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THE CIRCULATION OF PEOPLE

HOW DOES "RACE" MATTER IN SWITZERLAND ?

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Preliminary remarks and abstract

This essay explores the institutional production of “desirable nationals” through administrative procedures of marriage and civil partnership in Switzerland. Borrowing from the field of critical race studies, it focuses on bureaucratic practices related to unions – marriages and civil partnerships – to analyse the tensions around the (re)production of an idealized “Swissness”.

The argument presented herein has a dual purpose: on an epistemological and theoretical level, it first exposes why critical race studies offer an appropriate vantage point from which to analyze how Swiss society is structured by unspoken racialised categorizations. Its second purpose is to shed light on institutional technologies of protection of the national body in registry offices. With the development of bureaucratic technology aiming at tracking down “sham marriages”, the work of registrars is increasingly about the selection of potential co-nationals. This piece shows how the rhetoric of good marriages/civil partnerships is linked to narratives about “homogamy” and “mixedness”, framing racialised understandings of nationality.

Key words:

Nationality
Critical race studies
Marriage & civil partnerships
Institutions

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1. Introduction

Amongst institutions aiming to produce "desirable nationals" (Fortier, 2013), registration, and in particular the administrative procedures related to marriage and civil partnership, offers a particularly relevant socio-legal space in which to explore the constitution of a privileged white group. The civil servants responsible for the record of civil events are increasingly involved in gate-keeping tasks aimed at excluding "abusive foreigners" from the national territory – a geographical as well as symbolic space.

These activities serve the development of bureaucratic technology and a legal apparatus resting on "moral panic" narratives and on the need to protect the nation and its nationals from foreigners who become spouses of Swiss nationals and might acquire rights regarding residence and state membership. Thus, registrars' work detecting "sham unions" is directly about the selection of potential co-nationals and the (re)production of an idealized imagined community.

Since legal unions[1] are recognized as a universal human right[2], registrars have to adjust such restrictive practices in accordance with democratic values based on the Swiss Constitution as well as administrative guidelines, ensuring equal treatment for all and the completion of professional duties without arbitrariness and in good faith[3]. Borrowing from the field of whiteness studies, this chapter focuses on the way registrars' practices mobilise unspoken racialised categorizations to cope with the tensions arising from these opposing missions: ensuring equal treatment for all and tackling abusive claims. It explores how the rhetoric of appropriate unions is tightly organized around representations of inappropriate mixed couples, articulating social markers of difference such as gender, sexuality and class with the juridical and administrative category of nationality.

I aim to show that nationality constitutes a legitimated idiom of racialization in a race-mute context and reinforces othering processes based on tacit racialised premises. Nationality in this context seems to be an objective, race-neutral, non-discriminating and therefore legitimate way of categorising people. Gathered around categories of what is visible (the "obviousness" of fake unions, the "evident" ill matching of mixed couples), the institutional production of suspicion allows for the emergence of the contours of the privileged whites, who enjoy exceptional access to "universal" rights and state resources. Allegedly identical to those of the nationals, these contours reveal more exclusivity as they draw on racialised, gendered and sexualised postulates.

The present chapter begins with a discussion of whiteness as a post_colonial conceptual tool (McClintock, 1995), its relevance to analysing the Swiss case, as well as the pertinence of this

[1] The expressions "legal union" and "union" refer both to marriage (legal bonding between opposite-sex fiancés) and civil partnerships, the legal union of same-sex fiancés, which came in force 1.1.2007 after popular vote.

[2] See Article 8 of the Federal Constitution, on 'the Right to Respect for Family Life" as well as the European human rights convention, signed by Switzerland 1974 https://www.bj.admin.ch/bj/fr/home/themen/staat_und_buerger/menschenrechte2/europaeische_menschenrechtskonvention.html (accessed 11.10.13).

[3] Article 9 of the Swiss constitution, http://www.admin.ch/opc/en/classified-compilation/19995395/index.html (accessed 09.11.2013) Also see Article A2 of the law on Geneva civil servants http://www.geneve.ch/legislation/rsg/f/s/rsg_b5_05.html (accessed 18.02.2013).

case study for deeper understandings of the changing shapes of “the whites”. The second section sets the general outlines of registration in Switzerland and of the research context and methodology. The following two sections are based on an inductive approach drawing on empirical data. Section three addresses the constitution of “mixed couples” as a problematic and suspicious category for administrators. The final section highlights the importance of “seeing” as a cognitive way to apprehend this problematic category, and how it rests on racialised bodily features such as skin complexion and phenotype. It also emphasises the specificity of the Swiss racial order, which is characterised by a gulf between the obviousness of the appearances and the lack of terminology to address them - making Switzerland a race-mute (but far from race-blind) country.

2. Races as colonial legacy

Adopting a post_colonial stance and race-related conceptual tools to analyse the Swiss context might appear irrelevant in view of an enduring self-perception within the country as having remained a “Sonderfall”, set apart from globalised political and economic flows (Kaufmann, 2011). I would subsume this representation, which is still dominant, in the following way: Switzerland, having remained apart from European empires, would lack racialised hierarchy, and the lack of explicit race-related terminology is a direct result of this outsider position. The presence of “others” would be a relative new phenomenon. It would explain the emergence of racist acts, which are considered rare phenomena due to individual maladjustment to social norms of tolerance and openness –values also at the core of the humanitarian tradition of the country and its political neutrality (Purtschert, 2012; Speich Chassié, 2012). Switzerland’s obscured participation in european colonial endeavors has been highlighted recently by academic research on the country as a “colonial power without colonies” (Minder, 2011; Purtschert, Lüthi & Falk, 2012), following two analytical paths: leading from a historical perspective, a first set of studies offer innovative insights into the economic embedding of Switzerland within colonial empires through participation in the slave trade (David, Etemad & Schaufelbühl, 2005; Etemad, David & Schaufelbühl, 2005) and the commerce of colonial wares (Mühlheim, 2012). The second path of investigation attests to the continuity of racialised asymmetric relations, nurtured by the colonial order and its structural violence. Addressing the constitution of human zoos and the parallels with national and world expositions (Dejung, 2012; Minder, 2011), racism in Swiss children’s literature (Purtschert, 2012), and freedom of speech as cathartic racism (Jain, 2012), such studies underline the permanence of racialised and racist structures in Swiss society.

Exploring the configuration of whiteness in Switzerland is a way to carry on the latters’ pioneering reflections. I draw on epistemologies of post_colonialism (McClintock, 1995) to consider how, despite the formal ending of empires and decolonisation processes, current social relations are still linked to the European imperial past through complex entanglements and historical contingencies. My analyses of the Swiss racialised social order, and its contemporary (re)production through institutional practices, demonstrates the persistence of white superiority, materialised by a privileged access to state resources and rights.

To clarify the epistemological focus on whiteness, it is necessary firstly to make explicit my understandings and use of this concept; secondly I will show both how it reveals a useful concept for the analysis of social inequalities in Switzerland, and also why this constitutes a highly pertinent case for critical whiteness studies. Finally, I present the stakes of operationalizing this abstract concept – in other words, how to go from "whiteness" to the "whites".

2.1 Whiteness and transparency

Forged in the 1990s (Frankenberg, 1993; Ware, 1992a et b), the concept of whiteness involves acceptance that white people fully belong to the racial orders of US and UK societies. Before then, Whites were socially constructed as transparent, their race overlooked while that of non-Whites was readily apparent and noted (Lopez Haney, 1996: 25). This opened the way to analysis of crucial aspects of dominant social identities: whiteness is a means to critically engage with universalist claims and abusive generalisations based on the invisibilised dominant white group (Essed & Trienekens, 2008 [2007]). Addressing the structures of ideological reproduction through the accumulation and monopolizing of material and symbolic resources, it highlights the privileges linked to that status (Harris, 1993), and draws attention to the structural violence used to sustain this asymmetric ideology.

Since the 1990s, whiteness studies have unfolded in three directions (Dyson, 1996): white collective identity, whiteness as an ideological system, and whiteness as a monopoly of concrete privileges. This chapter explores the entanglements between the latter two, looking at the ways in which the ideology of white supremacy is reproduced within formal institutions of state machinery. By addressing their interplay, it will highlight how they mutually reinforce each other and how democratic state representatives ensure access to state rights to a privileged white minority.

In this regard, my analysis clearly distances itself from attempts to consider whiteness as a positive identity, or as one amongst several identities. I consider it necessary to dismantle the mechanisms of superiority and privileges inherent in whiteness in order to move away from current structural forms of discrimination (Lopez Haney, 1996: 31). Doing so allows us to avoid the pitfalls of "decent[ering] inequalities and structures based on race, and […] privileg[ing] white people's experiences on the research agenda" (Hübinette & Malck, 2013).

A concept related to critical race studies, whiteness strongly refers to specific ways of reading bodies, their appearance and characteristics. As stated by Gillroy (2000: 35), 18 and 19th century scientific "race-producing activity required a synthesis of logos with […] something visual and aesthetic […]. Together they resulted in a specific relationship to, and mode of observing, the body". These modes of reading bodies do not measure objective human variation but report social beliefs about "race" (Lopez Haney, 1996: 9).

In this sense, “race” is to be understood as social system of meanings, organized around morphology and ancestry on three interrelated levels. Race turns on *physical* features and descent because society has invested them with racial meanings, and not because they are a function of racial variations, and also on *social* processes that ascribe racialised meanings to faces and forbearers. These meaning-systems are reproduced in *material* conditions of societies: wealth and poverty are unequally distributed following the racial order, and thus become part of and reinforce the contingent meanings defined as race (ibid.: 14).

2.2 Whiteness, Swiss nationality and the law

The centrality of ancestors and filiation echoes the dichotomy between “foreigners” and “nationals”, which constitutes the main axis of social differentiation in Switzerland. Swiss legislation governing nationality and citizenship is based on the principle of *jus sanguinis*, and remains very restrictive regarding naturalisation and *jus solis*[4]. Since the early 20th century, the “foreigner” has been presented as an abusive figure (Studer, Arlettaz & Argast, 2008), and subsumed into narratives on the *Überfremdung*. Forged in 1929, this classical local idiosyncrasy refers to the supposed threat of the outnumbering of “nationals” by “foreigners”, and the subsequent danger of the dissolution of national identity (Papadaniel, 2006).

As the analysis of my data will show, the correlations between the categories of race and nationality are far from being anecdotal and fortuitous. This remains a marginalised point of view in Switzerland, where social sciences lack race-related research. The social and political pre-eminence of foreigners as the main othering figure has given rise to wide scientific production on “migrants” and “migration”, where race-related topics are ignored[5]. Such a focus has served to “minimize the significance of racism in explaining minorities’ plight; and […] hide the centrality of racially-based networks” (Bonilla-Silva & Baiocchi, 2008: 5). The notable exception of Cretton’s work on the importance of race for both migrants and non-migrants in Valais local identities shows that the problem lies not in the acknowledgement of migration as a relevant social category, but in the fact that their racialization is overlooked (Cretton, 2013).

[4] http://www.admin.ch/opc/fr/classified-compilation/19520208/index.html (accessed 19.10.2013). This law is currently under revision by the Swiss Parliament.

[5] This trend reaches beyond the Swiss scientific community, as shown by Lundström (Lopez Haney, 1996).

The specific conditions created by a bureaucratic welfare state and an open globalized capitalism provide a particularly interesting context for the examination of racialised nationality (Gullestad, 2002; Hajjat, 2011). Multiplying research pieces on this topic contribute to better understandings of the social nature of racialization processes and their contingencies and commonalities, one of which is the stability of white supremacy. Thus, I draw on work conducted in European societies in which the racialised order is organised around similar understandings of the absence of racism in harmonious, multicultural societies respectful of diversity, such as Norway (Gullestad, 2002, 2004, 2005), the Netherlands (Bonjour & de Hart, forthcoming; Essed & Trienekens, 2008; Mepschen,Duyvendak & Tonkens, 2010; Yanow & Van der Haar, 2013), and Sweden (Hübinette & Tigervall, 2009; Lundström & Twine, 2011).

In Switzerland, as in these other highly bureaucratised democracies, law is a core mechanism of the social making of categories (Lavanchy, 2014a). As an administrative tool, nationality grew in importance after WW2, not only with regard to formal relations between the citizens and the state, but also in everyday life (Studer, Arlettaz & Argast, 2013). Law does not merely codify nationality as a pre-existing social category; it produces it, defines its contents and contours, and specifies the relative privilege or disadvantage linked to the differentiation between nationals and non-nationals (Lopez Haney, 1996: 10).

Given the centrality of the legal apparatus, I focus on the "social life of law" (Eckert, 2008; Nader, 2002), analysing the ways that juridical texts and requirements are interpreted, implemented and enacted by registrars in their daily routine. It is not the making of law by specialists and experts (lawyers, judges…) that attracted my attention (Latour, 2010), but how lay actors, in this case civil servants, turn them into significant bureaucratic and administrative tools with concrete effects on the lives of fiancés.

Registrars' awkward positioning as state representatives who are at the bottom of the hierarchical ladder bestows on them a specific operating space, where subordination to superiors and institutional guidelines mingles with considerable discretionary power regarding each couple.

2.3 Whites and non-whites

Even if "being white" is not a monolithic or homogenous experience, its main feature remains, in the overwhelming majority of contexts, its social transparency coupled with a dominant position. To understand the contours of "the whites", it is useful to draw on critical race studies literature which demonstrates that even when "race" remains unmentioned, its inexistence cannot be presumed (Castagno, 2008; Cuadraz & Uttal, 1999; Guanratnam, 2003). However, the use of "the whites" as a racialised category remains tricky when it is absent from personal accounts of subjectivities and lived experiences (Bilge, 2009: 3), when "nobody wants to feel white" (Essed & Trienekens, 2008).

To solve this problem, I consider it appropriate to pay attention to the concrete effects of the racial order in racialised groups' everyday experience (Lavanchy, 2014b). As part of a system of differentiation (Parini, 2006), the experience of being white emerges in a relational dimension. This makes the (physical or symbolic) presence of non-whites necessary. My choice to conduct research in an institution providing a state service to both nationals and non-nationals, allows me

to analyse registration as a space where difference in treatment is produced on a daily basis. Thus, a “study-up” perspective (Hertz, 2010; Nader, 1972) on power production and the distribution of privileges by state representatives seemed appropriate to make salient the ways that laws and legal decision-makers transform racial ideas into an inescapable material reality based on inequality, and how this reinvigorates current social structures with the appearance of natural and objective order (Lopez Haney, 1996: 17, 19).

I thus assume that races are systems of differentiation, which produce various social statuses. Status is here understood as the concrete consequences of the social structures based on racialization. Far from being a mere “social phenomenon”, whiteness processes structure society: it not only “is”, it “does” (McLaren, 1998). This perspective also implies including in the analysis the effects of other social systems, organised, in this specific case, around nationality, class, sexuality and gender.

The enormous amount of professional energy dedicated to determining who the problematic couples are, and why, is necessary as part of the continual production of the boundaries between social groups. As will be shown, representations of “mixed couples” are at the core of the distinction between acceptable and sham unions, and articulate nationality not as a mere juridical category, but as a social phenomenon resulting from negotiations and interpretations. Civil servants negotiate and reinterpret nationality to shape differentiated access to state resources. Thus, analysing administrative procedures reveals a strong indicator of what is meant by nationality, and how it develops as an acceptable euphemism for racialization.

3. Exploring intimacy and the state

At the crossroads between private (domestic) and public (state) realms, registration is a highly moralised bureaucratic and social space (Mody, 2008), where the State becomes tangible, and family a national concern (Hill Collins, 1993). An issue of biopolitics, registration compiles the elements that allow for the definition of personal juridical identity and guarantees individual rights regarding kinship and national belonging. Registration is a necessary process in the welfare state, in which the aims and interests of registered individuals are significant: registered data ensure a public recognition of legal personhood and status (Breckenridge & Szreter, 2012: 18-19; 30). Through the rules governing the life course, it represents more than a mere record of life events and constitutes a “marker of the uniformity of the state-centered framework in which those events take place” (Cooper, 2012: 388). Thus, registration constructs an entire legal order, where the production of the white nation is ensured by normative regulations of intimacy and legal regimes of reproduction (Carter, 2007; Jensen, 1995).

In Switzerland, registration as a standardizing process was sharpened after the introduction of a national informatics data base in 2003. The process now can keep track not only of the civil events occurring on the territory, but also of claims, even when they did not result in an actual civil event. For example: registrars are notified of potential previous engagements when they consult one’s

personal data, even if, after having "opened a file", the engaged couple had made the decision not to marry. The data collected at this very first step (the declaration of the intention to marry or conclude a civil partnership, with fiancés' personal data including names, nationalities, and addresses, and the names of their parents) is registered in the system, which is designed in such a way that the deletion of information is impossible. Changes such as rectifying mistakes, or explaining why a claim was dropped, can be made by introducing new "layers", but the system records them all. Registrars are responsible for data gathering, their processing and their formalisation into bureaucratic and technical templates, and they assess information about nationality, gender, sexuality and kin relations.

The empirical corpus at the core of my reflection results from anthropological fieldwork conducted in registry offices. Between November 2009 and January 2011, I shared the everyday routine of registrars in the six French-speaking cantons[6], focusing on the procedure for legal unions. During my fieldwork, I followed registrars through a bundle of distinct activities: I participated in their everyday professional routine, which includes attending appointments, servicing counters, gathering identity documents, checking their authenticity, producing formal administrative pieces, writing reports, looking for complementary information, and organizing and celebrating wedding ceremonies[7]. I also participated in semi-formal discussions on "complex cases" with peers, in different forms of hearings of "suspicious couples", in festive events such as the inauguration of new premises, and in informal moments (coffee breaks, casual exchanges between colleagues, e.g.). Under their supervision, I was initiated into the national informatics data base. Field observations and interviews were completed, along with the analysis of archives and significant bureaucratic literature. Finally, 23 interviews were conducted with registrars working in local offices and their authorities at cantonal level.

Working simultaneously "with" and "against" registrars (Lavanchy, 2012a) my own positioning was not easy to negotiate on a daily basis: for several weeks, I shared registrars' premises, time and preoccupations, but fundamentally disagreed with the political program they were fulfilling through the implementation of status- and nationality-based restrictions to marriages and civil partnerships. I used to present my research as motivated by my "interest for the way registrars marry people" but could not escape some awkward situations (Lavanchy, 2013a). Analysing the racialised premises of their decision-making, I am also concerned about giving the false impression of registrars being racist: I investigate structural racism expressed in their individual statements, and in no way consider them individually racists.

The fieldwork took place in a context characterised by the implementation of a new legal article of the Swiss Civil Code, which came into force on 1 January 2008 by popular vote. Entitled "Circumvention of the legislation on foreign nationals", Article 97a is aimed at turning down "abusive union claims"[8], i.e. "when the sole purpose of the marriage or the civil partnership is to

[6] That means the cantons of Fribourg, Geneva, Jura, Neuchâtel, Valais and Vaud.

[7] Due to calendar hazards, I did not attend any ceremony of civil partnership, which corroborates the observation of registrars about the scarcity of same-sex unions in their everyday work.

[8] http://www.admin.ch/opc/en/classified-compilation/19070042/index.html (accessed 10.09.2011).

circumvent immigration legislation". There is no definitive definition of what "abusive claims" are. The expression might refer to the mutual agreement between two people, one of them paying the other an amount of money and both agreeing how long the union will last; a union is also considered abusive when one fiancé is consciously pretending to be in love, deceiving the other; finally, the concept also includes so-called "forced marriages", where parents choose their children's partners more or less against their will or choice.

Article 97a provides for new administrative tools intended to help registrars with their mission: they are entitled to investigate fiancés' intimacy and to conduct hearings, a controversial practice widely discussed in the media[9], by politicians[10] and by lawyers (Coussa, 2008; Spescha, 2010). These are very similar to criminal hearings in their form, as both fiancés are heard separately, on similar topics, and their answers are crosschecked in order to detect inconsistences, which should signal faults and abuses.

Representations of nationality are at the core of these measures: the claimants' nationality determines the kind of documents that they must provide and also the degree of reliability of the documents: countries listed by the Foreign Affair Ministry as "risky" are believed to deliver unreliable documents, and their nationals are frequently suspected of fraudulent intentions, as if the unreliable character of "their" national administration automatically implicates them.

4. What is a mixed couple?

Administrative procedures related to the struggle against "undesirable foreigners" reflect a general shift towards including new ranges of civil servants in gate-keeping tasks (Fischer & Darley, 2010; Spire, 2007). With the introduction of the Schengen regulations in 2008, the checking of individuals became no more systematic at the Swiss borders, but the surveillance of people on national territory increased (Jacot-Descombes & Wendt, 2013). In this context, "marriage migration" is considered a worrying loophole granting non-Europeans access to "Fortress Europe" and the target of restrictive measures all over Europe (Bonjour & de Hart, forthcoming; e hart, 2006a, 2006b, 2006c; Eggebø, 2010; Leinonen & Pellander, 2014; Maskens, 2013; Pellander, forthcoming; Rytter, 2010).

[9] Newspaper articles accuse registrars of abusively impeding marriages in cases of age difference between fiancés ('Trop différents pour se marier', at: archives.24heures.ch/vaud-regions/actu/differents-marier-2010-04-28, accessed 14 February 2012) or because one of them was undocumented (see www.tsr.ch/info/suisse/3747348-mariage-des-sans-papiers-le-tribunal-federal-statue.html, accessed 14 February 2012).

[10] Various political motions are aimed at reinforcing the struggle against 'fictive' unions on federal (Brunner's parliamentary initiative 05.463 'Empêcher les mariages fictifs, 2007', at: www.parlament.ch/f/dokumentation/berichte/vernehmlassungen/1998-2007/05-463/Documents/ed-spk-05-463-bericht-2008-01-31-f.pdf, accessed 2 February 2011) as well as cantonal levels (see for instance Buffat's interpellation to the Conseil d'Etat vaudois about marriages and residence authorizations, 25 August 2009, at: www.udc-vaud.ch/activites%20politiques/activites%20politiques%2009.htm, accessed 2 February 2011).

4.1 “Lovely couples” as genuine union

In Switzerland, such measures are integrated within the broader framework of the procedure related to the “union’s preparation”, where registrars must ensure that neither of the fiancés is already married or linked by a civil partnership, that both are over age 18, and that fiancés are not closely related to each other. Following the legal requirements, administrative assessments materialise along two axes: the first is related to the determination of personal identity (making sure who is who, that people are really who they claim to be), while the second focuses on the relationship between the fiancés.

This second axis is of particular interest with regard to the implementation of Article 97a: the “Ordonnance sur l’état civil” specifies that when the “manifest intention” of fiancés is not the constitution of a conjugal community, registrars must withdraw their support[11]. The expression “conjugal community” refers to the kind of relation that exists between fiancés. Its centrality has lead registrars to widen checks from whether fiancés are related to whether they physically and romantically match.

The moral expectations about how a good union should look became manifest in the following quotation, an excerpt of a very long monologue by Camille, a registrar in charge of finding pieces of evidence for suspected abuses. The case presented here was a marriage claim between a Swiss male and his pregnant Moroccan fiancée:

> *“I asked her about the religion of the child and the kind of name they would choose. […] The couple lives in the countryside, […], and up to this point his mother was never invited… she doesn’t even know about the pregnancy […] Here [my questions] did not intend to prevent them from marrying, it was just to check their intentions, their motivations. I mean, it is obvious that this particular marriage is doomed to fail; it will last at best ten years and then fail […]. It is not that they are not sincere but she is used to living in town. Winter season on the countryside might be harsh! And he was not keen on having a child, for him it is too soon. She does not know him well, and she fears he would change his mind, she would lose him. I hope I am wrong but I do not think this particular marriage will be a source of blossoming. And they were already tight on money, imagine with a child on top of it! It puts an additional pressure that will lead the marriage to fail. And her French is quite poor. […] Will their feelings be strong enough?”*

This quotation condenses several elements regularly mentioned by my interview partners as central for an efficient struggle against abuses. They might be grouped into two different sets: the role of romantic love narratives (d’Aoust, 2013a, 2013b; Illouz, 1998; Jamieson, 1999) and the structural violence of bureaucratic interpretative labour (Graeber, 2012).

Elements drawing on romantic love narratives emphasise interpersonal and familial disclosure as signifying sincerity and genuine love (inviting the mother; letting her know about the pregnancy; knowing each other well). Normative love narratives also lie at the heart of representations about

[11] http://www.loisuisse.ch/fra/sr/211.112.2/211.112.2_016.htm (accessed 25.09.2011)

marriage as a source of individual blossoming and “feelings” as leading the motivation to marry. Under such conditions, marriage will last more than a mere ten-year period: real unions last “forever” and are not “doomed to fail”.

Romantic love narratives become highly normative for “problematic couples”, whose credibility is not self-evident and must be established. For instance, they are used during hearings as reliable signs of the relationship’s authenticity. The difference in treatment between suspicious relationships and couples beyond suspicion is particularly visible in this regard: according to the registrars’ own words, displaying love in registry offices is out of place. They were keen to highlight the fact that civil ceremonies are legal contracts and considered exchanging signs of affection and tenderness as misbehaviour. This attitude changes radically in cases of suspicion, when such otherwise undesired manifestations of care and feelings become compulsory[12].

The changing shape of couples’ appropriate behaviour hints at the structural violence that inheres in bureaucratic interpretative labour. In the case above, using administrative tools aimed at sorting the wheat from the chaff became intriguing as the marriage never appeared “a fake” to the registrar, but “a mistake”. Even so, hints such as the fiancée’s linguistic skills and the couple’s economic situation were borrowed from the official list of sham union indicators (Eggebø, 2010; Maskens, 2013) making explicit how porous are the borders between discrepancy (the correspondence of the couple to dominant romantic love narratives) and fraud (Lavanchy, 2013b). Focusing on the fiancés’ “motives”, Article 97a imposes an impossible task, as motives remain beyond the registrars’ reach: as one registrar told me, “we cannot glimpse directly into their hearts and heads”. This impossibility imparts a decisive weight to registrars’ impressions of what should be an ideal marriage.

4.2 Defining mixedness

The image of “lovely couples” was opposed to “problematic files” that were all linked to couples considered as “mixed”:

> *Claude: “[Conducting hearing] is tricky as we enter into people’s intimacy.”*
> *Anne: “But do you sometimes get the same sensation that the couple is ill-matched when they are both Swiss?”*
> *Claude: “Oh yes, with Swiss people too we get this sensation of a complete discrepancy. But I have to say that it is more likely the case when it is a mixed marriage, because of the big age*

[12] Displaying feelings is a normative tool also present to normalise civil partnerships, as shown by the following description of a “beautiful marriage”: “Some partners want something more special and ask for a marriage room […] I remember one of them, at the Château d'Oron, I was with my buddies who were crying their eyes out, they were so happy to be able to append their firm on this partnership that proves they were at last one entity. […] It was beautiful to see them crying, their hands shaking, they were even unable to exchange their rings for so much shaking […]. I found this beautiful”. Compulsory for deviant couples but undesirable under normal circumstances, the display of intimate feelings was considered by some fiancés a violent intrusion into their privacy, as a profoundly inadequate demand and was even compared to a rape (Lavanchy, 2013a).

gaps, and also the physical discrepancies, sometimes it is obvious that people do not match together. But it is important not to forget about the heart, some people do not take into account the appearance but look at the heart, thank God."

As here, in the registrars' eyes, the core of the problems addressed by article 97a is constituted by mixed couples. At first sight, mixedness seems to refer to "bi-national marriages" as marriages between Swiss are less likely to be problematic. But nationality is here explicitly linked to "physical discrepancies" and the idea that in real couples, people should "match together".
Camille, who is in charge of examining the claims that colleagues working all over the canton considered suspicious gave further hints about the kind of people who match together, and how nationality entails racialised understandings:

"I've got here a Swiss man, born '85, with a lady from the Philippines. But his mother is from the Philippines so I think it is normal, he's got a link to the country. […] This one was a very nice couple. She is from Vietnam, he is Swiss, but an adoptee; in fact he is also from there. It is normal for him to look for his origin, it is quite understandable. Her parents were not so happy because he is in his fifties, and she in her twenties, but there will be no problem here."

In these cases, both couples were considered genuine and escaped the special procedure. In the registrar's eyes, it seems that they showed enough similarities to be accepted as unproblematic. Similarities were on a common "there", a "common country" between two fiancés even if this did not appear in the legal belonging: being a Swiss adoptee but remaining "from there", from another "origin". Such matrimonial choices are "understandable", meaning that the civil servant can make sense of their mutual attraction, which is naturalised as seeming "normal".
Other couples are less likely to be understood by registrars and lead them to "wonder", as this one presented by Claude:

"This [Swiss] woman here, she wants to marry this African guy, but this is the second time. She already divorced an African before. So I wonder, I really wonder: why does she always choose Africans? If she cannot find a partner here, she'd go there."

Concerns about proper place echo the issues of origin and one's "link to the country": matrimonial choices seem to reflect one's place of belonging. Marrying "outside" is interpreted as an inability to find a better spouse, in Claude's eyes: she marries "Africans" because she cannot find anybody "here". Her repeated choice leads Claude to wonder whether she would not belong "there" rather than "here", despite her nationality. And interestingly, despite its claimed central importance, nationality is here denied to both her husband-to-be and her ex-husband, both presented as "Africans", although it was clear from the file that the woman had met both partners in Switzerland. Claude concluded that this claim was abusive.

"Africa" still remains a paradigmatic example of distant Otherness, historically linked to dirtiness (Cretton, 2013) and inassimilable exoticism (Yngvesson, 1997). Couples comprised of African men and Swiss women were also the emblematic figure of the deceiving foreigner taking advantage of a credulous and naïve female national, in the examples given by registrars (Lavanchy, 2012b). Explanations for the necessity to track down such couples were twofold: some of them called to mind classic narratives of protection linked to the salvation of white women from dangerous brown men (Spivak, 1988). Others were more explicitly related to the protection of the nation, calling to mind eugenics policies driven in Switzerland against "unfit women" (Mottier, 2006; Mottier & Carver, 1998). Thus, such processes are strong policing ways of inhabiting femininity.

Reminding us that gender is a central issue in the reproduction of the nation (Yuval-Davis, 1997; Yuvall-Davis & Anthias, 1996), current administrative procedures are merely the latest in Switzerland's long history of moral panics about deviant unions, and offer a highly gendered history and description of the nation (Studer, 2004).

As shown in Lopez's analysis (1996: 18-19), the rhetoric of state protection obscures the fact that racialised premises contribute to the creation of the state as white. In the case of Switzerland, it happens through the exclusion of mixed couples from legitimated unions. The implementation of Article 97a shows that suspicion is far from being directed only at foreigners. It also determines access to legitimated state resources for specific groups of nationals: people marrying "outside", in particular Swiss women and naturalised nationals[13]. The above mentioned treatment of adoptees and people from mixed familial backgrounds also hints at the presence of mute racialization: such binational couples are considered non-mixed, as examples of homogamy and a search for sameness.

5. When *logos* fails to describe what is obvious

Underlining the "obviousness" of the ill-matching between these fiancés also reveals the kind of skills mobilised by registrars to detect suspicious relationships. It echoes numerous references to what is "evident", the importance of "appearances" and their simultaneous treacherous character, and the registrars' capacity to detect "immediately" any dubious relationships.

Allusions to seeing and feeling resonated with the importance of intuitions, impressions, instincts and gut feelings in the everyday work of registrars:

[13] It has already been shown how naturalised nationals face continuous suspicion regarding their "real belongings" (2013b). The general opinion that naturalised nationals are less genuine than those who are naturals by birth is also highlighted by local political measures, like for instance the implementation of a home for poor and/or disabled elderly people, to which access is restricted to the people born as nationals (http://www.24heures.ch/vaud-regions/la-cote/logements-reserves-aines-suisses-creent-malaise/story/16244947?comments=1 accessed 03.06.14). Such eugenic policies can also explain why little suspicion is offered to same-sex couples: partners do not have access to facilitated naturalisation nor to parenting, and therefore represent a lesser threat to the national body (Compare with (Cretton, 2013).

*"How to prove [legally] that a marriage is a fake [is hard] but to be honest, I would say that we **feel** it **immediately**, we **see immediately** that there is a **complete discrepancy** between [the fiancés]."*
Claude, April 2010.

*"We could **see from the beginning** that it was, it was… but we could not prove anything."*
Dominique, February 2011[14].

The recurrence of "seeing" calls to mind the analysis of the institutional assessment of claims' and claimants' credibility in the context of asylum seekers. Equally perceived as threatening, abusive, malevolent others seeking to take advantage of democratic rights and institutions, decisions about asylum seekers are also the object of "impressions", "gut feelings", and "instincts", a process that makes objective pieces of evidence from subjective criteria (D'Halluin, 2007; Fassin & D'Halluin, 2007; Fresia, Bozzini & Sala, 2013; Good, 2008).
Appearances were important, yet ambivalent in the registrars' work: they draw attention to the obviousness of problematic couples, their evident ill-matching, but they also entail a deceiving character, which becomes manifest when registrars dig into the couples' intimacy to see whether the foreign fiancé is deceiving the Swiss national, letting her believe that he is in love. Metaphors linked to the visibility of discrepancy also refer to the centrality of physical appearances: emphasizing seeing as an apparently natural process gives the impression that the characteristics that are seen are objective, the result of purely cognitive competencies.
Such visual categories contribute to racialised readings of bodies, a core aspect of race-producing activity. Even when bodies' characteristics were not explicitly addressed, the persistent references to visible discrepancies and apparent features to determinate whether the fiancés match together draw a counter-relief of race – like a kind of silver photographical negative. But alongside the numerous references to their capacity to "detect abuses by immediately feeling and seeing", registrars were short on words when it came to precisely what was so obvious, and, as in the above quotation, they stumbled over the nature of what they see.
This failure of logos to put race-related social categories into words offers a sharp contrast to the obviousness of "visible differences" and constitutes a central characteristic of Swiss idioms of racialisation. A striking difference between Switzerland and countries such as France, the UK, Germany, Italy and the Netherlands is that Switzerland has not been a colonial power. Thus, "migrants", "foreigners" and further "foreign-looking others" are placed outside the symbolic borders of the national body as a natural fact. This does not arouse as much concern as in the above mentioned countries, as voices of resistance are less legitimate and visible than the ones of migrants coming from ex-colonies.
In addition, the lack of explicit terminology to address racialised physical features draws on the specific historical and linguistic context in Switzerland, France and Germany: spectres of the historical past related to eugenics theories epitomized by the Nazi policies of extermination had

[14] Emphasis is mine.

made impossible the use of *Rasse* in German or *race* in French (Müller-Wille, 2014). Similar to the situation in Nordic countries (Finland, Norway, Sweden) and the Netherlands, explicit race-related references are taboo. Leaving them unspoken obscures both their racialised consequences and the complex mechanisms of structural racism.

Highlighting race-muteness as a racialised idiom characteristic of the Swiss context contributes to understanding these mechanisms and to counterbalancing the idea of Switzerland as a "race-blind" society: far from being blind to racialised bodies and physical features, social actors such as civil servants rely on the obviousness of what is visible to ensure differentiated access to the "universal" right of entering into legal unions – but without any vocabulary to address it.

6. Conclusion: unveiling race

Implemented to impede abusive foreigners from taking advantage of marriages and civil partnerships to gain access to the national territory, Article 97a provides administrative tools to "sort the wheat from the chaff". Guaranteed by the Swiss Constitution, the right to freely choose one's spouse or partner is erroneously considered a norm. Analysing the ways that suspicion arises and which kind of couples it affects demonstrates that being a national is not enough *per se* to escape suspicion. Nationality is interpreted in the framework of racialised premises that confer on "visibly different bodies" the impression of ill-matching. This not only reinforces ideas about the Swiss as a white homogeneous nation, but continuously creates it by making it difficult for racialised others to become legitimate nationals. Mixed couples attract increased suspicion when the Swiss nationals lack "apparent links" to their fiancés' country of origin. This territorialisation of desire and its racialised politics are complicated by their intersection with further social markers such as gender and sexuality.

During fieldwork, I experienced several times how registrars interrupted their accounts about what they are looking at when implementing Article 97a's requirements, to underline their concern about being seen as racist. Many of them explained that racists would systematically impede "all Africans" or "all foreigners" from marrying or forming a civil partnership. The fact that despite systematic suspicion directed toward mixed couples, most of them successfully completed their claim was interpreted as an indication of their personal moral uprightness and the adequacy of the administrative and legal apparatus. Their uneasiness nevertheless reveals their awareness that the universal right to marry whomever one chooses – a right which they should guarantee – is severely restricted for some groups of nationals. The intimate proximity between racialised others and "people like us" always arouses concerns about the legitimacy of such couples. Focusing on the outcomes, the observation that, at the end, most of the couples can marry, obscures the mechanism of racialization and its effects: even if not all foreigners, not all mixed-couples are tackled, it is a fact that no one in a non-mixed union is asked to prove his/her love and to explain the motives for making an intimate relationship a legal union. The performance of such racialization can lead to more rigorous exclusion processes in the future: selection following racialised criteria might serve as model for more radical exclusion in the future.

In a social context characterised by a strong moral taboo about race-related vocabulary, racialisation silently goes through detours and ruses. Despite these silences, social representations about otherness are plagued with references to the obviousness of what one can immediately understand by merely seeing the couples, a hint to indicate that race-muteness is by no means the indicator of a race-blind society.

As state representatives working in formal institutions, registrars are caught in, and often uneasily cope with, the tension between a universal, democratic ideal which suggests equal treatment of all customers and their tasks of gate-keeping. In the context of formal institutions, racialisation hierarchies are made invisible behind the necessity of presenting “reliable documents”. Under the appearance of being race-neutral and objective, administrative requirements produce a system of discrimination legitimated through the moral fight against “abusive others”, subsumed under the legal category of “foreigners”. But the dominant dichotomy between nationals and foreigners reveals a fallacy when analyzing who is affected by suspicion, and allows a glimpse into the politics of intimacy as revealing of the way whiteness is produced at the heart of couples’ intimacy.

References

Bilge, S. (2009). Smuggling Intersectionality into the Study of Masculinity: Some Methodological Challenges. Paper presented at the Workshop 10, Developing (Pro)Feminist Methods in Critical Studies on Men and Masculinities, Stokholm.

Bonilla-Silva, E. and G. Baiocchi (2008). Anything but racism: How sociologists limit the significance of racism. White logic, white methods.: Racism and methodology. E. Bonilla-Silva and Zuberi. Lanham, Rowman & Littlefield: 137-151.

Bonjour, S. and B. De Hart (forthcoming). "A proper wife, a proper marriage. Constructions of 'us' and 'them' in Dutch family migration policy." European Journal of Women's Studies.

Breckenridge, K. and S. Szreter, Eds. (2012). Registration and Recognition: Documenting the Person in World History. Oxford, Oxford University Press for the British Academy.

Carter, J. (2007). The heart of whiteness : normal sexuality and race in America, 1880-1940. Durham, Duke University Press.

Castagno, A. E. (2008). ""I Don't Want to Hear That!": Legitimating Whiteness through Silence in Schools." Anthropology & Education Quarterly 39(3): 314-333.

Cooper, F. (2012). Voting, Welfare and Registration: The Strange Fate of the Etat-Civil in French Africa, 1945-1960. Registration and Recognition: Documenting the Person in World History. K. Breckenridge and S. Szreter. Oxford, Oxford University Press: 385-412.

Coussa, J.-P. (2008). "Problématique des mariages de complaisance et collaboration entre les services de l'état civil et les services de police des étrangers, à la lumière de la nouvelle législation d'application de la loi fédérale sur les étrangers." REC.

Cretton, V. (2013). Experiencing race in the Alps. From racial history to self made race construction. Annual Congress of the SEG, Panel Ethnographic inquiries into contemporary configurations of racism, Sierre.

Cuadraz, G. and L. Uttal (1999). "Intersectionality and Indepth Interviewing: Methodological Strategies for Doing Race, Class and Gender Analyses." Race, Gender & Class 6(3): 156-186.

D'Aoust, A.-M. (2013). "In the Name of Love: Marriage Migration, Governmentality, and Technologies of Love." International Political Sociology 7: 258-274.

D'Aoust, A.-M. (2013). ""Take a chance on me". Premeditation, Technologies of Love and Marriage Migration Management."

D'Halluin, E. (2007). "Travailler sa voix ou comment rendre sa demande d'asile audible." Asylons -(-): -.

David, T., et al. (2005). "Un dossier oublié : la Suisse et l'esclavage." Le Cartable de Clio 5: 134-143.

De Hart, B. (2006). "The Marriage of Convenience in European Immigration Law." European Journal of Migration and Law(8): 251–262.

De Hart, B. (2006). "The Morality of Maria Toet: Gender, Citizenship and the Construction of the Nation-State." Journal of Ethnic and Migration Studies 32(1): 49-68.

De Hart, B. (2006). The Unity of the Family? Legal Perspectives on Nationally Mixed Marriages in Postwar Europe. Migration and marriage : heterogamy and homogamy in a changing world. B. Waldis. Zürich, Lit: 179-199.

Dejung, C. (2012). Zeitreisen durch die Welt. Temporale und territoriale Ordnungsmuster auf Weltausstellungen und schweizerischen Landesaustellungen während der Kolonialzeit. Postkoloniale Schweiz. Formen und Folgen eines Kolonialismus ohne Kolonien. P. Purtschert, F. Falk and B. Lüthi. Bielefeld, transcript: 333-354.

Dyson, M. E. (1996). Race Rules: Navigating the Color Line. Reading, MA, Addison-Wesley.

Eckert, J. (2008). Laws for enemies. The social life of anti-terrorism laws : the war on terror and the classifications of the "dangerous other". J. Eckert. Bielefeld, transcript: 7-31.

Eggebø, H. (2010). "The Problem of Dependency: Immigration, Gender, and the Welfare State." Social Politics 17(3): 295–322.

Essed, P. and S. Trienekens (2008 [2007]). "'Who wants to feel white?' Race, Dutch culture and contested identities." Ethnic and Racial Studies 31: 1: 52 - 72.

Etemad, B., et al. (2005). La Suisse et l'esclavage des Noirs. Lausanne, Antipodes.

Fassin, D. and E. d'Halluin (2007). "Critical Evidence: The Politics of Trauma in French Asylum Policies." Ethos 35(3): 300-329.

Fassin, E. (2010). "National identity and transnational intimacies: Sexual democracy and the Politics of immigration in Europe." Public culture 22(3): 507-528.

Fischer, N. and M. Darley (2010). "Le traitement de l'immigration, entre logique administrative et logique pénale." Champ pénal / Penal Field VII.

Fortier, A.-M. (2013). "What's the big deal? Naturalisation and the politics of desire." Citizenship Studies 17(6-7): 697-711.

Frankenberg, R. (1993). White Women, Race Matters. The Social Construction of Whiteness, University of Minnesota Press.

Fresia, M., et al., Eds. (2013). Les rouages de l'asile en Suisse. Regards ethnographiques sur une procédure administrative Neuchâtel, Swiss Forum for Migration and Population Studies.

Gilroy, P. (2000). Between Camps. Nations, cultures and the allure of race. London et al., Pengui books.

Good, A. (2008). "Cultural evidence in courts of law." Journal of the Royal Anthropological Institute 14: 47-60.

Graeber, D. (2012). "Dead zones of the imagination. On violence, bureaucracy, and interpretive labor." HAU: journal of Ethnographic Theory 2(2): 105–128.

Gullestad, M. (2002). "Invisible Fences: Egalitarianism, Nationalism and Racism." The Journal of the Royal Anthropological Institute 8(1): 45-63.

Gullestad, M. (2004). "Blind Slaves of our Prejudices: Debating 'Culture' and 'Race' in Norway." Ethnos 69(2): 177–203.

Gullestad, M. (2005). "Normalising racial boundaries. The Norwegian dispute about the term neger." Social Anthropology 13(1): 27-46.

Gunaratnam, Y. (2003). Researching "Race" and Ethnicity. Methods, Knowledge and Power, Sage.

Hajjat, A. (2011). Les frontières de l'"identité nationale" : l'injonction à l'assimilation en France métropolitaine et coloniale. Paris, La Découverte.

Harris, C. (1993). "Whiteness as Property." Harvard Law Review 106(8): 1707-1791.

Hertz, E. (2010) Excessively up at the International Labour Organisation: Notes on "Note on the Proceedings TMITI/2007/2010". MAPS Working papers

Hertz, E., et al. (2004). "Le "feeling" : une logique sous-jacente au fonctionnement de l'Etat providence." Aspects de la sécurité sociale 1: 12-21.

Hill Collins, P. (1993). Its all in the Family. Intersections of Gender, Race and Nation. *Hypatia, 13*(3), 62-81.

Hübinette, T., & Mählck, P. (2013 (forthcoming 2014)). *The racial grammar of Swedish higher education and research policy: The limits and conditions of researching race in a colour-blind context*. Paper presented at the Traveling whiteness, Turku.

Hübinette, T., & Tigervall, C. (2009). When racism becomes individualised: Experiences of racialisation among adult adoptees and adoptive parents of Sweden. In S. Keskinen, S. Tuori, S. Irni & D. Mulinari (Eds.), *Complying with colonialism: Gender, race and ethnicity in the Nordic region* (pp. 119-135). Farnham: Ashgate.

Illouz, E. (1998). The lost innocence of love: romance as a postmodern condition. *Theory, Culture and Society, 15*(3), 161-186.

Jacot-Descombes, C., & Wendt, K. (2013). Du global au local: vers une redéfinition de la gouvernance de la sécurité publique en Suisse. *Télescope, 19*(1), 194-211.

Jain, R. (2012). Die Comedyfigur Rajiv Prasad in Viktors Spätprogramm – (post-)koloniales Phantasma und die Krise des »Sonderfalls Schweiz« (-, Trans.). In P. Purtschert, B. Lüthi & F. Falk (Eds.), *Postkoloniale Schweiz. Formen und Folgen eines Kolonialismus ohne Kolonien* (- ed., Vol. -, pp. 175-200). Bielefeld: transcript. (Reprinted from: -).

Jamieson, L. (1999). Intimacy Transformed? A Critical Look at the `Pure Relationship'. *Sociology, 33*, 477-494.

Jensen, R. (1995). *The Heart of Whiteness: Confronting Race, Racism and White Privilege*: City Lights Books.

Kaufmann, E. (2011). Reflections on the Swiss Sonderfall. *Nations and Nationalism, 17*(4), 815-820).

Latour, B. (2010). *The Making of Law. An Ethnography of the Conseil d'Etat*. Cambridge: Polity Press.

Lavanchy, A. (2012a). Going under cover? Ethics, transparency and witnessing in researching institutions. *GRED, Ethical case discussions in the ethnological research*. http://www.seg-sse.ch/pdf/2012-10-30_Lavanchy.pdf

Lavanchy, A. (2012b). *Par amour du même. La production de l'homogamie par les employés d'état civil en Suisse.* Paper presented at the L'amour et ses frontières:la régulation étatique des mariages transnationaux dans l'espace Schengen, Université libre de Bruxelles, Belgique.

Lavanchy, A. (2013a). Dissonant alignments. The ethics and politics of researching state institutions. *Current Sociology, 61*(5-6), 677–692.

Lavanchy, A. (2013b). L'amour aux services de l'état civil: régulations institutionnelles de l'intimité et fabrique de la ressemblance nationale en Suisse. *Migration sociétés, 25*(150), 61-94.

Lavanchy, A. (2014a). Die Gefühlswelt des Gesetzes : die kritische Umsetzung von eherechtlichen Vorschriften im Zivilstandsamt. *FAMPRA - DIE PRAXIS DES FAMILIENRECHTS, 15*(1), 92-117.

Lavanchy, A. (2014b). Glimpses into the hearts of whiteness: How intimacy institutions give shape to the desirable nationals in Switzerland. In P. Purtschert & H. Fischer-Tiné (Eds.), *Colonial Encounters and Postcolonial Assemblages of the Swiss Kind*. London et al.: Palgrave Macmillan.

Leinonen, J., & Pellander, S. (2014). Court decisions over marriage migration in Finland: a problem with transnational family ties. *Journal of Ethnic and Migration Studies*.

Lopez Haney, I. (1996). *White by law*. New York, London: New York University Press.

Lundström, C. (2013, 18-19.10.13). *White Migrations: Exploring Whiteness and Transnationalism.* Paper presented at the Traveling whiteness, Turku.

Lundström, C., & Twine, F. W. (2011). White migrations: Swedish women, gender vulnerabilities and racial privileges. *European Journal of Women's Studies, 18*(1), 67-86.

Maskens, M. (2013). *"Subversive Love" : How do municipal registrar officers distinguish real from fake marriages in Brussels?* Paper presented at the Intimate Migration, Roskilde University, Copenhague, Denmark. - retrieved from -

McClintock, A. (1995). *Imperial leather: race, gender and sexuality in the colonial contest* (- Ed. - ed. Vol. -). Londres, New York: Routledge.

McLaren, P. (1998). Whiteness Is . . . The Struggle for Postcolonial Hybridity. In J. L. Kincheloe, S. R. Steinberg, N. M. Rodriguez & R. E. Chennault (Eds.), *White Reign: Deploying Whiteness in America.* (pp. 63–76). Reading, MA: St. Martin's Griffin.

Mepschen, P., Duyvendak, J. W., & Tonkens, E. H. (2010). Sexual Politics, Orientalism and Multicultural Citizenship in the Netherlands. *Sociology, 44*(5), 962-979.

Minder, P. (2011). *La Suisse coloniale. Les représentations de l'Afrique et des Africains en Suisse au temps des colonies (1880-1939)*. Bern: Peter Lang.

Mody, P. (2008). *The Intimate State. Love-Marriage and the Law in Delhi*. New Delhi [et al.]: Routledge India.

Mottier, V. (2006). Eugenics and the Swiss gender Regime: Women's Bodies and the Struggle Against Difference. *Swiss Journal of Sociology, 32*(2), 253-267.

Mottier, V., & Carver, T. (Eds.). (1998). *Politics of Sexuality: Identity, Gender, Citizenship*. London: Routledge.

Mühlheim, M. (2012). Keramik, Knollenfrüchte und Kinderbücher: Eine postkoloniale Spurensuche in Zürich. In P. Purtschert, F. Falk & B. Lüthi (Eds.), *Postkoloniale Schweiz. Formen und Folgen eines Kolonialismus ohne Kolonien* (pp. 157-174). Bielefeld: transcript Verlag.

Müller-Wille, S. (2014) "Race and History. Comments from an epistemological point of view." Science, Technology, & Human Values 39(4): 597-606.

Nader, L. (1972). Up the Anthropologist—Perspectives Gained from Studying Up In D. H. H. Hymes (Ed.), *Reinventing Anthropology* (pp. 284-311). New York: Pantheon Books.

Nader, L. (2002). *The life of law. Anthropological projects*. Berkeley: University of California Press.

Ossipow, L., & Felder, M. (forthcoming). Ethnography of a Political Ritual: Discourses of Political Representatives to New Swiss Citizens. *Citizenship Studies*.

Papadaniel, Y. (2006). Inventer et réinventer la Suisse: les expositions nationales de 1939, 1964 et 2002. *Swiss Journal of Sociology, 32*(2), 235-261.

Parini, L. (2006). *Le système de genre : introduction aux concepts et théories*. Zürich: Seismo.

Pellander, S. (forthcoming). "What now could be an acceptable marriage" - Marriage migration and moral gatekeeping in Finland.

Purtschert, P. (2012). „De Schorsch Gaggo reist uf Afrika": Postkoloniale Konstellationen und diskursive Verschiebungen in Schweizer Kindergeschichten. In P. Purtschert, F. Falk & B. Lüthi (Eds.), *Postkoloniale Schweiz. Formen und Folgen eines Kolonialismus ohne Kolonien*. Bielefeld: Transcript.

Purtschert, P., Lüthi, B., & Falk, F. (Eds.). (2012). *Postkoloniale Schweiz. Formen und Folgen eines Kolonialismus ohne Kolonien*. Bielefeld: Transcript.

Rytter, M. (2010). 'The Family of Denmark' and 'the Aliens': Kinship Images in Danish Integration Politics. *Ethnos, 75*(3), 301-322.

Speich Chassé, D. (2012). Verflechtung durch Neutralität. Wirkung einer Schweizer Maxime im Zeitalter der Dekolonisation (-, Trans.). In P. Purtschert, B. Lüthi & F. Falk (Eds.), *Postkoloniale Schweiz, Formen und Folgen eines Kolonialismus ohne Kolonien* (- ed., Vol. -, pp. 225-244). Bielefeld: Transkript. (Reprinted from: -).

Spescha, M. (2010). Zivilstandsbehörden: Helfershelfer fremdenpolizeilicher Ausschaffungen oder Garanten des Menschenrechts auf Ehe(schliesslung)? *Zeitschrift fuer Zivilstandswesen*(3), 65-71.

Spire, A. (2007). L'asile au guichet. La dépolitisation du droit des étrangers par le travail bureaucratique. *Actes de la recherche en sciences sociales, 169*, 4-21.

Spivak, G. C. (1988). Can the Subaltern Speak? In C. Nelson & L. Grossberg (Eds.), *Marxism and the Interpretation of Culture*

Studer, B. (2004). "Die Ehefrau, die den Ausländer heiratet, soll sich die Geschichte klar überlegen": Geschlecht, Ehe und nationale Zugehörigkeit im 20. Jahrhundert in der Schweiz. *Tsantsa, 9*, 49-60.

Studer, B., Arlettaz, G., & Argast, R. (2008). *Das Schweizer Bürgerrecht. Erwerb, Verlust, Entzug von 1848 bis zur Gegenwart*. Zürich: Neue Zürcher Zeitung - Buchverlag.

Studer, B., Arlettaz, G., & Argast, R. (2013). *Le droit d'être Suisse. Acquisition, perte et retrait de la nationalité de 1848 à nos jours*. Lausanne: Antipodes.

Ware, V. (1992a). *Beyond the Pale*. London ; New York: Verso.

Ware, V. (1992b). Moments of Danger: Race, Gender, and Memories of Empire. *History and Theory, 31*(4), 116-137.

Yanow, D., & Van der Haar, M. (2013). People out of place: allochthony and autochthony in the Netherlands' identity discourse — metaphors and categories in action. [-]. [-]. *Journal of*

International Relations and Development, 16(-), 227–261. doi: doi:10.1057/jird.2012.13; published online 29 June 2012

Yngvesson, B. (1997). Negotiating Motherhood: Identity and Difference in "Open" Adoptions. *Law & Society Review, 31*(1), 31-80.

Yuval-Davis, N. (1997). *Gender and Nation*. London: Sage Publication.

Yuval-Davis, N., & Anthias, F. (1996). *Racialized boundaries: race, nation, gender, colour, and class and the anti-racist struggle*. London, New York: Routledge.