used to start up his own small clothing shop in Eastleigh.

At this time, life in Kenya became more difficult for Somalis. By 2012, an internationally recognized federal government was established in Somalia, sparking negotiations with the Kenyan government and the UNHCR to facilitate voluntary repatriation of the large refugee population living in Kenya. Then, after a December 2012 grenade attack in Eastleigh, Kenyan police responded with indiscriminate round-ups of Somalis in Nairobi (Human Rights Watch, 2013). By the end of the next year, the Kenyan government continued to pressure on Somali refugees and businesses in Nairobi to leave—either back to Somalia or back to the refugee camps (Horst & Nur, 2016). After attacks at the Westgate Mall and Garissa University, Kenyan politicians began to speak more strongly of fighting terrorism—advocating closing the Dadaab camps and shutting down Dahabshil, a vital component of the financial infrastructure that eases circulation of capital between Somalia and its diaspora on and off the continent.

⁶ Bakker et al, 2017; Meister & Mauer, 2018.

⁷ For UK, Darling, 2017.

⁸ In Switzerland and Denmark, see Crouch & Kingsley, 2016; Kingsley, 2016; Gammeltoft-Hansen, 2017; The Guardian, 2016.

During that period, Issa said his business in Eastleigh did fairly well. But given the climate in Nairobi, he decided to look for new opportunities elsewhere. As he explained, many people in the Somali community in Nairobi started to look toward Mogadishu as they planned their next ventures. Issa also went for a visit to check out prospects there but felt that he didn't quite fit, that he'd always have a target on this back. At this point, his younger brother suggested he give Juba a try. Initially, Issa was reluctant. But his brother was persistent:

So [my brother] was like... "all of those things that you've heard I'm sure they are exaggerations. Just come see the place for yourself, and then, you know, you get to decide."

The first day I came, I just fell in love with the place. [Pauses] Because of the money. You know, because of the value that it had at that time. It was just good.

As this suggests, Issa was not convinced that Juba would be a good place to start his next business, given the stories he heard about the hot climate and insecurity. But just as he had done with Mogadishu, he decided to come and see what the city might have to offer. When he arrived in Juba in 2013, shortly before the return to fighting, he reasoned that any business set up there would grow alongside the new country. As he notes, the currency differentials made South Sudan an attractive place to do business, but so did demand. Foodstuffs, textiles, whatever one might bring in, there was a need. And, Issa was determined to go his own way, eschewing working in his parents dry-goods business. Building on his previous successful clothing business, he started up a small-scale clothing manufacturing shop selling western-style menswear to Juba's aspiring political class. He had further plans to diversify into leisure facilities and even an online learning center.

Throughout our conversations, Issa weaves a narrative centered on becoming responsible, a process of incrementally proving himself as a man, by recuperating his youthful mistakes and upholding traits associated with hegemonic masculinity—initially hard work and subservience to elders, subsequently as a good steward of family resources, next as someone capable of developing an independent business vision in going beyond the family's core economic niche, and as I show below, ultimately as someone willing to risk himself for the benefit of kin and their generational legacy (on masculine trajectories, see Ghannam, 2013; on conceptions of respectable Somali masculinity see Kliest, 2010). As Markussen (2020) and Kliest (2010) document, such life-stage transitions from youth to adulthood are conceived of and understood in gendered terms within the Somali transnational social field, where personal autonomy and family stewardship are indexes of the assumption of respectable masculinity. This notion of generational responsibility comes up most starkly when our conversation turned to Issa's experiences of the December 2013 fighting, just a few months after his arrival. This was a watershed event that lead many who operated businesses in Juba to close shop or otherwise reconsider their plans in South Sudan. His response to this question encapsulated in a particularly stark manner the ways in which Issa's relationship to masculinity and responsibility toward kin in a very expansive sense mediated decisions about longer term mobility projects.

When I asked about the days the war broke out in Juba, Issa explained that he was not in the country when the first shots began. He had left the business in the hands of his younger unmarried brothers, while he made a run to Kampala to purchase goods for his clothing shop. At first he was skeptical of the tales his brothers told him of fighting—he was used to dismissing often wildly exaggerated accounts Juba's dangers. But then his mother called him from Nairobi. He recounted:

Then at night, my mother called me. She was like, "You're still in Kampala? Don't go back!" And that's when I believed. I turned up the news. Everywhere...it's everywhere, on all channels.

So I could not just stay there [in Kampala], because all my three brothers were in Juba. They are all younger than me. I'm the older one. And at least if I died, and there's...a legacy behind, because I have a son. I mean, my wife, she was pregnant at that time. So I was like: okay, why not go there and then get your brothers out. And if someone has to stay behind, I would, you know, be responsible like that. Be that person. So I came back, I sent two of my brothers. They went back to Kenya. And luckily...no one got hurt.

Though Issa's actions in the face of these events was by no means exemplary, it highlights the entanglement of masculinity with questions around mobility, the negotiation of risk and responsibility toward family. As noted by others, ideals of Somali masculinity place an emphasis on independent, decisive action, and preserving the family line (Kleist, 2010; Markussen, 2020). Notably, Issa's brothers were unmarried and childless. Considering Issa's recounting of his (potential) self-sacrifice in returning to Juba during one of the periods of acute fighting in this light, he narrates his determination to personally take on the risks not only to the capital invested in the business, but also to life and limb, in order to maintain his recuperated image among family as someone serious and worthy of respect. His reference both to his mother's concern and to his future child as his

legacy further underscores the ways in which 'being responsible' or 'serious' for him was tied up with his ideas of masculinity and fatherhood.

Issa's linking together of responsibility and the fulfillment of the expectations of Somali masculinity resurfaced again at the close of our first interview precisely in the moment when he most starkly articulates his refusal to be enrolled within the juridical category of the refugee. Our conversation turned to his long-range plans, his wife, and whether or not he would join her. He tells me that he has just that day applied for a residential visa in South Sudan, and has no immediate plans to join his wife in the States. In one breath, Issa frames his refusal to pursue migration to the United States as going against common sense understandings within the broader Somali transnational community. He says:

Somalis, whether they are from Djibouti, from Kenya from Somalia, they value Western countries, like a lot. You know? For me, I see, I mean life...here in Africa, I see life. I mean, if what you want is to succeed, it is through here.

Yet in the next breath, he grounds this refusal in a critical appraisal of the terms on which this possibility of juridical recognition is offered, drawing out the incompatibility of such a life with his own sense of respectability, class status, and responsible masculinity. To do so, Issa narrates a story he had heard about a male relative, who was living in the United States but was still struggling to provide economically for his family, despite earning what Issa viewed as decent salary. For Issa, the question of social status and respectability are linked explicitly in how he frames this story as a reason why he is not interested in seeking asylum and joining his wife in the US:

There was a case, one of my relatives, the father, he makes like a lot of money, like \$5,000 a month...And it's through bills, he has like a lot of bills, he's short on bills! So I was like okay, they're using \$2,000, for every month, you know? So I was like that \$2,000, if it was Kenya, I mean you get to live in one of the respected residential areas, and your school, I mean your children are in one of the respected private schools, you get it? And they're living a good life, you have a driver, and all that, with \$2000, you get to live a good life. Not like a welfare house.

The figure of the welfare house, which came up more than once in our interview, was for Issa a short-hand way of naming the incompatibility of relying on state assistance with his own sense of masculine propriety, financial responsibility and respectability. As this account highlights, Issa's decision to pursue business and life in Juba was determined in relation to the legal and political context in Kenya and the US, the social and political constraints of return to Mogadishu, the possibility of drawing on diaspora investments, and his embeddedness in a diaspora knowledge network that offered a relatively accurate picture of the legal, social and economic contexts various destinations. Yet as the final quote makes clear, how Issa interpreted these factors were mediated through his own concepts of masculinity, autonomy, class status and what a 'good' life looks like.

6. To build my own

Issa was not the only one to refuse the option of seeking asylum or resettlement to places like the US, Canada and Scandinavia or the option of subsisting in the region off the meager largess of the international humanitarian order in favor of pursuing business in one of the riskiest corners of the continent. Juba's business scene was crowded with men from Somalia, Eritrea and Darfur who expressed a similar disdain at the idea of falling back on the refugee protection regime, valuing instead the prospect of making their own way and (hopefully) a profitable business.

Much of my research time was spent socializing with a close group of Eritreans who had businesses in construction, heavy machinery, hospitality and manufacturing. Like Issa, they were imbedded within a densely communicative transnational diaspora and it was not uncommon for an evening meal at a local out-door restaurant to be speckled with phone calls or lengthy text message conversations with relatives, friends, spouses and other romantic interests located across the diaspora. My time in Juba also coincided with several catastrophic and lethal Mediterranean Sea-crossings where young Eritreans were a majority of the dead. Some of these young people had passed through Juba (Newhouse, 2015b), prompting conversations around the table about migratory possibilities and their relative merits. My interlocutors were deeply saddened by the event in the Mediterranean, and actively tried to offer alternative opportunities to those considering onward clandestine routes through Sudan and Libya. Notwithstanding the dangerous journeys, they saw little value in the prospects for those that managed to arrive. Like white wine, they suggested to me, Europe was for women. A few of the men had spent time in Europe or North America, either for education or during previous political crises. They shared stories about challenging and highly regulated business markets, the devaluation of skills and experience that resulted from limited language fluency or

discriminatory pigeon-holing, reinforcing by comparison the value of building businesses in South Sudan (see Newhouse, 2017).

This sentiment was best articulated by Yemane. At the time of the interview, Yemane's wife and their children were living in Sweden. He had no immediate plans to join them. Instead he spoke of a variety of possible business ventures he planned to start with the help of some seed funding from a brother living in the UK. If the recycling plant in Juba didn't pan out, he had few other ideas that might work in South Sudan. And if the economic and security situation got more dire, he had his eye on Botswana. For Yemane, the idea of emigrating to Europe and seeking asylum, living off the welfare state is a question of dignity. While he saw some benefit, he initially described life in Europe as infantilizing, as being spoon-fed. Thus, the picture he paints of life in Europe is one of helplessness, as a child or invalid who cannot feed themselves. Returning to this point later in the interview, Yemane went further. When pressed about not wanting to join his family in Europe, he explained dismissively:

Yemane: You know, [in Europe] they give you small money, they give you a small house. You can

sleep, you can eat...Even, if you don't have money, they will give you an education.

Researcher But you don't like it? Why?

Yemane: Because we are human beings! I want to be a hard-worker.

Researcher: So, you don't like this idea of taking for doing nothing?

Yemane: Yeah. Taking money and sleeping, and doing what? ... You know, sometimes you want to

live in comfort, eh? Like Europe. You can eat, you can survive. You can get medical, you can get education, but not high school education, but simply language. But I want to be, like, what you call it? Hard working, eh? I must get my own business. I want to build my own, in

business.

As this exchange highlights, Yemane explicitly frames the conditions bound to refugee recognition as undermining of his humanity. He articulates his refusal in terms of his work ethic and his entrepreneurial drive, the same reasons he gives for not going back to his home country, where the only option available to him is compulsory military service. Working in his own businesses since the age of fourteen, Yemane presents himself as ready to act flexibility in the face of opportunities. As we spoke, he pulled out a notebook filled with well-developed business plans for a variety of ventures, equally prepared to get into wholesale supply, or well-drilling as the recycling plant. He rejects the vision of doing nothing, of the dependency that characterizes his understanding of life in Sweden, saying that he might be able to stand it for a month, but not more, preferring to build his own life and prosperity through business.

For both Yemane and Issa, then, their presence in Juba was wound closely with their identities as entrepreneurs and men of business, capable of risk-taking innovation that had the potential of earning big margins. Regardless of their current economic circumstances (both were, at best, moderately successful) each presented in their narratives a foil of dependency—the welfare-house and the teaspoon—against which their decisive action and dynamic plans for the future stood as testament to their attainment of masculine self-respect and their interest in seeking recognition as men (see also Ghannam, 2013; Bear 2015; Rommel, 2018). While framed in relation to the economic, these narratives highlight the relevance of spatially contingent masculinities in how both navigated the juridical topography of refugee recognition, particularly as its attendant possibilities and limitations were entangled not just with political rights but also economic ones. Refusal, in this light, not *only* indexes a rejection of those limitations, but also draws our attention to the relations that such a refusal affirms—in this instance their self-relation as men worthy of respect, and their relation to the broader transnational social fields that might offer or withhold recognition of this worth.

7. Conclusion:

"The social and moral aspects of refusal are as important as its political aspects" (McGrannahan, 2018: 370)

A careful reader might ask of the evidence presented here: where, precisely, and when can we pinpoint refusal? When empirically did this surface? What specifically were the possibilities for each of these men to legally join their spouses, or to seek asylum abroad, or to claim refugee status in the region? Don't these details matter?

The answer is both yes and no.

Yes, because pathways to legal status do matter, and matter a great deal for many who find themselves confronting the decision to seek legal recognition as a refugee. Because navigating these pathways, their openings and foreclosures, is a life's work—both laborious and ongoing—for many who cannot safely return to their home countries. Because so many are denied these pathways, and the past half-decade has witnessed even further foreclosures.

But the answer is also no.9

No, because the refusals documented here is precisely the refusal to undertake the laborious work of playing with categories, in the knowledge or belief that what is offered by success is not worth the effort. No, because these articulations of refusal, much as McGrannahan (2016) documented, may indeed be preemptory, exceeding the horizon of possibility of what has been offered in the first place. No, because refusal is not a singular event, but rather an ongoing project of building other trajectories, other pathways to success, other affiliations and prioritizing other relations.

The generativity of thinking with refusal is the way that it refocuses our analytical eye in two ways. First, it calls attention to the *dis*abling conditionalities and limitations that come part and parcel with seeking and even receiving protective legal status as either a recognized refugee or political asylee. Refusal draws our attention to conditions and juridical orders that are deemed wanting, that bind where they purport to free. In the cases explored here, refusal is grounded in a rejection of the enforced dependency and economically constricted half-lives that form the conditions of seeking and receiving recognition as a refugee. The decision not to seek asylum, not to live under the restrictive conditions that accompany refugee status in the region, can be read as both a pragmatic rejection of dependency but also as a more fundamental contestation of the meagerness of juridical protection, and the fruitlessness of attempting to navigate the shifting legal and procedural tides to seek recognition. In this analysis I join a handful of other scholars who recognize that some people (a minority, no doubt) prize the preservation of mobility, circulation and the possibility of the contingent over the compromises needed to secure stable legal status (Fontanari 2018; De Genova 2002; Coutin, 2005; Landau 2014).

There is no doubt that the legal, material and political context of where and how recognition takes place matters in the way men navigate their decisions around mobility. But so, too, do the ways that such legal and material conditions line up, or fail to line up with how these businessmen narrated their place in the world. I have shown that for Yemane and Issa (and the same held true for many of the Eritreans and some of the Somalis with whom I spoke), their rejection of refugee protection was based not only on their own experiences of refugeehood in the region prior to their arrival in Juba, but also on the information about living as asylees in Europe or North America that flowed to them from relatives and friends abroad as members of deeply networked diasporas. In contrast to studies in the region that explore how diaspora networks inspire and deepen migratory desires (see Belloni, 2019; Hepner, 2009; Chonk & Haile, 2020), the empirical story that emerged from Juba showed that, for some at least, the lessons learned from these dense informational flows worked instead as cautionary tales, dissuading them from contemplating seeking asylum in Europe and North America.

This brings me to the second way that refusals refocus our analytical eye. Refusal calls our attention not only to the thing refused, but also to the relations, affiliations, values and commitments that are sought and affirmed in its place. From the vantage point of Juba, these acts of refusal, then index an embrace of particular understandings of the self-in-relation, understandings that are imbricated in masculinities that eschew dependency and value autonomy and self-sufficiency. In narrating their presence in Juba, and their views on the future, Issa and Yemane saw themselves as shouldering particular kinds of risks responsibly—in relation to their own understanding of what they viewed as the (gendered) expectations of immediate family and broader diasporic kin and community.

In this paper, I have explored how spatially situated masculinities, and the accompanying social and moral commitments (e.g. to autonomy, independence, and responsibility toward kin) form a lens through which the juridical stakes of seeking recognition as a refugee are evaluated, and ultimately refused. Empirically the paper documents the underrecognized phenomena of people, in this case men, who refuse the safe harbour of refugee protection, preferring instead to chart their own trajectories to lives that they value. In this way, the paper contributes to debates relating to migrant masculinities as well as to political and legal geographies of mobility governance. At the same time, I attend to the extended temporalities in refusal, highlighting the on-goingness of refusal as those displaced negotiate their mobility through time, through juridical apertures and closures, as well as through space and across borders. Rather than thinking of these decisions as occurring in response to

⁹ No. also, because those details are not mine to share. These men's spouses were not, after all, participants in this research.

particular threshold events, such refusals more often emerge in relation to incremental shifts in the horizons of possibility and the textures of protection that those unable to return to their home countries face.

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