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Disrupting binary thinking about sanctuary initiatives in the UK and Australia: insights from a Derridean analysis of *hostipitality*

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ABSTRACT

Despite their geographical distance, the UK and Australia share proximity with their hostile immigration policies and managed migration practices, characterised by inhumanity under the guise of deterrence. People Seeking Asylum (PSA) who seek sanctuary typically endure protracted temporariness, which denies them access to state resources and imposes limitations on access to post-compulsory education. Despite state-endorsed exclusion, universities in both countries have developed approaches to circumventing immigration barriers by offering access via scholarships. The case of PSA, therefore, offers insights into the ways that Derrida's notion of 'hostipitality' – a conceptualisation of the tangled binary of hospitality and hostility – operates in higher education. In this article, we explore the types of hospitality that universities across the UK and Australia have invited PSA to cross the threshold into university study and transcend barriers imposed at the national level, and question how these modes of 'welcome' work to counter sector and state-level apparatus of rejection or reinforce existing barriers. We construct our argument around the disruption of three key binaries: host/stranger; settled/unsettled immigration status; and deserving/undeserving migrant. In doing so, we navigate the complexity of the conditions shaping access and welcome as forms of sanctuary within universities.

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Introduction: enduring hospitality?

The question of who gets to access higher education studies is a perennial concern. In recent years, attention has turned to the plight of People Seeking Asylum (PSA),[1] whose temporariness while awaiting a durable solution to their displacement excludes them from higher education. In the case of resettlement countries like Australia and the UK, the guise of deterrence has created sustained negativity about asylum-seeking and hostile policy contexts, where protection is both limited and temporary. This results in what van Kooy and Bowman (2019) call 'manufactured precarity'.[2] The

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deliberate denial of enduring hospitality or welcome creates the conditions of protracted limbo and 'unwantedness'. This hostility is magnified when efforts to cross a territorial border to seek asylum result in detainment, and exacerbated when this deterrence happens in contracted third countries (such as Papua New Guinea and Nauru in the Australian case, and the proposed 'Rwanda solution' in the UK). Hyper-bureaucratic procedures and long processing times contribute to the apparatus of deliberate hostility, and the temporariness and precarity that people seeking asylum face can last for decades.

This enduring precarity restricts, or actively deters, PSA from accessing many forms of education, especially higher education. Even when study rights are given, the temporariness of a person's visa conditions forces higher education institutions (henceforth, 'universities') to classify PSA as 'international' students. This burdens PSA with conditions and costs designed for a wholly different cohort, made worse by ineligibility for student finance. We barely need research to tell us that these people are unable to afford to pay full fees for a program of study (but see Baker et al., 2018; Hartley et al., 2018; Murray, 2022; Murray & Gray, 2021; Webb et al., 2019). Further, their temporariness excludes PSA from institutional equity, diversity, and inclusion (EDI) activities that are funded for domestic cohorts.

As a result of this exclusion, some universities in the UK and Australia have responded by offering a limited number of 'sanctuary' scholarships. These are administered through competitive processes, often based on criteria and methods developed for the international student cohort. While we could argue that universities have developed ways to respond to the profound inequities that hostile deterrence policies have created, these operate from charitable imperatives which 'can readily become a substitute for real justice and charity' (White, 2017, p. 1149). The banality of this inclusion-for-some, exclusion-for-most illustrates what Derrida (2000) called *hostipitality*, signifying the collapse of the hospitality-hostility binary. The aim of this article is to utilise hostipitality to examine how PSA – as the quintessential 'stranger' – expose other binaries that shape experiences of crossing the university threshold to access opportunities: hospitality/hostility; host/stranger; deserving/undeserving; and sanctuary/violence. We argue that the case of PSA also illustrates *hostipitality*, problematising national and educational sovereignty in two distinct yet interrelated ways. The first is how the UK and Australia (as nation states) have created *hostile* environments for seemingly 'undesirable' migrant strangers. The second is how public universities within their territories have endeavoured to offer hospitality to these same strangers in their institutions. We aim to consider the impact of the changing global context within which these relationships are navigated.

To start, we explicate the colonising-colonised relationship between the UK and Australia and the enduring violence embedded in their respective approaches to immigration, forced displacement, and higher education regimes. Hierarchies of belonging in the university context reflect colonial logics, which need to be disrupted to challenge 'who' gets to *access* and experience *welcome* in the academy. We then move to disrupting reductive binaries that construct ideas about hospitality, before applying a Derridean lens to sanctuary initiatives in Australian and British higher education. We end with an

explicit focus on *hostipitality*, before considering the wider implications of policy in shaping practice across the two countries.

Australia and the UK: a potted history of a colonial and violent relationship

The enduring relationship between Australia and the UK was established by force during the 18th century, later transforming from a collection of colonies to one nation of 'Australia' in 1901, on joining the British Commonwealth. When it comes to 'policing' their borders, the UK and Australia share close geopolitical proximity: as two island nations, spontaneous or clandestine routes of entry are significantly reduced, meaning precarious journeys by sea are a key route for seeking asylum. Shared expertise is evident in terms of the externalisation of border controls in tandem with sophisticated internal mechanisms for managing migration evident in practices of 'everyday bordering' (Yuval-Davis et al., 2018).

Mapping the trajectory from colonial ties to contemporary migration policies facilitates a deeper understanding in respect to the role of hostility in governing unwelcome members of the population, both external to and those residing within their respective territories. This sharing of territorial control has extended to offshore detention, a hostile mechanism designed as a deterrent, with the UK following Australia's example in 2023 by legislating the Illegal Migration Bill and creating a detention regime that includes sending asylum seekers to Rwanda. That this 'failed scheme' (Gleeson & Yacoub, 2021) has been imported illustrates the enduring ties between the UK and Australia, including a commitment to hostility for spontaneous humanitarian arrivals, evidently ignoring the fact that seeking asylum is a human right. Moreover, the shared history of Australia and the UK offers a powerful account of the enduring impact that colonial violence has had on education. This paper responds to Squire and Darling's (2013) call for an exploration of hospitality movements that are both 'historically informed' and 'geographically sensitive' (p. 64), which foregrounds the importance of understanding this history for both the concept of sanctuary, and the needs of people who have sought it in the UK and Australia.

Education for people with experience of displacement

Education is considered essential in international responses to displacement (United Nations High Commissioner for Refugees UNHCR, 2021); however, opportunities to access education systems in countries of asylum are hyper-variable, depending on country, route taken, languages spoken, faith/s practised. Education, while essential, is very difficult to deliver/access, meaning approximately 75% of primary-aged, and 23% of secondary-aged refugee children can access education. Accessing higher education remains a greater challenge. Only 7% of refugees access university education (United Nations High Commissioner for Refugees UNHCR, 2023) – a climb from the 1% reported by UNHCR in 2019—despite education being a key source of hope and nation re-building for people who experience forced displacement (United Nations High Commissioner for Refugees UNHCR, 2021). Moreover, it is a way of developing knowledge, skills, and qualifications that can help with self-sufficiency and economic (and social, civic) contribution to host nations.

In resettlement contexts, the potential for refugees who have permanent protection to access higher education is much higher than the 7% rate noted by UNHCR. However, for PSA, whose status is indeterminate, and who live on a series of short-term, temporary visas, access to university study is obstructed. The UNHCR's 15/30[3] target has highlighted the need for coordinated action to meet the right of all to study at university. As Article 26 of the Declaration of Human Rights (Universal Declaration of Human Rights, 1948) outlines, 'higher education shall be equally accessible to all on the basis of merit'; however, the barriers created by immigration regimes and acts of hyper-conditional hospitality create significant barriers for PSA to access higher education. In the absence of the citizenship rights required to enforce it, the inalienable right of access to higher education is eroded for PSA. Moreover, an irony described here by Kirschlager (2021) is that forced migrants are forced to remain 'perpetually external' (p. 13) to the state in which they reside (see also Morrice, 2021). This extends from denying the conversion of temporary protection into permanent settlement, to their categorisation as 'international students' due to only a temporary right to remain (Refugee Council of Australia RCOA, 2022).

Universities' responses to these state-mandated barriers are disparate and ad-hoc. The first formally recognised sanctuary scholarship was implemented in the UK in 2008, and the number and diversity of scholarships has grown substantially.[4] The mapping of activity across UK universities between 2008 and 2018 identified 72 (out of a potential 160) institutions offering support to people with experience of displacement (Murray, 2022). Australian universities have offered sanctuary scholarships across two periods; taking the case of Curtin University, the first were established in 2004 following the 'Tampa affair',[5] and then re-established in 2016 to respond to the impacts of temporary protection on access to higher education. To date, approximately 25 of 43 Australian institutions provide access for this student group.[6]

There is significant diversity across the sectors, although there are broad patterns in terms of tuition fee-waivers for a program of study (mostly undergraduate, but increasingly postgraduate and Higher Degree by Research programs are being offered) and annual stipends/bursaries, and, in a few cases, a nominated support person and subsidised accommodation (City of Sanctuary UK, 2023; Refugee Education Special Interest Group, 2023; Universities of Sanctuary, 2023). While these provisions open access to PSA, they generally focus on access; not necessarily offering support to facilitate ongoing participation, especially in the Australian context where a student will lose access to the very small income support payment for which they are eligible. This often leaves PSA having to work full-time in order to make ends meet, which impedes their capacity to engage with their studies (Hartley et al., 2018).

Derrida's theory of *hostipitality*: exposing a series of problematic binaries

The Derridean concept of *hostipitality* (Derrida, 2000) provides a conceptual framework for us to explore a series of problematic binaries used to determine access and welcome to PSA in higher education. Hostipitality invites us to consider the cultural politics of welcome through the deconstruction of the hostility/hospitality binary, highlighting the instability of the seemingly oppositional logic underpinning the composition of binaries (Derrida, 1993). Closer inspection of binary categories reveals

their malleability, propensity to overlap, intersect, and enfold into each other (Derrida, 2000). Lugones (2010) feminist critique of binary thinking exemplifies Derridean deconstruction, in which the marginalised female category represents an imperfect inversion of the central male category. The potential for the deconstruction and subversion of categories lies in space wherein the binary enfolds, exposing the analytic opportunity to centre hospitality and marginalise hostility. The challenge lies in the impossibility of knowing or recognising a subverted binary; hence, Derrida's theory of hostipitality is predicated upon the fact that "We do not know what hospitality is" (Derrida, 2000, p. 7). Hostility imposes conditions on hospitality and the marginalised 'other' – wherein lies the aporetic tension at the heart of Derridean thinking – as hospitality can only ever be absolute (unconditional) if we totally surrender to the unknown.

Our Derridean analysis examines the tension inherent in democracy, and between the state's agenda of hostility and the university's hospitality towards PSA, drawing upon the inherent contradictions in sovereignty, responsibility and the relationship between absolute unconditionality and the unknown. Derrida (2005) likened democracy in the contemporary context to an autoimmune disease in that it will ultimately destroy itself. Democracy is positioned at an 'unstable and unlocatable border between law and justice' (Derrida, 2005, p. 39) – if the law is conditional, bounded by legislation, regulations and policies, justice reflects the possibility, or impossibility, of unconditionality in the form of democracy without the conditionality of sovereignty. Derrida envisioned the potential of *la démocratie à venir*— 'the democracy to come' – as unpredictable, realisable only through the dismantling of the aporetic conditions that shape sovereign power (p. 87), extended here to binaries.

Hospitality without the imposition of violent conditions requires us to examine how sovereign 'hosts' employ democracy to deny the sanctuary-seeking 'stranger' *absolute hospitality*. Through protecting the rights of those located on the interior (citizens), the state denies the privileges of citizenship to those located both physically and symbolically on the exterior (PSA). Universities, keen to protect the availability of public goods for citizens and maximise their autonomy to self-govern, do this by adhering to the undemocratic demands of the state by minimising access granted to PSA-strangers by maximising conditions imposed upon PSA wishing to enter the academy.

The question of responsibility towards the stranger needs to be addressed prior to the question of identifying 'who' the stranger is, requiring a detailed exploration of the conditions imposed on hospitality under the guise of sanctuary. Ethics is key to responsibility: general responsibility is guided by normative ethics underpinned by normative legal conditions, whilst paradoxically absolute responsibility embraces pre-conscious ethics 'absolute decisions made outside of knowledge or given norms, made therefore through the very ordeal of the undecidable' (Derrida, 2008, p. 5). Absolute responsibility is inconceivable, as it should be both *innumerable*, available to any stranger without prejudice, whilst also *singular*, responding to the individual's needs but never to the detriment or sacrifice of others (Derrida, 2008). Relatedly, Fuh (2003) connects Levinas' philosophy that our responsibility to the infinite needs of the other, to welcome 'inventively" without conditions, is bound up in that which constitutes our very existence (p. 20). The concept of inventiveness is integral to enacting our responsibility to the other (stranger).

Identifying PSA as strangers by the state, and by extension universities, imposes conditions upon their access, which centre primarily (but not exclusively) on economic challenges. The point at which hostile state policies are seemingly subverted by universities into hospitality, occur in the creation of scholarship opportunities for limited numbers to commence a degree programme. Caputo's (2003) articulation of unconditional hospitality supports the notion that sanctuary is delivered under the guise of hospitality: 'When someone comes who has been invited, who made an exclusive short list, that is not hospitality; hospitality happens only when the uninvited one shows up at our door' (p. 17). If the gift of absolute hospitality by the university 'host' to the PSA 'stranger' is characterised by its inconceivability – universities neither 'know' of their ethical responsibility nor the support required in advance of the arrival of PSA – leading us to concur with De Haene et al. (2018) that the 'shadow of violence is therefore cast over every practice of [conditional] hospitality' (p. 214). Derrida also extends the theory of conditionality to universities, suggesting that the process of deconstruction and the unconditionality of thought, could allow the university to oppose '*all the powers that limit the democracy to come*' (Derrida, 2002, p. 27). A concept that holds the potential to extend from the academic to the operational functions of higher education.

Sanctuary

In this paper we use 'sanctuary' as an umbrella term to encompass initiatives focused on providing sanctuary and/or welcome to PSA. The historical origins of sanctuary stem from churches and places of worship being exempt from the rule of law, granting them the freedom to offer protection to the displaced. O'Brien et al. (2019) discuss how this concept translated into 'Cities of Sanctuary', predicated upon the idea that 'cities' could offer safety and security to *strangers* by rejecting the limitations imposed on individuals by their immigration status, offering 'sanctuary' from immigration rules. The UK Sanctuary movement began with Sheffield becoming a 'City of Sanctuary'; since then, a myriad of subsidiary sanctuary movements has developed, ranging from theatres, to schools, and recently universities. Similarly, Australia established the 'Welcoming' movement, which like the UK has many subsidiaries, including cities, sports clubs, and a university 'welcoming standard' is currently in development. Sanctuary initiatives such as these that focus on *access* and *welcome* serve to stretch the limits of hospitality, whilst remaining conditional upon the law. The political debate around sanctuary centres on the movement's perceived failure to address the lack of rights afforded to people in the aftermath of displacement, as the result of surrendering citizenship to seek safety outside their country of origin. Pejorative immigration discourses position PSA as a threat to state resources and security, which risks erasing the often-multiple ties and points of colonial connection between the apparent stranger and host (Mayblin, 2019).

Debate lies in whether initiatives designed to support PSA should centre on the pursuit of the 'right to have rights', defined by Arendt (White, 2017), or acts of kindness exercised at the discretion of institutions and individuals across civil society. The tension lies not in the preferred outcome i.e. the 'rightful presence' (Squire & Darling, 2013, p. 69) of anyone experiencing displacement, but in the approach and strategies adopted to achieve this. Rotter (2010) and Bagelman (2013) present opposing perspectives on the interaction between initiatives designed to engage PSA in meaningful activity by the

sanctuary movement and governmental technologies of restriction and control. Rotter (2010) conceives of engagement in sanctuary initiatives, as a direct challenge to governmental technologies, conceptualising the refusal by PSA to 'wait' for the state to decide their future before engaging in and contributing towards life in the UK as an act/s of agency. We liken Bagelman's (2013) counter argument to describing agency in the context of sanctuary as passivity in sheep's clothing. From this view, sanctuary serves to ameliorate state control by co-opting and transforming technologies of control into technologies of the self and surveillance, at the organisational and individual level. Dasli (2017) warns that conditional hospitality can reinforce as opposed to limit sovereign power, an argument supported by Gill (2014) who issues a similar warning in respect to the impact of 'tactics that rework particular configurations' and their implicit role in legitimating the sovereign (p. 6).

Further, Bulley (2015) states that there is a clear delineation between acts of hospitality and humanitarian intervention, arguing that if an act does not impose on the host's home, it is humanitarian rather than hospitable. This provides a useful point of connection between the notion of sanctuary co-opted as a form of state control and Walters (2000) concept of the humanitarian border, as an extension of technologies of control under the guise of humanitarian action. Williams (2015) extends the concept of the humanitarian border to consider the explicit role played by technologies of care in border governance. Violence is a theme threaded through scholarly critiques of sanctuary, welcome and humanitarianism purporting to provide aid in the aftermath of displacement, reinforcing the need to interrogate them through the lens of *hostipitality*.

Constructing hospitality in academia

While the literature that examines hospitality predominantly does so from the perspective of the nation, or of the home, there is a pressing warrant for using this conceptual frame to explore how hospitable higher education systems, spaces and places are regarding 'foreigners', and where the 'borders' of education lie (Strange & Lundberg, 2014). As Ruitenberg (2018) writes from the US context:

> . . . hospitality cannot be said to have taken place if white educators fail to see, interrogate, and change the ways in which the educational spaces into which they seek to receive racialized students are marked by whiteness. (p. 258)

Ruitenberg goes on to argue that educational hospitality requires not just acknowledgement and welcome of 'others' (which requires an understanding of the assumptions, values, and bias that shape and are shaped by the system) but protests the conditions 'that undermine education's fundamental nature as a space in which newcomers must be assisted in their entry into new worlds' (p. 261).

Scholars who have addressed the notion of hospitality in higher education often write about the notion of 'academic hospitality' (Bennett, 2000; Phipps & Barnett, 2007) as a virtuous foundation of teaching, scholarship, and service in the academy. It is 'an epistemological necessity' (Bennett, 2000, n.p.), requiring 'open-[ness] to the different voices and idioms of others as potential agents for mutual enhancement, not just oppositional conflict'. Phipps and Barnett (2007, p. 243) describe academic hospitality as 'dependent upon travel, the crossing of borders,

the embrace of otherness' (p. 243), involving physical, epistemological, linguistic, and touristic hospitalities. Ploner (2018) uses these four distinct forms of hospitality in their analysis of international students' descriptions of their arrival at a UK university campus. While Ploner finds that academic hospitality, as a concept, can help to prioritise 'reciprocity and openness [in designing transition activities] and thus helps to overcome latent distinctions between "host" and "guest" cultures in diverse academic settings' (p. 176), his analysis also illustrates how universities invest in 'choreographed rituals and routines of welcome' (p. 167), rather than an ongoing sense of hospitality, except for the physical infrastructure. Importantly, Ploner's analysis is based on international students who have the right to study in UK and Australian universities and pay a high fee tariff to do so. The international student category is applied to PSA by default in order to exclude them from the rights afforded to those granted home student status.[7] In the (unlikely) absence of access to economic capital typically associated with international students, PSA are even further disadvantaged in terms of their reliance on universities exercising their discretion to facilitate their *access* and *welcome* into the academy.

In colonial-settler higher education contexts where universities are 'hosts' and marginalised and culturally and linguistically diverse students are positioned as 'guests', the positioning as 'foreigner' is acutely problematic for First Nations students. Indeed, it is reflective of endemic patterns of subordination and inflicted colonial violence following the invasion and installation of dominant whitewashing (read: physically, spatially, epistemologically, and culturally unsafe) practices and institutions. This is particularly an issue in education. Morgan (2019) describes the fundamentals of education as 'cultural contamination' through disengaged curricula and teaching as cultural production resulting from homogenous and decontextualised policy scape. These components work together to lock First Nations students out of decision-making processes and lock them into the 'guest paradigm' (Morgan, 2019). This expectation of students to be 'grateful guests', we argue, is exacerbated for the 'lucky' PSA able to secure a scholarship to gain entry to university.

The concept of universities as places of sanctuary for PSA is a framework within which we locate initiatives designed to provide hospitality. For the purposes of this paper, *access* refers to sanctuary scholarships delivered across the UK and Australia which are broadly designed to open opportunities to acquire accredited qualifications through overcoming two principal barriers: impermanence of immigration status, and the unaffordability of higher education when subsidised places and fee deferral schemes are not available. Unsettled immigration status results in the default categorisation of many PSA, as international students, rendering them ineligible for government loans to fund university tuition fees and maintenance. Derrida's conceptualisation of the *hostipitality* binary provides an excellent lens through which to explore the intellectual puzzle of how we conceptualise and understand the 'welcome' afforded to PSA. However, this framework requires critique and recognition of the scholarly unease surrounding the politics of sanctuary, the relationship with technologies of control, and the construction of humanitarian borders, as a response to, or an extension of, immigration borders.

Academic hospitality in developing sanctuary access and welcome initiatives for people seeking asylum

Sanctuary initiatives are wide-ranging in their design and implementation, but at their collective core is the desire to create opportunities that seek to mitigate the deficit in rights afforded to people who have experienced displacement. Included in these strategies of deliberate inclusion are tuition fee-waiver scholarships, tax-free stipends, and bursaries, and – in some cases – subsidised campus accommodation. There are commonalities in the significant inconsistencies in the support provided through sanctuary scholarships, with PSA expected to study successfully but with reduced financial support and considerably fewer choices in respect to university and programme of study in comparison with the wider student population. Access is predicated upon each university exercising their discretion, as opposed to prospective students exercising their right to be admitted. While hard-fought, these sanctuary initiatives remain relatively small in number, offered by some but not all universities, and precariously offered year-by-year, all of which make them sparse and unevenly distributed opportunities.

It is therefore imperative to interrogate the extent to which sanctuary constitutes hospitality and welcome – both in terms of the sovereign role of the nation state imposing conditions upon 'who' and 'how' migrant strangers can cross the territorial threshold, and the implications for a university exercising their discretion to host these students. It is also necessary to consider critiques of sanctuary that seek to co-opt it as a technology of governance, serving as opposed to resisting the state.

Australia and the UK are two examples of nation-states sandwiched between a raft of international legislation and policy, and local grassroots initiatives that strive to create and sustain opportunities in higher education for people experiencing displacement. We explore this repositioning by problematising three core binaries within which to consider the utility of Derrida's theory of *hostipitality* as a conceptual lens through which to interrogate sanctuary initiatives delivered by universities in the UK and Australia. The deconstruction and instability of these binaries is key to understanding challenges encountered by (i) PSA accessing university; and (ii) sanctuary initiatives overcoming challenges pertaining to access. We begin with the relationship between the sovereign 'host' and the PSA 'stranger', prior to exploring how this relationship is embedded within legislation determining whether 'settled' or 'unsettled' immigration status is awarded to PSA, before connecting this discussion to the wider debate centred on the 'deserving'/'undeserving' migrant.

Constructing sovereignty: contesting the host/stranger binary

At the heart of the concept of hostipitality is a question of sovereignty, specifically to what extent a 'host' can claim sovereignty over their (arbitrarily decided and often invisible or non-tangible) borders. For nation states, sovereignty issues are determined by the jurisdiction over which they exercise power and authority (Derrida, 1993); however, sovereign power operates along a continuum, as evidenced within the UK's relationship with Australia. The UK is a small nation, exercising sovereignty across its immediate territorial borders, extending its reach to 13 British Overseas Territories, as well as enduring (albeit reduced) sovereign

influence over the Commonwealth of Nations. Sadly, Australia is an example of the lasting (violent) legacy of British colonial rule. Sovereignty was never ceded by the traditional owners of the lands that constitute Australia,[8] where First Nations peoples remain unrecognised in the constitution,[9] and the idea of *terra nullius* remains a public ideological position for far-right Australians (McFadden, 2022). The British crown's denial of the sovereign power of the First Nations people through colonial force, illustrates the paradoxical nature of sovereignty, instability of democracy and the potential for the marginalised to return to the centre (Derrida, 1993). First Nations peoples' identification as 'strangers' by many (if not all) Australian institutions reinforces the confusing conditions in which questions are raised about 'who' can welcome PSA.

In the case of universities, some borders are dictated by the state while others are more porous, meaning that universities have variable sovereignty in their capacity to offer welcome to 'strangers', largely depending on who is a 'stranger' and what they can pay, with visa types and resources determining the level of welcome extended. Sovereign power is enacted by force through normative legal frameworks (Derrida, 1993), which in the case of higher education for PSA plays a central role in determining 'who' belongs in the academy. As recipients of public funding and as 'public institutions', universities' relationship to the sovereignty of the state is operationalised through adherence to immigration regimes and associated legislation. This is manifest in the exercise of implicit sovereign power through excluding PSA from the financial support deemed essential to access higher education. In contrast, temporary student visa holders are preferred because they pay full-fees and must demonstrate self-sufficiency, thus constituting an important revenue stream for universities. International students are, therefore, welcome 'guests', conditional on their capacity to pay. In contrast, PSA are not 'desirable' for universities in the same way. While universities might attract donations to fund sanctuary initiatives, and the acquisition of status as a place of 'sanctuary' or 'welcome' might improve their image at the national level, this is incomparable to the future income through recommendations and international reputational currency typically generated by international students.

The exercising of implicit sovereign power is more fluid, creating opportunities for universities to exercise discretion with offering access to PSA. The extension of sovereign power from the state to the higher education sector serves to replicate hostile practices, yet also creates space within which the sovereign's hostility towards PSA is actively resisted. This further troubles the host/stranger binary and 'who' has the power to include PSA. Universities in both the UK and Australia have sought to invoke their sectoral sovereignty by offering a limited number of conditional sanctuary scholarships to PSA. A further challenge to this binary is the construction of PSA as the 'stranger' in the context of colonial rule and enduring connections to places around the world, which further complicates the notion that any 'host' has sovereignty. Sanctuary as a form of disruption (Squire & Darling, 2013), is extended here to higher education, complicated by the notion of *who* is the host and under what conditions can they offer hospitality. We extend this question to consider whether sanctuary as a form of welcome, reinscribes or reproduces the statist relationship between host/stranger (Squire & Darling, 2013) in the context of higher education.

Sanctuary: access (sanctuary scholarships) and welcome (university campuses) for PSA in higher education

The binaries that shape our understanding of the lived reality of both the challenges and sanctuary focused solutions – pertaining to access and welcome in higher education – stem from the overarching binary of *settled/unsettled* immigration status responsible for shaping rights and entitlement afforded to PSA. This binary maps onto the *inclusion (home student status)/exclusion (international student status)* criteria determining who is and who isn't (typically) welcome in university. However, central to our analysis of these binaries is an exploration of the nexus between the *threshold* and its position in relation to *access* and the condition/s attached to *welcome* (Derrida, 2000). We consider the threshold as moveable and malleable according to the type of *access* required (i.e. to commence doctoral study or use university facilities), and *welcome* given, aligned with notions of developing a sense of belonging in higher education. In doing so, we are not seeking to homogenise or ignore how the challenges encountered by PSA resonate with the wider heterogenous student population. Instead, we acknowledge our focus on the stranger includes anyone who due to immigration controls cannot rely upon their rights, only upon the university's discretion to welcome them cross the threshold.

Sanctuary initiatives need to be situated in an understanding as to how binaries have been used to determine access and welcome to higher education for PSA. *Settled/unsettled* immigration status is indicative of an individual's long-term future in the place they have sought sanctuary; however, the complexity of the asylum process across the UK and Australia is such that people seeking sanctuary are often subject to frequent changes in status, as the transition from seeking asylum to securing the permanent (as opposed to the temporary) right to remain can take up to 15 years, or is (in the case of Australia) unavailable to so-called 'irregular arrivals'. The second binary of *home/international* reflects the category students are afforded based on an assessment of whether they are recognised as belonging in the home country (UK or Australia) or another country. This decision and the subsequent category allocation fails to account for their physical presence and place of residence within the home country – 'international' in this scenario is a default category which does not capture the circumstances of seeking asylum.

The overarching aim of sanctuary movements across the globe is to counter hostility towards people who have sought refuge in the 'host' country through the provision of hospitality. Hospitality in the form of *access* adopts myriad forms but generally focuses on inclusion through creating space for PSA to acquire accredited qualifications. This often requires neoliberal solutions required to bridge a shortfall in economic capital as the result of unsettled immigration status, operating as an explicit form of exclusion. The concrete tangibility of access initiatives can provide the basis upon which to better understand where welcome needs to focus its attention to make access a reality.

An interrogation of the *undergraduate/postgraduate* binary can support our understanding of why *welcome* is difficult to capture. This binary presents a limited view of opportunities available with the academy, which fails to extend into securing qualifications required to commence an undergraduate degree (bridging course/foundation degrees) and beyond postgraduate study (fellowships, research, and teaching). The limitations of this binary also serve to ignore the wealth of university resources that

could benefit and therefore be accessible to PSA – both tangible facilities such as sports centres and libraries, as well as law clinics, events etc. This provides a useful segue into the myriad of ways universities can *welcome* people not only in terms of *access* to programmes of study but to places and spaces throughout the institution.

Welcome offers arguably far more opaque forms of sanctuary in higher education, yet greater diversity of opportunity: operationalised in the UK via 'University of Sanctuary', aligned with the *Cities of Sanctuary* movement, which aims to 'offer a positive vision of welcome and hospitality for all' (2021). In UK higher education this translates into creating universities that are ' ... places of safety, solidarity and empowerment for people seeking sanctuary' (Universities of Sanctuary, 2023). In Australia 'Welcoming Universities' is a more recent addition to the *Welcoming Australia* movement, which has adopted their overarching objective to facilitate welcome that affords everyone the opportunity to ' ... belong, contribute and thrive' (Welcoming Australia, 2020).

We recognise that activities taking place at the grassroots, local-institutional level across the UK and Australia preceded important national and international changes. The first is the extension of national welcome movements in both countries to higher education, where access could be perceived as a key stimulus for dedicated university welcome schemes. The second is increasing recognition within international legislation and higher education policy that meeting the needs of displaced people is a priority. Indeed, as Murray (2022) questions, sanctuary scholarships established by UK universities (sanctuary as 'access') can be viewed from two seemingly opposing perspectives, as resisting and simultaneously reinforcing structural inequalities encountered by people with displacement experience. We can see how universities have attempted to transcend and subvert state-imposed limitations imposed on in tandem with the challenges and disincentives they encounter. At the core of these strategies of PSA exclusion from higher education lies the *deserving/undeserving migrant* binary, which is central to the UK's and Australia's contemporary immigration regime. It is impossible to ignore the scale of the challenge that university sanctuary initiatives seek to overcome.

Creating sanctuary? Visible efforts to 'open up' university to PSA

International policy has contributed to the pressure on national governments to 'open up' higher education for refugees, in doing so driving/augmenting the continuous work in the UK and Australia by networks of individual universities and grassroots organisations lobbying for change, combined with the public desire to see responses to multiple global conflicts. The *deserving/undeserving* binary is primarily predicated upon the mode of passage into the country, with spontaneous or clandestine entry increasingly criminalised and labelled 'undeserving'. Safe passage with the guarantee of settled immigration status on arrival is the privileged route of entry for those deemed 'deserving' of sanctuary. Deservingness is reflected in access to a wide range of public goods, including but not limited to education (Mayblin, 2019). Clear connections can be established between the immigration pathway, award (or lack of) of immigration status, and 'who' the higher education sector is 'opening up' to.

It is imperative to question efforts to 'open up' universities, in particular 'who' is now welcome within new policies, under what conditions, and how this relates to wider societal contexts. In the UK, incremental legislative changes designed to improve access to university

have been largely determined by the national identity of PSA and were introduced in 2015 following conflict in Syria; in 2021 with Afghanistan; and perhaps most substantially in 2022, in response to the invasion of Ukraine. Australia has responded to these recent crises in similar ways, following the government's announcement of additional humanitarian intakes (for Syrian refugees in 2015; for Afghan refugees in 2021). These have not led to policy changes regarding educational access at the national level, but individual Australian universities have responded by increasing the numbers of scholarships offered, or even by starting scholarships if one had not previously existed.

Absent from these initiatives and discussions around their inception is an exploration as to why the inclusion of PSA in higher education has historically been overlooked, or actively resisted. A notable exception is Morrice's (2021) argument that the reproduction of hierarchies of belonging, freedom of movement, and access to resources is embedded into the logics of colonial rule. Morrice's argument is perpetuated in contemporary immigration regimes that we argue employ the *deserving/undeserving* migrant binary, determined by colonial logics to identify 'who' is welcome. Whether 'opening up' is led by state policy or by local universities implementing discretionary changes in practice, change is characterised by conditionality, and by default *hostipitality*.

The diversification of the nation state's management of the territorial 'threshold' has been well documented with borders positioned at the geographical edges, as well as extraterritorially, designed to prevent and deter people from accessing and seeking sanctuary in the UK and Australia (van Kooy & Bowman, 2019; Yuval-Davis et al., 2018). Operating alongside the technologies of restriction to control the access of *undeserving* migrants, exist a small number of resettlement pathways for those awarded settled immigration status in the aftermath of displacement. Individuals and families deemed *deserving* of sanctuary, typically reflect those who claimed asylum and received a decision outside of the 'host' country (for example, within a formal refugee camp). The *undeserving* typically arrive spontaneously without warning and are awaiting or appealing a decision on their claim for asylum, or are in receipt of temporary immigration status, imposing limitations on their socioeconomic rights including access to university.

The malleability of bordering practices is evident in the extension of the threshold beyond the territorial border, as new thresholds have been positioned at various points and places throughout civil society (Yuval-Davis et al., 2018), including universities (Murray & Gray, 2021). The barriers encountered by PSA are central to the construction of the higher education border, which transcends national legislative contexts and has global application. The higher education border provides a holistic framework in which to situate multi-layered, malleable, and mundane borders, including as well as extending beyond, the temporariness of immigration status and deficits in economic capital. It is important to note that the barriers identified here (unsettled status/deficit economic capital) are constituted as the primary and often considered insurmountable challenges to pursuing further studies. However, conceptually the 'higher education border' describes a diverse collection of barriers constructed from perceived deficits in the capital held by PSA, which serve to marginalise opportunities offered within the academy (Murray & Gray, 2021). Acts of hospitality in the context of sanctuary therefore need to be 'historically informed and geographically sensitive' (Squire & Darling, 2013, p. 64) to foster deeper understandings of the challenges, informed or led by experts by experience, deconstruct and decolonise harmful practices and create appropriate responses.

Conditional hostipitality towards PSA in higher education

Hostipitality is a useful lens through which to contemplate the blurring and enmeshing reality of practices of *hostility* imposed by the state and *hospitality* by some higher education institutions. Core to our argument are the inherent shortfalls of binary perspectives for understanding the complex realities of living for anyone with experience of displacement is, with these binaries creating barriers within the 'hospitable solutions' offered, evident from the initiatives designed to transform UK and Australian universities into spaces of sanctuary. There is, perhaps, an inevitability that initiatives designed to resist and counter strategies of exclusion will be compromised by those same strategies. This leads us to conclude with a critique of the conditions imposed upon opportunities designed to 'open up' the academy to PSA by universities across the UK and Australia.

Whilst considerable scholarly attention has been paid to the barriers encountered by PSA (Hartley et al., 2018; Murray, 2022; Webb et al., 2019), less is known about navigating the impediments interwoven into the sanctuary initiatives designed to overcome bordering practices. These translate into conditions that impose limitations on PSA choices, necessitating them to cross not just the threshold to the university, but also to a sanctuary scholarship. The overarching 'right to study' is determined by the sovereign. In exercising their discretion through designing their own eligibility criteria, universities are inadvertently defining 'who' (specified by immigration status) is entitled to study within their institution; in doing so, they create additional conditions for their hospitality. Some of these conditions deny access to the full spectrum of degree subjects and levels of study, for example, evident within eligibility criteria of universities who deny postgraduate opportunities, or exclude applications from PSA wishing to pursue high-cost, prestigious degrees, such as Medicine or Dentistry. However, while some institutions have pushed against these self-created norms (of only offering undergraduate study; of denying access to hyper-competitive courses) by including postgraduate study or creating 'work arounds' to create access for PSA (Webb et al., 2019), these efforts are ephemeral, with offerings shifting annually.[10]

Further, scholarships are always conditional upon university discretion, which imposes geographical constraints for PSA who live elsewhere or lack the funds/freedom to move to within the vicinity of a scholarship-awarding institution. The issue of location is compounded by universities' failure to fully fund the costs associated with tuition, such as accommodation, and costs of living, thus not recognising the disproportional disadvantage that many PSA endure. While some universities provide funding equivalent to that provided by student loans, economic realities mean that many do not, therefore forcing candidates to make difficult choices and sacrifices – such as declining a scholarship.

The counter perspective to this discourse is that PSA not only take up these opportunities and successfully graduate, but make valuable contributions to university communities and campuses. This led Murray (2022) to question the reciprocity of scholarships in the UK, as universities benefit from students making a success of opportunities. Similarly, Baker et al. (2020) analysis of mentions of PSA (or not) in universities' public statements of commitments to and practices of EDI illustrates it as a discursive fantasy, with the occlusion of PSA signalling narrow and fixed understandings of who are included in universities' equity practice. We extend

this question by considering the layers of conditional hospitality imposed. It could be argued that universities disproportionately benefit from sanctuary initiatives, with minimal risks for maximum reward, whilst many PSA absorb the challenges constructed by the state and exacerbated through scholarship provision. While there is evidence of financial stipends improving significantly over the years (Murray, 2022), this remains reliant on discretion as opposed to PSA claiming their rightful presence in higher education.

Our critique is not intended to diminish the positive impact of scholarships, nor the transformative tactics that facilitate access to and welcome for PSA in higher education, but to highlight the need for further research to fully understand the implications and full potential of sanctuary initiatives. The relationship between the state (host) and PSA (stranger) is disrupted by the impact of the collective response from (i) *grassroots* activists, ii) *local* universities and (iii) *global* actors prioritising higher education as a need in the aftermath of displacement. Similarities in the shaping of hospitable responses to displacement are not a coincidence; the hostile policies and practices designed by the UK and Australia create the conditions for stakeholders across both countries to work against. It is through these relationships that knowledge, good practice and solidarity has been shared with a view to resisting bordering practices imbued with hostile colonial logics.

This leads us to conclude with some provocations that are prime for future comparative research on the future of hospitality in higher education. If hospitality requires conditions, how can we set them without being able to predict who will seek refuge, or what will be required in respect to the hospitality provided by universities? 'Being ready to not be ready', because we do not know what hospitality is according to Imperiale et al. (2021), 'requires some preparation and it is a process that comes with time and experience: it is perhaps the disposition to constantly stretch towards the world' (p. 638). Proactively creating malleable, sector-wide structures that can be adapted by individual universities should facilitate continuous responses to the needs of 'strangers' displaced by conflict, persecution, and global challenges. What we need to consider is who has the power to shape the conditions – who actually is the 'host' – or to use Derrida's term the 'master': the state, HE sectors, university councils, Vice Chancellors? As Dasli (2017) argues, we need to transcend the hospitality/hostility binary and see hostipitality for what it is, as one concept. By doing so we embrace the,

> . . . deep rooted paradox in the ethics of hospitality, which on the one hand requires giving to the other without expectation of return, and, on the other hand, demands a set of limits so that the host retains his or her ability to offer hospitality. (p. 683)

This leaves us with the final and perhaps the most important question: how can the provision of discretionary conditional hospitality, or *hostipitality*, be shaped by PSA and incrementally lead to their rightful presence in higher education.

In this paper, we exclusively focused on the discretionary delivery of scholarships for PSA by Australian and UK universities. Universities have a critical role to play in mitigating the impact of displacement for PSA beyond, as well as within their territorial borders. However, further research needs to adopt an interconnected approach to explore i) practices of hospitality under the guise of sanctuary and hostile

immigration regimes, by countries across the global North; ii) relations between universities, wider civil society and grassroots actors involved in designing and delivering sanctuary; iii) the full spectrum of higher education responses, of which scholarships are just one.

Notes

1. We acknowledge that the term PSA is a problematic term because it captures a variety of circumstances, and erases important nuances within the complex phenomenon of seeking safety from persecution and violence. However, it is widely recognised and works across both the Australian and UK contexts, while also functioning as an identifier for people who sit outside of the 'refugee' (people with permanent protection) category. It is important to note that not all PSA have necessarily gone through formal processes of refugee recognition. Moreover, as people with no established right to protection, PSA often live with high levels of vulnerability while also being relatively invisible within the systems and structures of their asylum context.
2. In February 2023, the Australian government acted on their election policy commitment to abolish temporary protection, meaning approximately 19,000 people will be able to apply for permanent protection, and will therefore gain full access to higher education when their status has been resolved (Refugee Council of Australia, 2023).
3. 15/30 is the UNHCR's campaign to ensure that 15% of young refugee people can access higher education by 2030.
4. The Displaced Students Portal in the UK: https://www.displacedstudent.org.uk/?s= regularly updated record of opportunities in HE.
5. The 'Tampa Affair' refers to the rescuing of hundreds of asylum-seekers from the freighter, MV Tampa; this led to Border Protection Bill in 2001 and initiated the so-called 'Pacific Solution', which permitted Australia to undertake offshore processing in Nauru. This policy was re-established in 2012 after concerns about 'boat arrivals' regained political currency.
6. According to information gathered by the Refugee Education Special Interest Group (RESIG) – this information is not officially gathered and reported and is likely a partial representation.
7. We acknowledge that 'home' student is operationalised differently across the devolved higher education systems of the United Kingdom.
8. The naming of places, including the country as 'Australia' is also contentious (National Library of Australia).
9. The question of whether the Australian constitution should be amended to allow an Indigenous Voice to Parliament was put to the Australian people in October 2023 and the public voted 'no'.
10. PSA scholarships are difficult to discuss in fixed terms because they are subject to the will of the institution, and as such we cannot provide specific example. However, interested readers can find more detail about the evolution of sanctuary scholarships in the UK, and contemporary offerings here.

    - The collated list of refugee scholarships on the RESIG website provides a breakdown of the level of study for which an applicant is eligible to seek support and the limitations of the support available (see – stipend or tuition fees only), the visa that are accepted and detailed eligibility relating to academic programmes and academic achievements: https://refugee-education.org/scholarships
    - The Displaced Student Opportunities UK allows applicants to refine their search for eligible programmes according to immigration status, level of study and UK region.

This reflects the differentiated opportunities across UK universities: https://www.displacedstudent.org.uk/

- 'Mapping Opportunities available for forced migrant students at UK universities: Sanctuary Scholarships' (Murray, 2019, 2022) maps the growth of Sanctuary Scholarships over the course of a decade in respect to the number and composition of scholarships (accommodation, tuition fee waiver, value of the stipend for living costs).
- Murray (2022) reports in depth on the challenges encountered by UK universities delivering scholarships and analyses in depth the diversity of opportunity delivered by scholarships.

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