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Liminal legality and the construction of belonging: aspirations of Eritrean and Ethiopian migrants in Khartoum

Tanja R. Müller

Global Development Institute, University of Manchester, Manchester, UK

ABSTRACT

In this paper, I analyse forms of belonging and un-belonging created in a situation of permanent liminal legality in one's place of residence. The concept of liminal legality zooms in on spaces of social existence in everyday lives in a context of legal ambiguity. The focus of the paper is Eritrean and Ethiopian migrant communities who resided in the Sudanese capital Khartoum in 2021. The majority had lived in Khartoum for decades, or were even born there, but remain without any hope for full legal status or citizenship in Khartoum. Based on 30 in-depth interviews with Eritrean and Ethiopian migrants, I analyse the complex and ambiguous forms of belonging and un-belonging this liminal legality produces, and how aspirations are created and shaped by it. I argue that in certain aspects of everyday life, liminal legality does not hinder a social existence as quasi-citizens of Khartoum. At the same time, important aspirations are being curtailed by liminal legality. This creates forms of un-belonging that undermine social existence. I conclude that migrants are subject to the enduring power of the nation-state in defining who belongs and who is excluded.

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Introduction

In this paper, I use the concept of liminal legality to analyse a common experience in a migration context: the contradictions of being physically and socially present and part of neighbourhoods, workplaces and communities, but at the same time legally precarious and often quasi-invisible with respect to state-guaranteed rights in countries of residence. The concept, coined by Menjivar (2006) in relation to Latin American migrants in the United States, puts the focus firmly on the grey area of the simultaneity of social existence and legal precariousness, but also the variations of liminality in countries and cities of residence. It therefore goes beyond often discussed (and critiqued) distinctions between documented/undocumented or legal/illegal migrants, or the categories of refugee versus migrant (Crawley and Skleparis 2018).

CONTACT Tanja R. Müller  tanja.mueller@manchester.ac.uk

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Instead, the lens of liminal legality allows a focus on how forms of status determine vital aspects of migrant lives in the everyday and are deeply intertwined with belonging and un-belonging in places of residence.

This has been amply demonstrated in the wider literature in relation to different spheres of life. Those include labour market conditions, wages, access to services like healthcare, protection from crime, or educational attainment, to name some prominent areas of scholarship (see Guttmacher 1984; Hellgren 2014; Huschke 2014; Simon and DeLey 1984; Söhn 2014). It has also been demonstrated how the materiality of status, in the form of identity papers or biometrical identification systems, is intimately connected to everyday experiences of the social world, beyond serving as a means to secure individual or collective rights (Dalberto and Banégas 2021).

I bring this literature together with the literature on lived citizenship that analyses citizenship as an activist act of claim-making in everyday life (Isin and Nielsen 2008; Kallio, Wood, and Häkli 2020) to interrogate an important intangible aspect of migrant lives determined by legal liminality: belonging or, indeed, un-belonging to one's place of residence. My concrete example is Eritrean and Ethiopian migrants in Khartoum, many of whom have lived in a state of quasi-permanent legal liminality often for decades, as no avenues for permanent legal status in Sudan are available.¹ These migrants are not *de jure* stateless, another pertinent issue for many migrants – but also other – populations (see Bloom, Tonkiss, and Cole 2017 for a good overview), as they possess the citizenship of their countries of origin and many, as the data below will demonstrate, aspire to return if certain conditions are being met.² Rather, they to different degrees lack functioning citizenship, defined by Kingston (2014) as requiring 'an active and mutually-beneficial relationship between the state and the individual' (Kingston 2014, 127).³ While functioning citizenship is a useful category of analysis when focusing on migrant rights claims and advocating for a less nation-state-centred understanding of those, liminal legality and a focus on its repercussions through the lens of lived citizenship offers a more promising framing when trying to understand belonging in everyday lives in places of residence. It puts the focus on the divide between to-have citizenship and to-be a citizen and allows to explore migrant relationships to the territorial world as expressed and experienced in everyday living and future aspirations (Kallio, Wood, and Häkli 2020).

The paper therefore contributes to the following debates: First, it adds to the argument that ultimately nation states and national laws determine key aspects of migrant lives even in an increasingly interconnected and transnational world (Brubaker 2010; Pascucci 2016; Staeheli 2010). Second, it demonstrates how key aspects of belonging are formed by legal stipulations with different repercussions for places of residence over time. While based on a specific example in which the to-have aspect of citizenship is not possible, this is the case for many migrant populations even in settings that are less hostile to granting full citizenship (see Bretell 2006; Simonsen 2016; Vorobeva and Jauhiainen 2023). Third, it contributes a critical lens to the literature that sees the city as an important sight to negotiate belonging in a more inclusive way for migrant populations, but also acknowledges how mediators of belonging are tied to different forms of liminal legality (Gawlewicz and Yiftachel 2022; Rottmann, Josipovic, and Reeger 2020; Varsanyi 2006).

The remainder of the paper proceeds as follows: Next, I link legal liminality with citizenship and belonging, with one focus on how future aspirations, shaped by liminal legality, interact with belonging. This is followed by a methodology section. I then present

empirical data from Khartoum on how the lives of Eritrean and Ethiopian migrants are impacted by liminal legality related to different spheres of experiences and accompanying aspirations. The paper ends with a discussion and conclusion based on those findings.

Linking legal liminality, citizenship and belonging: a framework

Legal status is a key factor in how migrant lives unfold, regardless of whether migrants aspire to have citizenship in the place where they reside.

In parallel, the conceptualisation of citizenship has broadened away from legal status to more activist forms of lived citizenship (Kallio, Wood, and Häkli 2020; Müller 2022b). The concept of lived citizenship views citizenship as sets of relational and affective practices grounded in multiple forms of interconnectedness (Isin and Nielsen 2008; Wood and Black 2018). This makes it possible to investigate citizenship as practiced in everyday encounters, regardless of official status, but with respect to acts aimed at practicing belonging (see McNevin 2006; Müller 2016; Nyers and Rygiel 2012; Ticktin 2006).

At the same time, the centrality of the nation-state in determining migrant lives and aspirations has received new emphasis (Brubaker 2010). 'Citizenship as legal status', in the words of Menjivar (2006, 1003) continues to shape migrants' 'membership in society and their understanding of their place in it'. In short, belonging and the aspirations it creates in a place of long-term residence are deeply intertwined with questions of legal status (De Genova 2002).

Important to note here is that the forms of liminal legality that determine migrant lives are not linear, but often in flux. A time-limited permission to stay somewhere legally may expire and may result in a shift to a less secure everyday existence. This permanent temporariness (Bailey et al. 2002; Coutin 2000) that characterises legal liminality is first and foremost a condition of ambiguity (see Kemp, Resnik, and Sharabi 2022).

Like liminal legality, belonging is in constant flux and evolving over time. In its most basic sense, to belong refers to feeling part of a community, a neighbourhood, a city, or, in other words, 'belonging is about "feeling at home"' (Gilmartin 2008; Yuval-Davis 2011, 18).

Yuval-Davis' (2006) definition of belonging as an act of active construction is useful here: She defines belonging as expressed in three distinct ways: social locations; identifications and emotional attachments; and ethical and political values. All three are intertwined with liminal legality and produce different forms of lived citizenship in the space of the city. Social locations refer to the multiple categories with which migrants associate themselves, such as those defined by gender, ethnicity, nationality, religion, to name the most prominent. Identifications and emotional attachments refer to the ways through which people show what it means to be part of these groupings. Lastly, there are ethical and political values that are ascribed by individuals to different social locations and attachments, and from these value judgements and aspirations emerge, are formulated, or are curtailed.

These three ways of thinking about the creation of belonging provide a useful guide for the analysis of practices of lived citizenship among migrants in a state of liminal legality. While important dimensions of belonging transcend concrete geographical spaces and are often determined by transnational allegiances (Gilmartin 2008), the empirical data I present below demonstrates that places of long-term residence are of vital importance in shaping belonging and resulting future aspirations.

Methods and background to the study

The paper is based on data from the ESRC-funded research project: Transnational lived citizenship: Practices of citizenship as political belonging among emerging diasporas in the Horn of Africa. The project investigates through a comparative study different dimensions of transnational lived citizenship among Ethiopian and Eritrean diaspora in the cities of Nairobi, Khartoum and Addis Ababa. Face-to-face fieldwork was to commence in March 2020, but due to the COVID-19 pandemic had to be reconfigured virtually. In this paper, I focus only on the data from Khartoum to demonstrate how liminal legality is an important determinant of belonging and un-belonging in and to the geographical space of the city.

The shift to virtual fieldwork brought with it challenges and opportunities. Questioning face-to-face fieldwork as the gold standard when researching migration precedes the pandemic, but COVID-19 highlighted the limitations of research methods that take the physical mobility of researchers for granted in new ways (Greatrick et al. 2022; Gruber et al. 2021; Günel, Saiba, and Watanabe 2020). Travelling overseas was neither possible nor, had that not been the case, would it have been ethical to travel to the African continent and potentially contribute to the spread of the disease (see also Gruber et al. 2021). COVID-19 equally impacted potential research participants, raising more general questions on how to research migration histories with participants who often experience overlapping crises (Greatrick et al. 2022).⁴

As a potential way forward, patchwork ethnography has been proposed (Günel, Saiba, and Watanabe 2020). While originally aimed at foregrounding inclusivity and conditions under which knowledge production takes place, it provides a useful lens to consider the methodological implications of our move to virtual fieldwork (Günel and Watanabe 2024). A key component of patchwork ethnography is to adjust methodological choices to the circumstances of the researcher, in this case, COVID-19 enforced immobility, and to focus on multiple encounters designed to capture changing dynamics. For our project, this resulted in turning to proven types of remote, qualitative, synchronous interviews – using WhatsApp, zoom, or telephone calls (Kaufmann and Peil 2020; King, Horrocks, and Brooks 2018).

A postdoctoral researcher who left the project prematurely, Mesghina Abraha, conducted the Khartoum interviews between March and December 2021. Instead, as originally envisaged, a sampling process based on participant observation of migrant communities, sampling of Eritrean respondents relied on gatekeepers recruited through informal networks of Abraha. For the sampling of Ethiopian respondents, we relied on Khartoum-based migration researcher Muhjah Khateeb. Gatekeepers for both communities came from faith-based organisations, community schools or other civil society networks. Through gatekeepers and subsequent snowball sampling, the target of 15 interviewees from each community was reached, and in addition, 3 key informant interviews were conducted. This adjusted way of sampling resulted in the same type of respondents we would have envisaged had fieldwork taken place face-to-face. What did change in the project was the sole reliance on in-depth interview data, as the participant observation part was not possible. Having said that, such interviews, focused on detailed dynamics in individual everyday lives, are a pertinent methodological approach in the investigation of migrant practices of ‘makeshift’ citizenship

in the here and now (Nyers 2013, 38) and the wider study of belonging (Pascucci 2016).

In Khartoum, 21 participants and three key informant interviews were conducted via WhatsApp, 9 via telephone. This enforced move to virtual interviews turned out to have a number of clear advantages. While social clues are less visible in remote interviewing (Opdenakker 2006), these were not absent as interviewees made pauses; or their voice broke or became emotional, as noted by Abraha in the interview transcripts. More importantly, interviewees felt more comfortable to discuss sensitive issues in both politically deeply divided migrant communities with a researcher who himself is a UK citizen but of Eritrean origin. Mobile phone apps also made it easier to follow up with interviewees and allowed different ways of probing in a patchwork-style interview process. In fact, many interviews were conducted over multiple sessions and were easy to adjust to interviewee schedules and obligations (even if this meant some unsocial hours for Abraha). Virtual interviews also allowed to follow-up on additional issues that arose during the research process.⁵

More generally, as has been observed elsewhere, the fact that both migrant communities rely on social media apps for much of their everyday activities made the process to conduct interviews in this way more natural and less intrusive than would otherwise have been the case (see Kaufmann and Peil 2020). It also allowed participants to share additional material easily, in our case photos of a demonstration organised by Ethiopian youth against the lack of protection in front of the UNHCR office in Khartoum. In relation to the Khartoum interviews, Abraha only on one occasion reported that being there might have led to different results: This was in an interview with an Ethiopian woman, where he noted: 'I wish the interview was face-to-face over a traditional coffee, she would have told me more about how the current conflict [referring to the conflict in Tigray that started in November 2020] affects her life here' (fieldwork memos, 29 November 2021).

Taken together, the move to a virtual interview process, not only in Khartoum but across the three cities, adds to reflections on the need to adapt traditional forms of fieldwork in times of intersecting crises, climate change and other global challenges (Greatrick et al. 2022; Gruber et al. 2021). Our data demonstrates that this does not need to compromise research objectives or data quality.

In concrete, in the 30 virtual in-depth interviews, participants were asked, following a detailed interview guide, about all aspects of their lives in Khartoum as well as the networks they engaged with, in the city and beyond, locally, regionally and globally. For this paper, the focus is on the first of these geographical spaces, the city, and the questions about citizenship and belonging that come with residing in Khartoum. Belonging to all participants has an additional transnational dimension. However, the focus of this paper is belonging in relation to Khartoum as the place of residence and its interactions with the condition of liminal legality.

The interviews were conducted in either English, Tigrinya or Amharic, all languages spoken by Abraha. The interviews were subsequently transcribed and translated into English by Abraha and coded thematically with input from the project team, using the NVivo software package. The interview data were then cleaned by myself and coding and English language were adjusted in that process.

Participants have been anonymized and any markers that could help identify them have been removed. The project received all required ethical approvals from the

University of Manchester Committee on Research Ethics. All participants agreed to the usage of anonymized content and quotations from their interviews in publications.

An initial version of this paper was presented at a project dissemination workshop in Khartoum held from 9 to 10 November 2022 under the umbrella of the Centre d'études et de documentation économiques, juridiques et sociales au Soudan (CEDEJ), organised by Prof Mohamed Bakhit from the Department of Anthropology at the University of Khartoum, and Kadeeja Salih, a student at the department. At this workshop, representatives from both migrant groups, Ethiopians and Eritreans, as well as two representatives from the Commission of Refugees (CoR) in Sudan, provided input and feedback.

Liminal legality, (lived)citizenship, belonging and aspirations among migrants in Khartoum

For many of the research participants, Khartoum was originally seen as a place of transit, a place they fled to following political upheavals in Ethiopia or Eritrea respectively. But over time, plans to either return or travel further afield came to nothing. None did foresee to leave the city any time soon (the war that erupted in Khartoum and Sudan in April 2023 might have changed that, as is the case for many Sudanese citizens who could not imagine that war would break out in Khartoum). Of the 30 interviewees, 5 had lived in Khartoum for more than 20 years; 10 had lived in Khartoum for more than 10 years; and the remaining 15 under 10 years at the time interviews took place.

The majority came as refugees and had initially stayed in refugee camps outside the city. Such a scenario is all too common in East Africa and the Horn, where patterns of mobility have been shaped by war and violence. Refugee camps are administered and financed by the UNHCR but it is often, as in the case of Sudan, possible to gain special permission to live outside the camps. This often implies the end of direct financial or other support. In addition, there is a grey area of tacit acceptance that many refugees leave the camps and settle in capital cities of the region or other urban places. A common feature across the region and most of the African continent is that once refugee status has been granted, there is no easy route to future citizenship, and often none at all. This makes the already substantial challenges to acquire citizenship for migrants moving within the African continent (see Manby 2016) even more severe.

Taken together, Khartoum is an example of a typical capital city across the region with a significant population of refugees/migrants who have been living, like our research participants, in the city for a substantial number of years in liminal legal conditions. At the same time, they are an important part of the social fabric of neighbourhoods, communities, and the city itself, visible in shops, restaurants, dedicated places of worship, but also schools and cultural centres. This state of affairs, liminal legality but a strong presence in the everyday life of the city, has important repercussions for the forms of belonging or un-belonging that are created. I will analyse those in the following making use of Yuval-Davies' categories of belonging, namely, social locations; identifications and emotional attachments; and value judgements introduced earlier. I will discuss how these categories combine to create specific dynamics of belonging, with important implications for future aspirations. I do so under different headings that highlight specific aspects of the ambiguity that liminal legality creates. Those are insecurity, status

papers and the quest for (un-attainable) citizenship; liminal status and lived citizenship when crises hit: scarcity and COVID-19; legal stipulations and future aspirations.

Insecurity, status papers, and the quest for (un-attainable) citizenship

A key marker of social location are the status papers migrants process. Those may not in actual fact correspond to how migrants or outsiders categorise migrants and may be irrelevant to those who live in the same community (Ataç, Rygiel, and Stierl 2016; Kindersley 2022). But for the ways in which migrants develop a sense that they belong to their place of residence, or feel constantly threatened, status papers are of variable importance.

Of the 30 interviewees, 27 had formal status in Khartoum as urban refugees, with the stipulation to renew their papers usually every 2 years. One was a migrant from Eritrea with a residence permit that needed to be renewed every year, and two Eritreans were undocumented migrants with no official papers. One may assume that urban refugees possess the most secure status, and on paper, also according to representatives of CoR, that should indeed be the case, but day-to-day reality is often different.

Even those with refugee status often find themselves in a state of liminal legality, as this status is less clear-cut than might be imagined. Even where recognised, it comes with restricted entitlements that severely hinder future aspirations or professional activities in the here and now, as discussed further below. Social location is therefore dominated by status that divides migrants who may have arrived for the same reasons and by the same routes into categories of people with different entitlements. These categories are refugees; migrants; and undocumented migrants. The first two of these, if one has up-to-date papers, should in fact provide legal security, and the status of refugees even more so as a category under international law.

In reality, as one interviewee explains, there are trade-offs between having refugee-status and the status of a migrant, and different restrictions apply to each category. For those who have urban refugee status, based on an agreement between UNHCR and the Sudanese CoR, this implies to forgo social assistance including medical care – in exchange for a work permit and urban status. This is based on the assumption that people who leave refugee camps to settle in the city can work and cover all their expenses. Should they fail, they have the option to return their urban refugee status and go back to the camps that provide for them. But hardly anybody aspires to return to do so.

In contrast, Ethiopians and Eritreans who came to Khartoum either through legal channels as migrants or had their request for asylum rejected but want to live in Khartoum, can get a residence permit but are not allowed to work in professional jobs. They can seek work that requires no qualifications, or start their own businesses. These permits need to be renewed regularly, sometimes every six months, sometimes once a year, for a substantial fee. Only one of our respondents had such a residence permit (as different from the urban refugee ID). Informant S4 states that ‘people having such IDs are equally vulnerable to abuse and discrimination as the refugees and asylum seekers’ (interview 7 April 2021).

In relation to the (in-)security that comes with refugee status, informant S21 says:

I am a refugee. I have the *betaqa* [papers], but in Sudan that sometimes does not work, any *shurta* [police] does whatever they want. They can accept or reject the documents as they please. They do it to get bribes from the migrants. That is the kind of life we are living. (Interview 3 October 2021)

This state of (in-)security even with papers has profound implications for migrants' sense of belonging. Informant S15 explains:

There is nothing to make Khartoum a home; nothing that makes you feel you are at home. Every time you go out, you do not know if the authorities will ask you for your *betaqa* [papers]. [...] At this time Sudan is not a place to have a safe life. I do not have any ambitions to become a Sudanese citizen. (Interview, 17 September 2021)

But in contrast to informant S15, for most interviewees, the obvious solution would be to indeed become Sudanese citizens, as with that status most issues that affect their daily lives in a negative way would be solved. But to gain citizenship is quasi-impossible, even for children of refugees and even if those children were born in Khartoum. While the quest for Sudanese citizenship is partly born out of pragmatic reasons, it would transform social location and with it value judgements about Khartoum as a place where one can feel at home.

Informant S31 is one of those born in Khartoum to refugee parents. He says:

We are struggling for a bright future in which we can be accepted as people born in and from Sudan. I do not think it will happen in my lifetime. If it does, I would not hesitate to take citizenship. That would make me a citizen, not a third-class citizen with no rights. (Interview, 14 December 2021)

This issue, that the opportunity to gain citizenship status will not happen during the lifetime of participants is expressed by the majority of interviewees, and unlike respondent S15 cited above, most would apply for citizenship as a priority if that option were available.

S4 says in this respect:

I have been here for 21 years. [...] There is no option to get Sudanese citizenship for *Habesha*. I have never heard about a *Habesha* who has citizenship [...] if they allow it, I would not hesitate to get citizenship for myself and my family. (Interview 7 April 2021)

This sentiment is echoed by informant S17 who says: 'I would love to have citizenship, but unfortunately Sudan does not allow refugees to have citizenship. Sudan does not allow even children born in Sudan to refugee parents to become Sudanese citizens' (interview, 21 September 2021). And S16 states

I enjoy Khartoum. My neighbourhood is safe, I say *Salam Aleikum* to everyone in my area, children, the young and specially the elderly. When we meet in the mosque, they see me like their children. I feel I am in the middle of family. I would take citizenship tomorrow; but Sudan does not allow that. (Interview, 20 September 2021)

For many Eritreans, the quest is rather for dual citizenship, but that is equally unattainable. Respondent S13 says:

I would love to have dual citizenship. I do not want to lose my Eritreanness. However, the option of citizenship is not available for refugees in Sudan. The laws of the land do not allow refugees to become citizens of Sudan. (Interview, 16 September 2021).

And respondent S12 says:

I would want Sudanese citizenship, but it is impossible with the current laws [...]. I hope one day that changes so that we can have the benefits of becoming citizens [...] as members of our neighbourhood, [...] we can have equal rights in terms of work permits and other benefits. (Interview, 14 September 2021)

The last quote leads to some of the key issues that affect people's daily lives, mostly in relation to work opportunities; and more generally in relation to pursuing important aspirations as detailed below. While the majority of respondents report to feel quite at home in their neighbourhoods, also in relationships with local Sudanese neighbours, communities and in faith-based circles, important ways to realise aspirations are beyond reach. In addition, when a crisis occurs, the in/security inherent in refugee or migrant permits, the key characteristic of a state of liminal legality, comes to the fore.

The following sections will look in more detail at the ways in which liminal legality affects the daily lives and future aspirations of Ethiopian and Eritrean migrants in Khartoum. I will first focus on what happens when a crisis occurs; and subsequently how legal stipulations alter employment and future aspirations.

Liminal status and lived citizenship when crises hit: scarcity and COVID-19

Partly due to the political instability after the fall of former President Bashir, partly accelerated by the COVID-19 pandemic, Sudan has experienced a scarcity of goods in the years before our interviews. In reaction, the government introduced a coupon system for basic food products and gas cylinders. These coupons were allocated in the first instance to Sudanese citizens, and only if there was no more demand from those citizens were refugees and migrants considered. This meant the migrant community had to buy necessities on the black market, often at three to five times the local price.

Participant S4 describes how that makes him feel:

When we go to the local authorities for the coupons, we get the response that for refugees and *Habesha*, that is the term Sudanese use for Eritreans and Ethiopians, only once the local people are satisfied with the supply, we are allowed to have coupons. But life cannot be paused, we have to eat and feed our children. That is why we are forced to buy from the black market. You know what happens on the black market, traders are opportunistic and demand the highest price in such a scenario. [...] This is discrimination. [This is] one recent example, but such things happen in every sector and all the time. We have to accept it or leave the country, we do not have any other choices. The Sudanese community is generous and peaceful. We do not have problems with the local community. [...] Many migrants are working in Sudanese houses or if they [are] self-employed, they get their licence in the name of a Sudanese neighbour or friend. Sudanese people are supportive. The problem is with the authorities. (Interview, 8 May 2021)

The experience of having to pay black market prices for necessities comes through in most interviews. Being treated in this discriminatory way makes people feel as if they are in fact not belonging to the community, even if individuals within the community are supportive.

Thus, while most migrants feel supported at the local level, Sudanese authorities interpret status as a system based on boundaries and exclusions.

When in addition COVID-19 hit, the repercussions of this state of affairs for emotional attachments and value judgements about being a resident of Khartoum came to the fore in exemplary fashion.

In contrast to many other cities in the region, Khartoum had no sustained lockdown during COVID. Instead, various hygiene and social distancing measures were in place.

Therefore, direct economic impact of COVID-19 in terms of loss of employment was negligible, and the main economic repercussion was the coupon system outlined above.

But in other areas, migrants were made aware of their liminal status. One problem was that it became impossible to renew papers on time. Respondent S8 explains:

[When Covid started], all services were stopped. Government offices and international organisations [...] were closed. Only telephone calls were possible, and the renewal of refugee residence permits was the biggest challenge. Many people who could not renew their papers ended up being stranded at home – or risked being arrested or having to pay bribes to police and security forces to avoid imprisonment for carrying expired papers. (Interview, 25 July 2021)

This resulted in a turn towards one's own community and new forms of engagement among close-knit migrant groups (as also analysed from a comparative perspective in a different paper from the project, see Müller 2022a). On the one hand, this was positive. In the words of respondent S16, the pandemic 'has forced us to live together and look after each other. The love and consideration during that time were fantastic. I wish that kind of love and spirit of collaboration would live on among us Ethiopians' (interview, 20 September 2021). In fact, some migrants from the same geographical place in their homeland or the same ethnic group moved in together to share rent and the everyday cost of living.

At the same time, connections to the lives of local Sudanese people weakened, and a big fear was what would happen if somebody fell ill with COVID-19, as their status leaves them outside state health services, and outside refugee camps reliant on themselves or their personal networks. S16 continues:

The fact that the situation was serious has put pressure on us. We did not know what to do if one of us got infected. We did not have money for treatment. It was stressful but being together helped us to comfort one another. (interview, 20 September 2021)

And respondent S23 says: 'Everybody was afraid of what to do next. We did not know what to do if we got infected, as refugees cannot go to the public hospitals. That created pressure on every refugee here in Khartoum' (interview, 28 November 2021).

COVID, together with the coupon regulations for access to necessities, put into sharp focus that the social existence of migrants in a state of liminal legality remains precarious at best and outright threatened at worst. Respondent S11 reflects:

When you consider our status, we will be the last to get vaccinated, even if Sudan will have the chance to get vaccines, we will be the last in the line. That puts a lot of pressure on our wellbeing. (Interview, 13 September 2021)

They are in effect what respondent S31 above called 'third-class citizen with no rights'. It leaves people with a sense of un-belonging, that is on the one hand grounded in their state of liminal legality, but also reflected within wider society beyond immediate communities. Respondent S3 has this to say: 'I want me and my family going back to Eritrea [if the situation allows this]. I told you that even as Muslims we are not welcome here, especially by the youth who are the future of this country' (interview, 7 April 2021). And respondent S21 says:

I pray the conditions in Eritrea will return to normality and I can go back to a place where I can live with dignity as a human, a place I can call mine, a place where I am not prevented from getting services because I am a refugee. (Interview, 3 October 2021)

The experiences of exclusion grounded in the status of liminal legality that is being enforced by Sudanese politics and legal stipulations in different ways create a state of permanent ambivalence to the place that most respondents at the same time call 'home'. Respondent S7 explains it in this way:

Khartoum is my home. I do not look to go anywhere else until the condition in Eritrea gets better. Allah knows when. Therefore, I have accepted Khartoum as my home. I have to be frank, I cannot forget Eritrea, but I do not have any other option than to take the situation as it is [...] otherwise I will go mad. (Interview, 23 July 2021)

In essence, their status, repeatedly enforced through new laws and regulations, in particular when a crisis occurs, undermines migrants' sense of belonging to their long-term place of residence. More profoundly, it can also curtail professional trajectories and important aspirations.

Legal stipulations and future aspirations

Two pertinent examples of how liminal legality determines migrant lives are employment but also sustaining wider future aspirations. As in many other settings, some jobs are done by migrants as an entry point into the labour market, and one such is the business of driving a raksha. Eritrean and Ethiopian migrants usually rent a raksha from a Sudanese owner, as they cannot get a licence in their own name. Such arrangements are prone to sudden changes in legal stipulations as was the case here: In order to discourage the practice of renting out rakhshas to migrants, a new government directive stipulated fines for migrant raksha drivers. At the time of the interviews, this was a fine of 10,000 Sudanese Pounds, and for those who could not pay, the raksha was confiscated. This happened to respondent S10, who says the following:

At this moment I am out of work because I could not pay the fines that the government introduced to refugees who drive rakhshas. My raksha was confiscated. [...] Therefore, currently I do not have any income. We live from what my wife gets. Before, I was making enough money by driving the raksha. [...] If I were a Sudanese citizen, I would not go through what I am going through now. My raksha would not have been confiscated. (Interview, 6 September 2021)

Here, status directly jeopardises the ability to carry out the work that used to cater for the family.

More profoundly, liminal legality can determine future aspirations and undermine any sense of belonging to the place where they have been born. This is best illustrated through the lives of secondary school students with excellent final grades. In our data, we have two examples of the struggles they face, struggles purely related to their liminal status as interpreted in Sudan. One is respondent S30, a 28-year-old woman from Ethiopia, who had started a degree in pharmacy in Ethiopia but had to flee due to political reasons. The second is respondent S31, who was born in Khartoum to Ethiopian refugee parents.

Both almost had to forgo their ambition to study, an ambition that would have been the expected thing to do for secondary school students with their academic achievements, and in the case of respondent S30 had already started to happen.

In Sudan, refugees, including children of refugee parents even if born in the country, are treated in the same way as foreign students, and are therefore asked to pay student

fees in US dollars. Both respondents were lucky in that they got one of the very rare scholarships through a combination of church support (via the Egyptian Coptic church) and a programme by Windle Trust International that provides educational opportunities to refugees and those affected by conflict in Sudan. To obtain a scholarship is exceptionally difficult and the liminal legal status that treats prospective refugee students as foreigners is a clear sign of how they are not seen as belonging to Sudan.⁶

Respondent S30 says about her experience:

I left my country while I was a second-year university student, because of the political situation at that time. [...] To make matters worse [in Sudan] we refugees are obliged to pay the fees in USD, as if we were foreign students. Under such circumstances, I lost my ambition to study. I always wanted to study pharmacy, but I could not afford it in Sudan. (Interview, 12 December 2021)

And Khartoum-born respondent S31 says:

When I finished my secondary school and got good grades in my Secondary School Certificate exams in 2006, I was not able to join any university because as a student born in Khartoum to refugee parents, I am still considered a refugee; refugees are forced to pay university fees like foreign students in USD. Being from a refugee family with no meaningful help from relatives abroad, university was beyond my capabilities. Therefore, I had dropped the idea of continuing my education. This is the fate of almost all refugees in Khartoum. (Interview, 14 December 2021)

In the end, he was lucky in that when his Christian parents arrived in Sudan as political refugees before he was born, they joined the Egyptian Orthodox Church, because the Ethiopian churches were all connected to the government they had fled at the time. The Egyptian Coptic Church is well networked in Sudan and through the church's cooperation with the Windle Trust and the Albert Einstein German Academic Refugee Initiative, he eventually secured his scholarship.

But these are rare examples, and it is much more common that talented and gifted students who completed all their schooling in Sudan have no opportunity to continue to higher education.

Discussion and conclusion: aspirations and belonging in conditions of liminal legality

The examples I have discussed above under different headings confirm and expand findings in the wider literature on the relationship between liminal legality, belonging and the promises of lived (versus legal) citizenship, as well as the city as an important space to contest exclusion (Antonsich 2010; Gawlewicz and Yiftachel 2022; Horst, Erdal, and Jdid 2020; Rottmann, Josipovic, and Reeger 2020; Varsanyi 2006). Many migrants in cities the world over find themselves in a situation where they are seen and themselves feel to belong to neighbourhoods, communities, places of work and worship; have allies within civil society and often also the business sector and/or local policy makers, but national policies and legal stipulations jeopardise that belonging and their aspirations for the future (see Müller 2016, 2021). In some cases, migrants then move, but often for multiple reasons, they have few prospects to leave the cities where they reside.

In correspondence to the concept of liminal legality, the concept of liminal belonging has been coined in order to capture these overlapping and oscillating experiences of exclusions and inclusions (Escobar 2021). Yuval-Davis' (2006) definition of belonging adds an important dimension to the attempt to analyse patterns of belonging in a situation of liminal legality: Belonging as an active construction based on social location; emotional attachments and values allows not only a deeper understanding how belonging is always in flux, it also allows to interrogate the notion of lived citizenship and capture where and how nation state politics and laws are the ultimate arbiter of belonging and through that future aspirations.

On the one hand, as demonstrated in the literature on lived citizenship, at various levels mostly related to local settings, be it workplaces; communities; neighbourhoods; schools; churches, mosques or the like, lived citizenship is a useful lens to analyse claim making by migrant populations who live in a condition of liminal legality (Isin 2009; McNevin 2009; Müller 2022b; Nyers and Rygiel 2012). Liminal legality here does not necessarily refer to being legally non-existent, but to be socially existent within a grey area of legal stipulations that determine important aspects of everyday life and/or future aspirations. This liminality produces distinct forms of belonging: a strong sense of belonging at the local level, often combined with the quest to become a legal citizen, thus belonging formally and with status. In a situation where such a quest is futile as is the case for migrants in Khartoum, this can easily turn to feeling rejected or to a sense of un-belonging, as visible in numerous expressions of hopelessness in relation to an aspired future in Sudan/Khartoum.

The emotional un-attachments this state produces are reflected in different ways in these quotations: S2, who has lived in Khartoum for 32 years, says:

I am part of the [local] community, the community sees me as one of them and I consider myself one of them [...] I have spent much of my lifetime in Khartoum. Of course it is my home. But still, local consultations are not for us, they are for Sudanese nationals only. [...] I am a refugee. After all these years, I am not allowed to get Sudanese citizenship. (Interview, 24 March 2021)

And respondent S21 says:

Sudan is not a place for life [...] it does not allow migrants to become citizens of Sudan, especially the *Habesha*. [...] You hear people who categorise us as *Kafir* [unbeliever of Islam] even though I follow Islam. For them I am *Habesha*. [...] It took me years to make them understand that my religion is Islam, but I am an Eritrean. The good thing is that I learned Arabic in my childhood in the mosque when studying the Quran. My fluency in Arabic made it easy to mingle with the local community. Some of the members of my neighbourhood do not even notice that I am an Eritrean, they think I am Sudanese. Which is good in a way. (Interview, 3 October 2021)

At the same time, in addition to a quest for status in Sudan, mainly born out of pragmatic considerations as outlined above, most respondents expressed strong allegiances to their nationality and/or ethnicity of origin, their 'Eritreanness' or, in the case of Ethiopians, their heritage as Oromo in particular. In that sense, belonging is often fluctuating for migrants, or grounded in ambivalence, as is the quest for status that would put an end to conditions of liminal legality, that simultaneously contests and confirms the power of the nation-state to decide who should belong (on ambivalence see McNevin 2013). It is, as Escobar (2021) demonstrates based on the case of Hispanic Youth in the United States,

a fluidity that marks diasporic or migrant experiences and creates different forms of liminal belonging (see also Lee 2020, and on the diasporic element Bakhtit 2022).

This is illustrated in concrete detail by those who came to Khartoum at a very young age but remain divided in their belonging, as respondent S22 explains:

I came to Khartoum when I was only 6 years old, it is my home, Khartoum is my childhood place. I feel as part of the community, but not as a Sudanese. [...] I am a refugee in Sudan, but I am not equal to the local people. I would love to have Sudanese citizenship, but I am not allowed because I come from a refugee family background. (Interview, 27 November 2021)

Ultimately, this experience of liminal legality and wider state policies maintain a state of un-belonging and for many the aspiration to move further afield, and thus make the present a transitory phase, even if this phase may last forever. Respondent S33 says in that respect:

I say Khartoum is my home because I feel good where I live. It feels like being in Ethiopia because we have the church, and many *Habesha* live in our area. However, the migration and refugee policies make me not feel at home. (Interview, 17 December 2021)

To conclude, through my empirical data I demonstrate the following: Firstly, even where Eritreans and Ethiopians in Khartoum live amicably in the same communities as Sudanese citizens, go to the same churches, send their children to the same schools, work side by side, when looking more closely at their lives, the impact of state laws and regulations is mighty. The liminal legal status they live in, regardless of what papers they possess, determines everyday lived citizenship and its boundaries. This speaks to other findings in the literature that have investigated the repercussions of legal liminality in migrant lives. A key example here is Menjívar (2006) who argues that the enduring power of the nation-state in defining who belongs and who is excluded, channels individuals to different paths of assimilation.

Secondly, I have demonstrated how legal liminality is deeply intertwined with belonging, aspirations and future planning. Status not only determines social location and related emotional attachments and value judgements but has concrete repercussions for future aspirations. But it is not legal liminality alone that produces this ambivalent mixture of belonging and un-belonging that respondents have spoken about. Of added importance is what has been called recognition (Swerts and Oosterlynck 2021), and here lived citizenship and a successful social existence hit a brick wall. From feelings of being a third-class citizen to feelings of being rejected by Sudanese youth, but also more generally as *Habesha*, status papers alone, while providing a pragmatic solution to work restrictions, opportunities to study or access to government services, would only address parts of migrant exclusions.

This leads to my last point: While in certain instances the city, or rather important sites where migrants shape the city, can serve as a locus of conviviality, this also has its limits. The more pressures from the outside occur, like in times of crises, the more migrant communities turn inwards, towards the groups they feel most allegiances to, be they ethnic or national kin. The everyday struggles of migrants in conditions of liminal legality should therefore be analysed context-specific, and different acts may have different meanings for migrants and local citizens alike, and create different forms of conviviality and belonging. The fact that local Sudanese for example let migrants

use their licence for rakshas or shops may be an act of conviviality, or simply a clever business decision. Whatever the case, it has changed the urban fabric as long as it was possible for migrants to engage in those types of work and life. While for now, it came to an end through nation-state legal stipulations, what McNevin (2013) says in a different context about ambivalence is equally true for legal liminality: It puts the focus on how to understand the tensions that characterise migrant struggles in cities all over the world.

Notes

1. This paper does not engage with recent political developments in Khartoum and Sudan, that is to say the war that has erupted between the Sudanese Armed Forces and the Rapid Support Forces over control of the country in April 2023 (for a brief overview see: [https://www.europarl.europa.eu/RegData/etudes/ATAG/2023/747884/EPRS_ATA\(2023\)747884_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/ATAG/2023/747884/EPRS_ATA(2023)747884_EN.pdf)). This has left all people living in the country, whether regular citizens, migrants or refugees in a state of permanent insecurity that at the time of writing is expected to persist for the foreseeable future. Research partners and colleagues in Khartoum involved in the project on which this paper is based were all safe but in hiding at the time of writing, or had found refuge outside Sudan. This extraordinary state of affairs does not contradict the main general arguments of this paper and its wider relevance for geographical settings where different forms of liminal legality dominate migrant lives.
2. In relation to Eritrean and Ethiopian migrants, two additional issues may arise: First, before 1991, Eritrea did not exist as an independent state, thus all Eritreans were Ethiopian citizens. Second, in the course of the 1998–2000 war between both countries, Ethiopians born to Eritrean parents in Ethiopia were stripped of their Ethiopian citizenship, and faced different forms of liminality. This is a complex theme in itself and engaging with it goes beyond the focus of this paper (but see Campbell 2014; Mekonnen 2020; Riggan 2011). None of the research participants belonged to that group, while more importantly for the argument advanced here, Eritrean or Ethiopian citizenship makes no difference to the liminal legality and its repercussions both groups face in Khartoum, and the resultant dynamics of belonging to their place of residence.
3. Kingston (2014) also speaks about *de facto* statelessness, a state of being based on individuals who find themselves outside their country of nationality and unable to seek the protection of that country, and the resulting lack of functional citizenship.
4. A separate article was written in relation to this project focusing on the intersecting crises that COVID-19 contributed to, and the responses in the different migrant communities in each city. I therefore do not go into further detail here but see Müller 2022a.
5. The most prominent here was the internal conflict that erupted in Ethiopia between the central government and the Northern region of Tigray from November 2020 onwards, that added further divisions to both migrant communities and initially made people reluctant to talk. Virtual re-connecting to participants made it possible for Abraha to discuss the conflict and its implications for migrant belonging (mainly in Nairobi and Addis Ababa where interviews were mostly completed before the conflict), but also facilitated the recruitment of new participants. This dimension of the project has been written up in a forthcoming paper.
6. UNHCR does sometimes provide scholarships for students in refugee camps in Eastern Sudan, but those who live in Khartoum as urban refugees are not eligible.

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