

obvious, is much less clear. Outcomes for individuals in both contexts were determined more by the tendency to

respond separately, and often unequally, to the combination of emergencies constituting these dual disasters.

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To Feel at Home Abroad or No Place Like Home: Meanings of Displacement in Refugee Studies

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Reviewed Books

What Has Become of My Life? The Silenced Voices of Refugees in Japan,
by Erdal Doğan and Tsuyoshi Amemiya.
197 pp. Paperback. Tokyo: Kinkoh Printing, 2008.

Driven From Home: Protecting the Rights of Forced Migrants,
edited by David Hollenbach.
296 pp. Paperback. Washington, DC: Georgetown University Press, 2010,
ISBN: 9781589016460 (1589016467).

Conceptualising "Home": The Question of Belonging among Turkish Families in Germany,
by Esin Bozkurt.
243 pp. Paperback. Frankfurt and New York: Campus Verlag Press, 2009, ISBN: 9783593387918.

Refugees, Asylum Seekers and the Rule of Law: Comparative Perspectives,
edited by Susan Kneebone, Monash University, Victoria.
341 pp. Hardback. Cambridge: Cambridge University Press, 2009, ISBN: 9780521889353.

Refugees who have lost their original homes often find themselves traumatically detached in their new environment despite resettlement. Under these circumstances, their natal or lost home assumes a new significance for the sense of belonging and their need for being reconnected and recognized with dignity. In the context of refugeehood, "home" is not only a physical manifestation of identity. In their country of asylum, in essence refugees try to re-establish a lost grounding by reclaiming and reconstructing their sense of belonging.

Three of the four books reviewed here conceptualize the meaning of "home" embraced by refugees and migrants in innovative ways, though they put emphasis on different aspects of the phenomenon. The picture they create proposes that there are at least four different aspects to be considered: material, spatial, socio-political and personal. Of those four,

the last two assume paramount importance in the long term. Namely, for refugees in particular, the combined sense of attachment, belonging, and rightful ownership, as well as recognition or denial of past traumatic experiences inflicted by the loss of home have a direct impact on the acquisition of a sense of attachment to a new home.

In *What Has Become of My Life?*, for instance, Erdal Doğan and Tsuyoshi Amemiya examine the underbelly of the Japanese human rights regime and treatment of asylum seekers in Japan. In a genre that is becoming quite commonplace in the field, they collect first-hand oral narratives of refugee experiences in Japan, and how the issue of being kept in limbo for years and spending inordinate amounts of time in detention while one's refugee application is being processed renders the meaning of "home" moot for asylum seekers in Japan. The range of topics covered in this volume

includes the emptiness of the “Convention Refugee Status” in Japan as the legal concept is put to practice, inhumane conditions of detention for asylum seekers and prison sentences endured by refugee status applicants in ordinary cells allocated for those charged with criminal offences, and personal and familial tragedies of deportation that are all too common a practice in Japan. This is a book particularly well suited for use in classrooms looking at the refugee experience from an anthropological and oral history point of view.

Esin Bozkurt’s work also bases all of her cases on narratives of home, images and memories of home, and dimensions of a sense of belonging that are not related to time. According to her study of several generations of migrant workers of Turkish and Kurdish origin in Germany, many of whom were affected by forced migration, possible pathways that are engaged to recreate and adapt to a new place by immigrants and refugees always include fragments of the old. That is by no means to suggest that integration is not possible or that, after three or four generations, German citizens with a migrant or refugee background continue to “fail” in terms of developing a sense and image of Germany as their home or at least as one of their homes. However, the extraordinarily rich accounts of the lives of Turkish men and women living in contemporary Germany make it all the more clear that members of marginalized immigrant and refugee communities have to develop a very strong sense of home other than that in Germany in order to sustain a dignified presence. Bozkurt’s key contribution to the field is the placement of the life experiences of immigrants and refugees into a broader theoretical perspective thanks to her careful attention to gender and generational differences. In her work, Bozkurt identifies three central themes, which also appear in the other two volumes written on the subject of home in refugee studies: “home” as the experience of a psychological space of safety and retreat from a receiving society that is largely hostile due to xenophobic trends and anti-immigrant and anti-refugee sentiments; “home” as the socio-emotional space of relatedness to family; and “home” as geographical-emotional landscape to compensate for a real sense of attachment.

Indeed, there is a marked difference between the experiencing of home in exile compared to its perception while “at home.” This latter, ordinary concept of home assumes a world of order and symmetry that belies the nuanced relationship between the individual and group, the group and state, and the state and territory, as clearly observable in the case of refugees and migrants. Indeed, we have little understanding of the diverse meanings associated with this important phenomenon: Home in exile is experienced as a multidimensional loss associated with emotional, social and physical disturbances, diversions and changes. On the

other hand, the endurance engendered in response to these challenges could in effect open up the possibility for conceptualizing refugee and immigrant responses to dislocation in terms of resilience against human suffering. The last volume reviewed here on the issue of home, *Driven from Home* edited by David Hollenbach, hints precisely at that. It is true that in terms of re-establishing a sense of belonging, challenges refugees face vary greatly depending on the conditions and duration of their displacement. Some are able to eventually return home or are forced to do so, while others spend years in tent cities or refugee camps and thus are warehoused in semi-permanency; still others emigrate and face the challenge of becoming potentially permanent outsiders in a new “homeland.” Hollenbach’s intervention in this debate on what is “home” for a refugee is two-fold. On the one hand, this volume brings renewed attention to the economic, ethical, and political complexity of assisting those who are forced to seek lives elsewhere and who can no longer claim or afford a home. On the other hand, the contributors also discuss how the “duty to protect” refugees should be defined and implemented according to the precepts of international law to respond to the needs of the uprooted and the dispossessed. Hollenbach is also the editor of *Refugee Rights: Ethics, Advocacy, and Africa* and author of *The Global Face of Public Faith: Politics, Human Rights, and Christian Ethics*. His unique approach is indeed informed by his belief in the mixing of the secular and the profane in terms of creating adequate responses to global crises and going against the grain of normalizing and localizing refugee crises. For him, international refugee law is a tool to be used in the fight against all odds regarding the life chances of those driven from home everywhere.

On the matter of the letter of the law, the last volume reviewed here is Susan Kneebone’s very timely contribution to the limits and failings of the “rule of law” in the context of refugees and asylum seekers. If we were to call refugees the “global homeless,” then Kneebone and the contributors to her edited volume warn us that we collectively lack in the department of the famous “charitable impulse” such as the kind that laid the foundations of the Poor Laws in eighteenth-century England. It is true that the 1951 Convention relating to the Status of Refugees is now sixty years old. Yet how much is there to celebrate? What impact has this instrument had on resolving refugee problems and how effective has it been as the principal standard for the international protection of refugees? These are the key issues put under the critical lens of Kneebone’s latest contribution to the field. A prolific scholar in her own right, she joins forces with some of the most innovative minds in the field doing work on refugee law in Canada, Australia, the UK and the US. While over 30 million people are counted as “persons of

concern to the UN High Commissioner for Refugees,” the debate continues regarding not only the nature of the protection that refugees should be granted, but also the obligations of receiving countries towards refugees and asylum seekers and how states manage to “legally” fail them in a systematic fashion.

No doubt both the 1951 Convention and its 1967 Protocol set out the rights of refugees and the standards for their treatment in the countries that receive them. However, for instance it is commonly pointed out that, because the definition of a refugee in these documents requires that a person be outside his or her country, it thus effectively excludes internally displaced people from receiving international protection. Moreover, since both the Convention and the Protocol focus on individualized persecution, these documents do not adequately recognize situations of generalized violence such as wars and ongoing civil conflicts, natural disasters, or large-scale development projects as legitimate causes of flight. In addition, neither instrument makes any direct reference to the concept of asylum. Consequently, lawful admission and the conditions under which it is granted remain at the discretion of concerned or affected states. The only safeguard that the Convention provides for refugees is the principle of *non-refoulement*. Against this somewhat discouraging background, Kneebone’s volume reintroduces some of these critical debates on international refugee law within the context of the post-9/11 world of the Global North. The contributors to the volume locate debates on refugee law within the more general discussion surrounding the nature of law and legality in the aftermath of America’s war on terror. This is a most welcome development that indeed encouraged the contributing authors to

reflect on the normative commitments underpinning the choices made by various leading states in world politics regarding the screening and *de facto* exclusion of asylum seekers from the domain of legality and rule of law in the Global North. At the core of all the debates presented in this volume lies a key dispute about the foundations, purpose and function of refugee law in its current form. Much of the concern expressed is related to the continuing relevance of the “statist paradigm” and what alternatives may emerge in the long run. Overall, Kneebone and her fellow authors’ recent contribution to the field of refugee law provides ample new critical entries to debates regarding the international legal framework governing the protection of refugees. The case studies explicating the variations on the theme of the “minimum requirements” of and “best practices” in refugee status determination are alarmingly clear about the detrimental nature of the nexus requirement in refugee law. Similarly, the measures used to determine the nature of “persecution,” and the insistent separation of “persecution” and “prosecution” brings it home to the students of refugee studies that what happened “back home” to asylum seekers unfortunately by and large remains a no man’s land in refugee law to date.

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