Discursive ecology in south-south immigration: re-scaling language in two decades

A ecologia discursiva na imigração sul-sul: o reescalonamento da linguagem em duas décadas

La ecologia discursiva en la inmigración sur-sur: el reescalonamiento del lenguaje en dos décadas

Rachael Annelise Radhay
rachael@unb.br
https://orcid.org/0000-0001-8143-0974
Universidade de Brasília (UnB) Brasília, Distrito Federal, **Brasil**

RESUMO

Este estudo visa examinar o papel e o perfil do controle migratório brasileiro no tocante à securitização, aos regimes de conhecimento, à criminalização, à inclusão social de imigrantes, ao deslocamento, à (im)mobilidade mediante documentos institucionais. A mobilidade humana não é isenta de procedimentos avaliativos em que existe um olhar cuidadoso na legitimação de valores e de verdades *(topoi)* no tocante à ecologia discursiva na territorialização do estado-nação brasileiro. O espaço é situado em um quadro linguagem-ideologia. Neste sentido, a mobilidade é uma trajetória por espaços estratificados e controlados. O território discursivo exige o pensamento crítico já que a imigração institucional e os sistemas regulatórios não são atadas a questões humanitárias, mas a regimes de mobilidade em que a vida urbana se torna um processo de deslocamento e de inserção (não-) estruturada ou (não-) escalonada. As fronteiras nacionais precisam ser repensadas em relação a rótulos estabelecidos para imigrantes e refugiados.

Palavras-chave: imigração; espaço; território; ecologia discursiva; mobilidade.

ARTIGO

ABSTRACT

This study seeks to look at the role and profile of Brazilian immigration control regarding securitization, knowledge regimes, criminalization, immigrant inclusion, dislocation and (im)mobility through institutional documents. Human mobility is not exempt from evaluative procedures in which there is careful focus on the institutional legitimation of values and truths (*topoi*) vis à vis the Brazilian nation-state's discursive ecology of territorialization. Space is scaled within a language-ideology framework. In this sense, mobility is a trajectory through hierarchically stratified and controlled spaces. Discursive territory demands careful thought given that constructing institutional immigration and regulatory systems is not tied down to humanitarian issues but to mobility regimes in which urban life becomes a process of displacement and (non-)structured or (non-) scaled emplacement as the nation's borders have to be critically rethought vis à vis status-making labels for immigrants and refugees.

Keywords: immigration; space; territory; discursive ecology; mobility.

RESUMEN

Este trabajo busca examinar el papel y el perfil del control migratório brasileño referente a la securitización, los regiménes de conocimiento, la criminalización, la inclusión de inmigrantes, el deslocamiento y la (im)movilidad mediante documentos institucionales. La movilidad no se exime de los procedimientos avaliativos, existe un enfoque cauteloso en la legitimación de valores y verdades *(topoi)* referente a la ecologia discursiva en la territorialización del estado-nación brasileña. El espacio se mide en un cuadro linguistico-ideológico, pues la movilidad es una trayectoria por espacios estratificdos y controlados. El território discursivo exige el pensamiento crítico pues la inmigración institucional y los sistemas regulatórios no son atados a cuestiones humanitárias pero a regiménes de movilidad en que la vida urbana se vuelve un proceso de deslocamientos y de inserción (no-) estructurada y (no-) escalonado. Las fronteras de la nación deben ser repensadas en relación a los rótulos estabelecidos para inmigrantes y refugiados.

Palabras clave: inmigración; espacio; territorio; ecologia discursiva; movilidad.

INTRODUCTION: THE LITERATURE REVIEW

1. IMMIGRATION, SPACE, SECURITY, TERRITORY, MOBILITY, BORDER AND CONTROL

Security, territory, mobility, border and control are pivotal words when thinking about space and value judgements in institutional immigration discourse (Salazar; Jayaram, 2016). Territory is associated with the idea of jus soli in which there is a sense of place, script, narrative and boundedness (Reed-Danahay; Brettel, 2008; Kymlicka, 1995). It is necessary to ask how is boundedness defined and determined within the vastness of territory and border. Language serves to construct the notion of boundedness; this language is pre-conditioned. In examining Brazilian institutional documents and immigration, it is essential to consider territory, border and immigration within the scope of governmentality and public sphere communication (Wodak; Koller, 2008). Public sphere communication is built along Foucault's discipline, punishment, rule and knowledge; habermasian legitimation within the framework of communication, communicative rationality and public norms (Habermas, 1996); and Bourdieu's habitus of fields of practice and field participants (Grenfell, 2011). There are strong bounded hierarchies, which involve 'knowledge of' (declarative) and 'knowledge of how to do' (procedural) things. Field is a configuration of objective relations, classified according to domination, subordination and homology in a linguistic habitus of legitimate language (Grenfell, 2011, p. 220; Sayer, 2018).

In this sense, immigration cannot be discussed without taking into account Foucault's discussion of security, territory and population (Foucault et al., 2007). The major contradiction of immigration and global movement is sovereignty. For Foucault, the political effectiveness of sovereignty is linked to circulation (2007, p.15), which in turn has to do with conduct and causality. Discipline is a core issue in isolating space, determining a segment, circumscribing a space. There are mechanisms of power, proceduring of normalization, apparatuses of security, techniques of normalization, a system of law, of disciplinary normalization (Foucault et al, 2007, p. 49; 57). Disciplinary normalization operates within a knowledge context – it falls within the circle of juridical procedures of punishment and the semantic field of government (2007, p. 377; 389). Government refers to the state's knowledge of itself through statistics and other types of knowledge gathering; it is also hinged around police and circulation – there are regulatory systems of injunctions, imperatives, interdictions and mechanisms of security (2007, p. 316; 326). Security is a public value or good (Amicelle et al., 2017). Securitization and decisions as to who crosses the border impact on legal mobility. McDonald & Hunter (2019), in their discussion on the discourse of security, consider border in terms of five semantic categories: 1) institutional; 2) geographic/spatial; 3) security; 4) control; and 5) openness – border as remedy to anxiety (p. 101). Border, space and control are social, political and legal constructions. Border is not necessarily about the natural flow of peoples, it is tied to regulative discourse that determines how a country's security and international stance are constituted regarding territory and mobility and governance.

Regulatory systems are perceived as knowledge regimes and are embedded within institutional contexts. In McDonald & Hunter's discussion on the discourse of security, there is a selective appropriation of knowledge and power relations. For these authors, security is a discursive enterprise – it is a framework of lexical items – actors, strategic actions, technologies, public sphere, personalization, exceptionalisation and reification. The discourse of security has to do with the context of situation and disciplinary knowledge, discipline and the penal system, border ontologies and border meaning (2019, p. 139). In referring to Foucault, security has to do with restrictive space. This space is pinned to profiling and predictive data analysis in surveillance society in which information is consistently categorized, captured and processed. In their reference to Agamben, the 'secret of power' is impersonal and lies in the dialectic between the 'normative and juridical', between the 'nomic and metajuridical' (2019, p. 149). Mobility cannot be contemplated without confronting sovereignty – it creates a paradox of the latter (Agamben et al., 1998, p. 15). Immigration and movement problematize landscape as a legal topology. It is situational – there are exceptions to which juridical rules must be applied. It is about ordering and deliberating space, there is a certain capillarity. Habermas' framework of normativity is of great relevance as Simon points out in his discussion of deliberation (2018, p. 43). Normative means deliberative democracy in which discourse is socio-ontological and is based upon communicative rationality and regulation within a legal community in a sovereign context. The legal community determines context specific forms of and meanings to validity and legitimation through its normative power (2018, p. 47). Space ultimately has to do with discipline and habitualization.

Weber in his work *Policing Non-citizens in Australia* examines the policing of the borders of citizenship and racial territorialism, non-citizens are categorized according to hierarchies of entitlement. He discusses who or what is the proper object of security – crime control mentalities and a nodal governance framework – circuitry of power, interviews with police officers. The border is structurally embedded, it is hinged on a criminal-administrative nexus and security networks – i) local ii) institutional iii) international iv) virtual-information- based networks (2013, p. 105).

Codó makes a detailed description of bureaucracy in Spanish immigration procedures. She describes actors and stages in the bureaucratic procedure regarding knowledge, truth and routinization. In her study, bureaucrats are caught in a web of pressures – there are subordinate positions as well as agents of power. The world is conceptualized ideologically – 'discourse ecologies' and discursive routines with specific terms and words used in reference to immigrants. Bureaucracy is a specific set of practices that constructs particular types of social events as bureaucratic. Bureaucracy does not exist independently of the social actors that create and recreate it. It is in and through language practices that bureaucracy comes into being. One such practice is routinization: bureaucrats' scripted responses. the official brings about an institutional frame of reference; there are pervasive institutional ideologies for enquirer behavior (Codó, 2008).

Another similar research study is Horton's and Heyman's study Paper trails: Migrants, documents, and legal insecurity (2020). This book is a collection that focuses on the documentation of migrants, surveillance, legitimation in various countries. Space and movement are attached to the legal and bureaucratic origins of the nation-state. In this way, there is the migrant's archive – there are legal narrative requirements for legitimate migration - aspirational maps of belonging and bureaucratic solutions (Appadurai, 2016). Border-crossing is hierarchical and valueladen. It must always be legitimated through argument and agency.

2. THEORETICAL REVIEW

2.1 Bureaucracy and agency

Institutional agency in immigration is constructed through argumentation and argumentative discursive strategies so much so that the broader pivotal expanses of territory, border, space, control and security are trimmed or framed into ideologically laden linguistic repertoires or scripts in a habitus of frontline bureaucratic procedures (Wodak et al., 1999). In Wodak's Politics in Action (2009), she considers bureaucracy in relation to Weber's domination theory in which political administrative or political strategic decision-making underlies bureaucratization. In her discussion of bureaucratization, Wodak refers to Goffman and the idea of homogenous performance through bureaucratization of the spirit and the establishment of Bourdieu's institutional habitus of conventionalized behaviour through rules of the game.

Institutions are therefore treated as sets of constantly reproduced, deeply ingrained rules and resources which constrain and facilitate social actions and which also integrate social actions in time and space so that systematic action patterns come to be generated and reproduced. Wodak describes the bureaucratic context as a community of practice – a shared domain of human endeavor, a shared domain of interest; joint activities and discussions; shared resources – experiences, stories and tools – ways of addressing recurring problems. This domain is also described as a context of expert knowledge – an interdependence between power and knowledge; power is based upon knowledge – it reproduces and shapes knowledge according to specific strategies, goals or interests and governmentality. Knowledge must be managed and distributed through the negotiation of presuppositions, packaged in information. Knowledge is linked to power and truth – through types of knowledge – organizational and expert knowledge. There is a hierarchy of normative values, symbols, strategies and discursive and social practices. Moreover, bureaucratic or national-legal authority emerges when the exercise of power depends on the correct application of formal rules and procedures. Bureaucracy as institution is therefore path-dependent, it is recursively reproduced through specific forms of action, involving not only the conduct of agents and their conditions of action but also the very constitution of agents, identities, interests and strategies. It includes apparatuses of security, government techniques, series of knowledges, a hierarchical and

dynamic system of norms. Institutionalization is action in context and actors are institutional supports, guided by routines, rituals, structure and agency (Wodak, 2009). The focus in bureaucracy is on legitimacy and social order. Legitimacy demands understanding the relation of pre-given norms, values, beliefs, practices and procedures to specific concrete situations of actions and pre-given structures. It is a social fact that upholds social order as legitimate authority based upon a legal-rational framework through valid explanations of the effects of power and through co-decision procedures.

2.1.1 Genre and argument

Amossy (2014) discusses argumentation within the framework of an enunciation system in which the speaker has to adapt to the addressee, or more precisely to the picture she has of that addressee - the audience is always a construction of the speaker. Argumentation also supposes that a concrete enunciation situation is taken into account: who is speaking to whom, which power relation is involved, what the participants' statuses' are, what the exact circumstances of the exchange are, and when and where it takes place.

In light of this, institutional frames condition a specific context of a situation. The situation is constructed through genre as 'a socially ratified way of using language in connection with a particular type of social activity' (Fairclough, 1992, p. 126). Genre conventions and the subsequent visual and verbal practices are related to argument production and analysis. Texts in a certain genre are expected to look a certain way in page layout and font. Metagenres or genera dicedi, forensic, epideitic and deliberative genres (Fahnestock, 2015) are determined by genre conventions. Anthoniessen, Bock and McCormick (2007, p. 45) perceive genres as having a deeply hidden transcript – whenever we communicate, we have expectations of iconicity: expectations about mappings of style and content, correspondences between ways of speaking and topics or domain; institutional discourse is seen as a form of social action which reflects the essence, aims, attitudes and functions of a particular organization and at the same time constructs all these features of the organization.

Discourses, genres and texts change due to socio-political contexts and are determined through macro-topics and argumentation derived from validity claims. The argument is constituted through clusters of context-dependent semiotic practices situated within specific fields of social action, patterns and commonalities of knowledge and structures. Argumentation embeds different types of genres – policy documents, laws, national action plans and strategies, legal mechanisms and rulings. In discussing the argumentative turn, Fairclough (2017) refers to critical dialectal reasoning, circumstantial premises - an existing state of affairs; and a goal that determines an alternate state of affairs based on a value premise, that is argumentation schemes of topos or fallacies. The different types of topos used in immigration notifications   refer to authority and

credibility: the topos of law, the topos of appeal to authority; the topos of consequence; the topos of numerals; the topos of external force; the topos of time. Topos implies knowledge of specific premises and truth values embedded in intertextuality and textualized in lexical-grammatical patterns such as core immigration words or lexicalizations, causal markers, modal verbs and adjectives (Van Dijk, 2017; Wodak, 2009). In discussing knowledge, there are five domains of knowledge: i) knowledge of the discourse communities (internal and external); ii) knowledge of the subject matter; iii) knowledge of the genres used to communicate; iv) rhetorical knowledge; and v) the writing process knowledge (Kwan, 2014).

Reisigl (2017) discusses argument in relation to Habermas' validity claims, truth and truthfulness, normative rightness and comprehensibility. Pragma-dialectal rules serve to construct argument, there is an obligation to use reason; the correct reference to previous discourse; and an obligation to matter-of-factness. There must be the correct reference to implicit premises; logical validity; the acceptance of sharing starting points; the use of plausible schemes of argumentation; and the acceptance of the discussion' results. Clarity of expression and correct interpretation are expected (2017, p. 83).

Moreover, speech necessarily takes place within the framework of a discourse genre that belongs to a given spatial setting, and has its own objectives, rules and constraints (Amossy, p. 303). This approach, which pays attention to the axis of communication and interaction (actual or virtual) between the agents of the exchange, gives argumentative analysis its social and institutional dimension – it is part of a pivotal world - 'government communication'; 'administrative communication'; 'government information'; 'government public relations'; 'government publicity'; 'government media management' (Hansson, 2018). This 'pivotal world' is embedded with communicational and institutional priorities; and the materiality of the discursive system (word choice, semantic shifts, connectives, use of implicit elements) (Amossy, 2014).

For Reisigl (2008, 2017), the meso and macro-level must be taken into account, that is, the broader socio-political and historical contexts are considered in the analysis. The fields of action, the history of the discursive event and the discourse topics are considered. Other aspects in argumentation are perspectivation through which the speaker's or writer's point of view is positioned as he or she expresses involvement or distance; discursive construction of social actors; discursive construction of process and actions. It is important to examine the immediate language that constitutes the cotext and co-discourse – thematic and syntactic coherences, lexical solidarities, collocations, connotations, implications, presuppositions, and local interactive processes.

In Reisigl's and Wodak's work on immigrant notifications in Discourse & Discrimination: Rhetorics of Racism and Antisemitism (2000), both writers define a genre as a schematically conventionalized use of language, which represents a specific discursive practice, situated within a specific field of social activity; thus, the notification is a written administrative or bureaucratic genre of 'official notification' and is a specific type of legal text with the performative force to regulate

directively a specific aspect of the life of an applicant. The notifications are structured in such a way that knowledge (information and decision-making) is ordered in terms of control and action (Reid, 2022).

In this way, narratives may also be used as forms of argumentation. In De Fina and Georgakopolou (2015), narrative serves to focus on interaction at the local level, it serves to contextualize and is shaped by context. The narrative becomes embedded in a legal text as 'narrative knowledging'. Narratives exist in mediated environments, as chains of narrative events, indexed by space, time and ideological stances (2015, p. 4-6). They are a performative account (Baynham, 2015, p. 9). They are told on someone's behalf and so issues of authority and power are central. The choice of events, selection and arrangement, 'moral meaning' and perspectivization are preconditioned by the norms of authority and text genre. The narrative is part of the argumentative text ritual.

2.2   Corpus Linguistics in immigration discourse

Islentyeva (2021) gives a detailed analysis of a corpus-based approach to immigration in the British press concerning ideological bias. This research focuses on frequent collocates in immigration texts in the British press. It identifies patterns of discourse control related to the direct enactment of social power. Degano (2006) is another study that focuses on lexical grammatical patterns and causal markers in argumentative texts through corpus linguistics. In Pérez et al. (2017), a detailed corpusbased analysis refers to salience in collocates and immigration classification categories between 2007 to 2011 in immigration and administrative texts in the United Kingdom. Taylor (2019) looks at the use of 'migrant' and 'refugee' and naming strategies in the UK Times over the last two hundred years through corpus analysis. Rheindorf (2018) provides an analysis of discourse strands and discursive shifts; topic threads within immigration discourse; distinguished by topical continuity and boundaries; strong intertextual links (often explicit) and temporal proximity between its textual elements, an often-limited group of social actors (focused social field); high keyness and values; peaks and normalization; national uniqueness; inner homogeneity; differences to members of other nations. In summary, a corpus-based approach to immigration discourse is useful in identifying lexico-grammatical patterns, prototypical texts, evaluative and ideological tendencies in immigration discourse and can be used both in qualitative and quantitative discourse analysis research (Anthony; Baker, 2015; Partington, et al., 2013) on institutional texts.

2.2.1 Contextualization

My doctoral research on power and ideology in Brazilian immigration policy was written in 2006. At that time, institutional immigration decisions were based upon the 1980s Estatuto do Estrangeiro and normative resolutions used by the Conselho Nacional de Imigração to resolve cases

not contemplated in the Estatuto.   The Brazilian Immigration Council felt the need to react to new immigration tendencies as well as to emerge from its military past that still pervaded the Estatuto do Estrangeiro (Radhay, 2006). The significant entry of Haitians and Venezuelans since 2010 to the country due to political upheaval and or natural disasters triggered the need to address human rights, border entry and immigration classification systems as well as adhere to internatitonal human rights norms. In 2013, a motion was made to the Brazilian Senate to create a new migration law. In 2017, the 2017 New Migrations Law 13.445 came into being. The major change brought about in the 2017 New Migrations Law is its focus on the guarantee of rights to immigrants. The Law constructs the immigrant's institutional territorialization and mobility (Mihelj et al, 2008: 7). The law is 'power expressed linguistically' and this power endorses social values, since legal discourse is naturally axiological (Galdia 2009, p. 406). To follow are some examples of rights and lexicalizations in the 2017 Law.

Table 1. New language in the 2017 Brazilian New Migrations Law

A humanitarian welcome
Brazil's economic, touristic, social, cultural, sports, scientific and technological development
Guarantee of the right to family reunion
Equality of treatment and opportunities for migrants and their families
Social, work and productive inclusion of migrants through public policies
Free and equal access of migrants to services, programs, social benefits, public services, education, full public legal aid, work, housing, banking services and social security;
Fomenting and disseminating immigrants' rights, liberties, guarantees and duties

Brazil stands out as a country in which the migrant's or refugee's life is constructed very much institutionally. There is an argumentative and moral structure embedded in immigration control notifications, indicating a certain awareness in seeking to apply or enforce the new stipulations of the 2017 New Migrations Law that does not only work in humanitarian terms but also towards maintaining control vis à vis crime and expulsions. Nonetheless, Brazil works institutionally towards non-criminalization regarding irregular immigrants through a humanitarian discourse and an administrative approach that encourages moral evaluation and avoids detention. In this way, the notifications give a brief insight into the lives of migrants and refugees in terms of their institutional trajectories as they settle or dislocate again through federal agents who pay a key role in their lives and in the changes brought about in Brazil's 2017 Migrations Law.

Below is a breakdown of the notifications issued by the Federal Police between 2017 and 2024 for 12 major Brazilian states as the public sphere (Wodak; Koller, 2008; Scollon, 2002) seeks to make sense of immigrant and refugee movement by constructing legal mobility or institutional territorialization.

Table 2. State and corpora profiles

ACRE (corpora 1) is situated in North West Brazil, it is flanked on the one side by the state of Amazonas and on the other by Peru. There were 123 files found for this state: 39 expulsions, 28 fines, 15 fine cancellations, 22 economic hardship requests and 11 appeals. Peruvians are the main nationality for expulsions (24 males and 6 females). Out of the 22 economic hardship requests, the 15 denied were Bolivians.

AMAZONAS (corpora 2) is situated in North West Brazil and is a complexity of borders and space. It is surrounded by Roraima, Mato Grosso, Pará and Rondônia, Colombia, Peru and Venezuela. The notifications recorded on the Federal Police website for this state totaled 1134. The breakdown for this total is as follows: 417 fines, 319 denials, 17 declined stay extensions, 6 deferrals, 41 fine cancellations, 72 archived cases, 193 economic hardship applications, 9 loss of residence rulings, 56 requests for documentation.

DISTRITO FEDERAL (corpora 3) is Brazil's capital (Federal District) and is located in the country's centre west region. The capital receives a varied group of immigrants and refugees although it is an inland state. It has recently been one of the locations for the Brazilian government's settlement plan for Venezuelan refugees (*Operação Acolhida*). The Federal District registered 160 files, with 49 loss of residence rulings, 26 fine cancellations, 28 expulsions, 5 deportations, 27 fines, 3 archived cases, 7 requests for further documents.

GOIÁS (corpora 4) is situated in centre-west Brazil and is surrounded by other Brazilian states (Tocantins, Bahia, Minas Gerais, Mato Grosso and Mato Grosso do Sul). 228 notifications were recorded. The majority of notifications were related to economic hardship applications, others referred to fine cancellations, fine reductions. Colombians and Venezuelans are the predominant groups for fine reductions and or economic hardship applications, followed by some Haitians. There are also other nationalities in less significant numbers involved in fines, loss of residence, as well as economic hardship requests (Portuguese, Italians, Guiné-Bissau nationals, Cubans, Peruvians).

MATO GROSSO DO SUL (corpora 5) is a South-western Brazilian state and lies along the border with Bolivian and Paraguay. The number of files for the city of Corumbá is 231, with 109 expulsions, 93 fines and 23 loss of residence. Bolivians are the main nationality involved in territorial movement.

MINAS GERAIS (corpora 6) is a large inland Brazilian state, it is bordered by Goiás, Bahia, Vitória, Rio de Janeiro and São Paulo. The Federal Police recorded 399 files that include 158 fines, 64 fine cancellations, 45 fine reductions, 20 denials, 30 loss of residence rulings, 29 economic hardship requests, 3 deportations or voluntary departure and 8 general notifications.

PARANÁ (corpora 7) is a Southern Brazilian state whose borders run along the states of Santa Catarina and São Paulo. It also shares borders with Mato Grosso do Sul, Argentina and

Paraguay. The corpora is made up of 87 files, with 49 fines, 1 cancellation, 27 expulsions (13 are Paraguayans) and one deportaíion.

RIO DE JANEIRO (corpora 8) is a South Eastern Brazilian coastal state. Its inland borders are bounded by São Paulo, Minas Gerais and Vitória. Rio de Janeiro is obviously known as an international tourist hub. The Federal Police has registered approximately 460 notifications, this total can be divided as follows: 92 expulsions, 146 loss of residence rulings, 23 requests for documents, 39 fines, 25 denials, 3 deferrals and 45 appeals.

RIO GRANDE DO SUL (corpora 9) is a southern Brazilian border state. It shares its border with Uruguay and Argentina as well as another southern Brazilian state, Santa Catarina. This state has a small corpus of 277 files. The majority of notifications issued by the Federal Police in Rio Grande do Sul are fines for overstay. There are 46 expulsions, 21 approvals for economic hardship applications and 18 denials. There is a smaller number of notifications related to general requests to present documents; loss of residence, and appeals. In terms of mobility and nationality, Uruguayans are the main group, followed by Argentinians, Senegalese and Colombians.

RORAIMA (corpora 10) is a Northern Brazilian border state, it shares a border area with Amazonas, Guyana and Venezuela. 43 files were recorded for Roraima, out of which 37 were fines, 3 fine cancellations and 2 economic hardship approvals. There are no significant numbers for fines given to any specific nationality (4 Cubans, 4 Haitians, 5 Venezuelans).

SANTA CATARINA (corpora 11) is a Southern Brazilian state sandwiched between Paraná and Rio Grande do Sul. It also shares a border with Argentina. Ninety one files have been registered for this state, with 29 expulsions, 5 notifications for loss of residence, 52 fines and 4 appeals, 7 expulsions for Argentinians and 6 for Uruguayans. The fines were applied for diverse reasons to varying nationalities.

SÃO PAULO (corpora 12) is one of Brazil's major states in terms of industry, agriculture and economics. It is hedged physically by the states of Mato Grosso do Sul, Minas Gerais and Paraná. It is one of the hubs of migration and mobility. For São Paulo, approximately 667 files were registered. Out of the 667 files, 153 are economic hardship approvals, 167 fines, 81 expulsions, 38 fine cancellations, 5 fine reduction requests, loss of residence notices 95, 6 appeals, 64 denials and 75 general notices.

Policy documents (corpora 13) – Reference material - Law 13445 (The 2017 New Migrations Law) and the minutes from the Brazilian National immigration council meetings.

3. LANGUAGE AND ARGUMENT IN BRAZILIAN FEDERAL POLICE NOTIFICATIONS

3.1   Hipossuficiência and fine waivers - the new turn in Brazilian immigration law

In the excerpt below taken from a Venezuelan refugee asylum applicant's economic hardship request in the state of Amazonas, the Venezuelan who has crossed the border is caught in a precarious economic situation. He is a body whose movement has been restricted and conditioned to legal determinants and an economic situation.

Table 3.

On 22/12/2017 the foreigner turned up at DELEMIG (the Federal Police) inquiring about his departure from Brazil given that he had not applied for asylum or residence through any treaty. He had been fined for having exceeded his legal stay by 35 days. In his defense, registered at this branch on 03/01/2018, the foreigner alleges that the situation in which he is living in Venezuela is precarious and so he turned to Brazil in search of better living conditions given that he needs to upkeep his mother who is in a difficult situation and requires medication.

The economic hardship request, the alleged hipossuficiência is a lexicalization that brings to mind Agamben's discussion of language, sovereignty, exception and situationality as it constitutes an exception – an exemption to deal with a specific situation: 'exception appears in its absolute when it is a question of creating a situation in which juridical rules can be valid. Every general rule demands a regular, everyday frame of life to which it can be factually applied' (Agamben et al., 1998, p. 16). Thus, the practice of norm implementation is what surfaces through the Venezuelan man's situation as the Brazilian nation-state attempts to deal with immigrant mobility without detaching itself from Venezuela's political economic situation and without ignoring the immigrant's specific case. The immigrant's story is framed within common knowledge of a macro-scenario and then justified through reference to art. 312. The agent's story is an evidential, it is an argument constructed through the immigration officer's voice as state representative. The account presupposes the topoi of burden. The decision to approve the economic hardship application is not a single agent's decision but it is an endorsement of macro-governance. There is state engagement with a humanitarian situation, the agent writes on behalf of the Federal Police– the DELEMIG rules that… In short, there is a genre frame that conditions levels of agency: the state, the notification as argument, the agent and the immigrant. Discursive agency is predetermined.

Table 4.

It is a public and notorious fact that the situation in Venezuelans is critical due to the crises faced by the country and which have led many citizens to leave the country in search of better living conditions in other places as is the case with the foreigner who came to Brazil without any financial resources as he declares in his defense in his efforts to move ahead. Given that the applicant falls into the fine exemption category as set out in art. 312 § 8º of Decree 9.199, there is legal umbrage for his request since he is in a situation of economic hardship, which makes it impossible for him to pay the fine, thus, DELEMIG rules that the fine should be waivered.

The use of the lemma *hipossuficiência* occurs with specific lexical grammatical patterns that anchor legal rulings. This condition presupposes *topoi* of character, disadvantage, displacement,

and finance (Hart, 2010). It occurs together with lexical grammatical structures that construct economic hardship within a legal framework given the verb choices: alleges economic hardship, alleged economic hardship, to declare economic hardship, proven economic hardship, it falls under the condition of economic hardship, established in the decree. See the diagram below.

Figure 1.
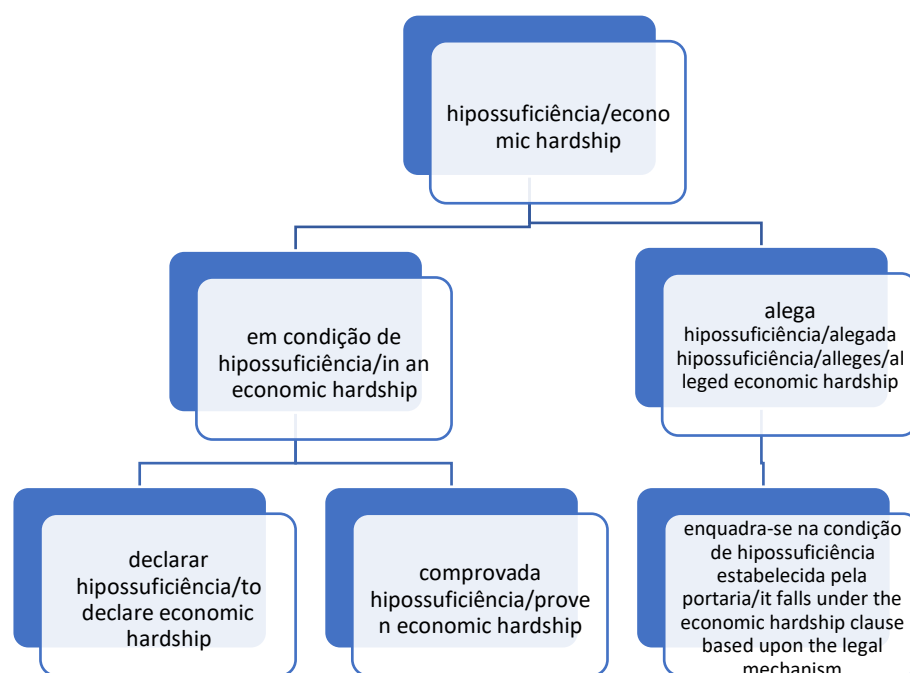
4. TOPOS OF MOBILITY AND BURDEN

Lived space or a specific place of abode do not imply a legal space. Forced mobility, dislocation or displacement from one territory to another and daily existence need to be placed and corrected within a legal framework. The account of a family's circumstances is based upon the premise of material survival in current time through the survival values attached to the verbs in the present and past tense: **live**, **acquired**, **comes from**, **works**.

Table 5.

The family live on their own property, a simple property, a simple lodging in the periphery, acquired through the family's own savings from the period when they lived in Portugal.

The verbs in the texts reflect different levels of materiality and mobility on the part of the immigrant. In relating the immigrant's economic hardship situation, the accounts in the third person past and or present indicative situate the lexis of everyday life – the circuit of mobility has to do with the need for economic survival. This micro-space is qualified by the topoi of value attached to family life, mobility as a trajectory of survival and acquisition through the adjectives: **own and simple.** The

official account of the immigrant's circumstances operates as a positioning strategy (Hart 2014; Chilton, 2004). For Hart, positioning is 'where we situate ourselves in terms of space, time and evaluation, where we locate other actors and actors relative to our own 'coordinates' (2014, p. 112).

The situation of the Venezuelan woman below is built along the premise of economic burden and dependence as she is predicated qualitatively and quantitatively (Hart, 2010; 2011) as unemployed and dependent on her spouse's minimum wage and his employer's simple lodging. In light of this, a decision as to a fine exemption is based both upon the topoi of economic hardship and state altruism.

Table 6.

It was verified that the foreigner is unemployed, she has a Brazilian companion, a caretaker, both live in a simple room provided by the property's owner and it is situated in a country house; all the couple's expenses are covered by the spouse's income, the equivalent of one minimum wage.

The next account traces a Venezuelan woman's life in terms of family and economic constraints. The fine has been cancelled given the family's low income. The fine is associated with the topoi of family, burden, disadvantage, displacement, and finance, indexed through the words: **living conditions**, **three Venezuelan born children, school age**, **family income**, **rented accommodation**, **periphery**, **income**, **unemployed**.

Table 7.

It was verified that the applicant lives with her family, a husband and three Venezuelan born children, in a simple rented accommodation in the periphery. The family income comes from her spouse's salary, equivalent to one thousand seven hundred reais. The defendant is unemployed at the moment and her children are at school age.

The use of **it was verified** marks coherent argument conduct. Passivation is part of positioning. It characterizes the legal report as written on behalf of the state. The agent as an institutional voice is merely gathering knowledge in a routine, impersonal, passivized way: was based upon, the defense was based upon. The immigrant's official narrative is part of routinised decision-making – a detached argumentative style (van Eemeren, 2017, 2021; Gâtă, 2021). At the same time, there are other instances in the notification when the immigration officer uses an active voice in determining his ruling. The immigration official's discursive agency is preconditioned by the communicative activity domain – it is part of the Habermasian universe of legitimation. The textual confinement of the notification is not neutral as the immigrant officer writes in and from a space that projects particular values, social order, authority and affective attributes (Blommaert et al., 2005). In considering the notifications in relation to grammar, space and ideology, they are evaluations that confine territory and the immigrant to a legal situation. Immigrants are conceptualized within a discursive space to which certain values are attached.

5. TOPOI OF LEGAL TIME, VALIDITY AND NUMERALS

Space and time are articulated within a legal timeframe. The legitimation of mobility and immigrant existence in the micro-spaces of sovereign territory is hinged around administrative containment through salient legal immigration lexis – enforcement, fine, conduct, legal stay, legal timeframe, financial constraint, fine, cancellation, temporary visa, infringed, exceeded. The topos of legal time is seemingly related to deviant immigrant conduct. Time, space and mobility are associated with the topoi of encroachment, illegality, fines and territory.

Table 8.

Defense presented by a Venezuelan national, against the enforcement of a fine to the value of R$1800 (one thousand and eight hundred reais) for having infringed Art. 109, II of Law 13.445/2017 due to the following conduct: the foreigner exceeded by 18 days her legal stay in the country.

Within the Brazilian Federal Police context, immigration is not necessarily about human diaspora or movement but rather about epistemology and control through texts in which there are 'technologies for textual production, locations of literacy practices in texts, networks, social actors and communities of practice' (Rojo; Del Percio, 2019, p. 91). There is a sociology of actors involved in the legal ruling. The notifications are electronic publications containing details as to the date, location and time of the publication, the signing agent and other dates and times regarding the period of overstay, infraction terms or expulsion dates and fine values. They presuppose prior contact with the immigrant (interviews, visits to their domicile) or knowledge of the immigrant's legal status based upon other documents and communication with other agents. There is clearly documented evidence of the institutional parameters and conventions involved in determining how immigrants are positioned. They reveal in a sense the institutionally guided ethnography conducted by federal agents in assessing the migrant's trajectory, that is, mobility and the migrant's legal status in terms of moral and ethical recognition. There is an argumentative framework in which engagement in terms of crime, humanitarian ethics and legality is measured.

Arguments are based upon modalities, humanitarian stance as well as border protection are weighted value decisions, there is always deliberation as to what should or should not be done in service to the state, national security but also in service to humanitarian issues without going beyond good sense: public sphere theory in action. In short, the notifications reflect a legal and moral ethnography of the migrant's condition and trajectory in search of a place or a 'non-place' in crossing borders as discursive agency follows the sequence and norms of institutional argument, genres, texts, expressed in deliberative language, topoi, lexical-grammatical patterns, legal referencing (intertextuality), embedded official accounts (narratives of immigrant situations).

CONCLUSION

National discourse is a metanarrative, with scales of desirability, immigration control regimes, surveillance, causality and levels of performativity for immigrants (Williams, 2014). There has been a turn towards a more humanitarian discourse through the legislation on *hipossuficiência*. On the whole, the sovereign gaze upon territory, immigration and lifeworlds is the habitus of immigration documents. The argument in immigrant notifications seeks to make sense of immigrants, mobility and daily life through normative discursive landscapes (Juffermans, 2018) that recall Agamben's discussion of sovereignty, exception and the norm (1998) as they refer to the position, form and function of language in public space. In sum, Brazilian institutional immigration notifications are the spatial-temporal textual confinements of normative discourse regarding immigrants and their movement through Brazilian territory. They are epistemic representations of the mobility turn in the new Brazilian immigration law 13445 as they deliberate and document the contradictions of migration control, surveillance, crime, regularization and humanitarian concerns. They are the salient locus of enunciation for Brazilian immigration and security discourse in which information is constantly categorized, captured and processed in legitimating and reifying disciplinary authority, public memory, public knowledge, public consciousness and congruent public goals (McDonald; Hunter, 2019; Kwan, 2014) as the immigration habitus and personal lifeworlds have become a public affair through the mythopoesis of official accounts (Bennett, 2022; van Leeuwen; Wodak,1999). Brazilian institutional immigration has been organized so as to create a sense of harmony between access, authority and efficiency and knowledge regimes (Walters, 2011). It is a protected institutional ecosystem that organizes territory and immigration according to core documents of control in which genre and knowledge asymmetry apparently are the habermasian apparatuses of human mobility and endorsement of international human rights norms.

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A AUTORA

Rachael Anneliese Radhay holds a Master's and Phd in Linguistics from the University of Brasília (1999, 2006). She has also done post-doctoral research at IESP, UERJ (2017) and with Lancaster University, UK (2023). Her research interests are in institutional language, translation, and immigration in institutional and community contexts. http://lattes.cnpq.br/1223751130984024