

Refuge



CANADA'S JOURNAL
ON REFUGEES

REVUE CANADIENNE
SUR LES RÉFUGIÉS

GENERAL ISSUE

Refuge

Canada's Journal on Refugees
Revue canadienne sur les réfugiés

Vol. 37, No. 1

Centre for Refugee Studies, Room 844, Kaneff Tower, York University
4700 Keele Street, Toronto, Ontario, Canada M3J 1P3
E-mail: refuge@yorku.ca
Website: <http://www.yorku.ca/refuge>

Editor-in-Chief

Dagmar Soennecken

Co-editors

Christopher Anderson and Pierre-André Thériault

Managing Editor Kathryn Barber

Book Review Editor Raluca Bejan

Editorial Advisory Board

Sharryn Aiken, *Queen's University*; Laura Bisailon, *University of Toronto Scarborough*;
Megan Bradley, *McGill University*; François Crépeau, *McGill University*; Jeff Crisp, *Oxford University*;
Judith Kumin, *University of New Hampshire, Manchester*; Susan McGrath, *York University*

Founded in 1981, *Refuge* is an interdisciplinary journal published by the Centre for Refugee Studies, York University. The journal aims to provide a forum for discussion and critical reflection on refugee and forced migration issues.

Refuge invites contributions from researchers, practitioners, and policy makers with national, international, or comparative perspectives. Special, thematic issues address the broad scope of the journal's mandate, featuring articles and reports, shorter commentaries, and book reviews. All submissions to *Refuge* are subject to double-blinded peer review. Articles are accepted in either English or French.

Refuge is a non-profit, independent periodical funded by the Social Sciences and Humanities Research Council of Canada and supported by the membership of the Canadian Association for Refugee and Forced Migration Studies (CARFMS). The views expressed in *Refuge* do not necessarily reflect those of its funders or editors.

Refuge is indexed and abstracted in the *Index to Canadian Legal Literature*, *Pais International*, *Sociological Abstracts*, the *International Bibliography of the Social Sciences*, and *Canadian Business and Current Affairs*. In accordance with the journal's open access policy, the full text of articles published in *Refuge* is also available online through our website, www.yorku.ca/refuge.

© 2021. This open-access work is licensed under a Creative Commons Attribution-NonCommercial 4.0 International Licence, which permits use, reproduction, and distribution in any medium for non-commercial purposes, provided the original authorship is credited and the original publication in *Refuge: Canada's Journal on Refugees* is cited.

Cette œuvre en libre accès fait l'objet d'une licence Creative Commons Attribution-NonCommercial 4.0 International License, laquelle autorise l'utilisation, la reproduction et la distribution de l'œuvre sur tout support à des fins non commerciales, pourvu que l'auteur ou les auteurs originaux soient mentionnés et que la publication originale dans *Refuge: revue canadienne sur les réfugiés* soit citée.

ISSN (online): 1920-7336

Contents

“I Want to Give Something Back”: Social Support and Reciprocity in the Lives of Young Refugees

CAROLINE SCHMITT3

“Boat People” and Discursive Bordering: Australian Parliamentary Discourses on Asylum Seekers, 1977–2013

JOHN VAN KOOY, LIAM MAGEE,
AND SHANTHI ROBERTSON13

The Psychosocial Condition of Syrian Children Facing a Precarious Future

MAHA SHUAYB AND NADER AHMAD27

Volunteer Mentor Experiences of Mentoring Forced Migrants in the United Kingdom

IONA TYNEWYDD, JOANNA SEMLYEN, SOPHIE NORTH,
AND IMOGEN RUSHWORTH38

“Small Gold Mine of Talent”: Integrating Prague Spring Refugee Professionals in Canada, 1968–1969

JAN RASKA 50

Not Just the Luck of the Draw? Exploring Competency of Counsel and Other Qualitative Factors in Federal Court Refugee Leave Determinations (2005–2010)

JAMIE LIEW, PIA ZABELLI, PIERRE-ANDRÉ THÉRIAULT,
AND MAUREEN SILCOFF61

BOOK REVIEWS

Refugee Law's Fact-Finding Crisis: Truth, Risk, and the Wrong Mistake

By Hilary Evans Cameron

MELISSA M. ANDERSON.73

Lights in the Distance: Exile and Refuge at the Borders of Europe

By Daniel Trilling

HÉLÈNE SYED ZWICK. 75

International Migration Law

Vincent Chetail

OLGA R. GULINA. 77

The Palestinian Authority in the West Bank: Theatrics of a Woeful Statecraft

Michelle Pace and Somdeep Sen

DELANEY CAMPBELL..... 79

FILM REVIEW

Sky and Ground

Directed by Talya Tibbon and Joshua Bennett

NEDA MOAYERIAN AND MAX STEPHENSON JR.....81

“I Want to Give Something Back”: Social Support and Reciprocity in the Lives of Young Refugees

CAROLINE SCHMITT

Abstract

This article analyzes the support relationships of 10 asylum-seeking young people who fled to Germany between 2010 and 2015. It highlights their wish for reciprocity as a need in their country of destination and expands upon Sahlin's typology of reciprocal relationships (generalized, balanced, and negative reciprocity) by the type of “refused reciprocity.” “Refused reciprocity” occurs when people are keen to reciprocate for support they have received, but they live in environments that restrict their agency. The article argues that participation means not only provision of support, but creation of opportunities for people to experience themselves as self-effective actors. They become self-effective when they can cope successfully with new and difficult situations on their own.

Résumé

Cette article analyse les relations de soutien de dix jeunes demandeurs d'asile ayant fui en Allemagne entre 2010 et 2015. Il souligne leur besoin de réciprocité dans leur pays de

destination et élargit la typologie des relations de réciprocité de Sahlin (réciprocité généralisée, équilibrée et négative) avec le type « réciprocité refusée ». La « réciprocité refusée » survient dans les cas où les gens désirent rendre la pareille pour le soutien reçu, mais vivent dans des environnements qui posent des limites à leur agentivité. L'article soutient que la participation ne se limite pas à la prestation de soutien, mais comprend la création d'opportunités permettant aux gens de se reconnaître eux-mêmes comme des acteurs auto-efficaces. L'efficacité personnelle apparaît lorsque les personnes réalisent et sentent qu'elles peuvent faire face des situations nouvelles et difficiles avec succès grâce à leurs propres capacités.

Introduction

In recent years, research on refuge has increased in response to the global rise of people who are forced to leave their places of residence. During the “long summer of migration” in 2015, volunteers created a “culture of welcome” in Germany, Austria, and other European countries (Hamann &

Karakayali, 2016). They helped refugees¹ upon their arrival at the main train station in cities such as Munich, or supported professionals in social service institutions. At the same time, populists and right-wing parties are on the rise. They gained a voice in the parliaments of many European countries such as Germany, Austria, Hungary, and the Netherlands. Right-wing parties and populism in the United States and Australia are also a problem (Siim et al., 2019). In this mélange of solidarity and rejection, asylum-seeking people receive material support in their countries of arrival. Whether and how they are seen as having a right to a different form of support is part of controversial public negotiations. In Germany, for example, the head of Die Tafeln, a non-profit social movement that gives food to people in need, decided in February 2018 to spend no more money on food for refugees, because older German people might feel disadvantaged in comparison to those seeking asylum. This incident is a moment in a debate on allowing or denying support for refugees within hostile nation states. In this debate, refugees are represented primarily as beneficiaries of support and receivers of welfare state benefits that could also favour other people in need (such as homeless or poor people). This problematic image constructs a binary between people perceived as having a “genuine right” to support within a welfare state system, and those whose rights are seen as negotiable.

Also in the academic literature, refugees are seen primarily as recipients of support (Barnes & Aguilar, 2007, p. 235). Little is known about how they experience received (or denied) support from volunteers and professionals and how they may or may not participate in reciprocal exchanges.

Reciprocity influences well-being. It is the principle of mutual giving and taking in social relationships and is a universal moral code (Gouldner, 1960, 1984/2005). The exchange of birthday or wedding presents or the mutual offering of assistance during a loss or special events are examples of reciprocal behaviour (Stegbauer, 2011). Reciprocity can be viewed from different perspectives: What motivates someone to give? What kind of relationship does that person have with the receiver? How does the recipient perceive the receiving of support?

In this article, the meaning of reciprocity in social support relations of asylum seekers is interpreted on the basis of 10 qualitative interviews with young refugees who fled to Germany from Syria, Afghanistan, and Iraq. I chose this

focus on the basis of the content of the interviewees’ narratives. The material was analyzed using a grounded theory approach. The paper examines three questions:

1. What forms of social support relationships are revealed in the material?
2. How do the young refugees experience these relationships?
3. What is the meaning of reciprocity in the social support relationships of the young people?

First, the article provides insight into the bureaucracy that confronts young refugees in Germany. This section is followed by explanations of the theoretical perspective of “reciprocity” and the state of research. The next section describes the methods used in the research project. The focus is on the interview analysis and a theoretical conclusion. The article concludes with implications for an inclusive approach that considers the possibility of reciprocity as a condition for participation of young refugees in receiving countries.

Young Refugees in Germany

Young refugees are a heterogeneous group. They have their own wishes and coping challenges on their way to adulthood. In this phase of life, they are forced to flee. At the end of 2019, 79.5 million people were on the run. Twenty-six million searched for refuge in other countries; 45.7 million were internally displaced. Forty per cent of the world’s displaced people were children. Seventy-three per cent of those who crossed the borders of their home country were hosted in neighbouring states (UNHCR, 2020). Only a comparatively small proportion were able to reach countries within the European Union, although numbers of refugees rose in countries such as Germany. Between 2013 and 2017, Germany received about 1.6 million applications for asylum (BAMF, 2019, p. 5). Numbers have decreased since 2017, with increased restrictions at European borders. At the time of data collection, the main countries of origin for applicants were Syria, Iraq, and Afghanistan—which are reflected in the sample of this study. Within recent years, about two-thirds of all asylum applicants have been under the age of 30. About 50% were minors. Almost two-thirds of all applications were filed by males (BAMF, 2019). In January 2019, 41,211 refugees were registered as unaccompanied minors and were cared for by child and youth services (ISM, 2019, p. 3). This figure

1. The term “refugee” appears in Article 1 of the Geneva Convention Relating to the Status of Refugees. The terms “refugees” and “asylum-seeking people” are both used in this article. The latter highlights people’s abilities to act in their search for asylum. It also emphasizes that the reasons for flight are not always accepted as such by the countries of destination. Being categorized as a refugee thus has enormous consequences for people’s agency, since the provision or denial of residence controls access to goods, services, and societal systems such as the labour market or the health system. I understand the terms “flight” and “refugee” as the subjectively experienced need for people to leave their place of residence in order to secure their survival.

does not include possibly even greater numbers of unregistered minors. Once young people arrive in Germany, they find themselves entangled in institutional and legal responsibilities. Accommodation and care depend on whether the young people are under the age of 18 and whether they arrive with a parent or family or without a custodian. Adult asylum seekers and refugee families are admitted to initial reception centres. For unaccompanied minors, clearance by the youth office is initiated. A guardian is assigned to them and their needs are determined. Accompanied children usually live with their parents or other custodians in initial reception centres. Adult refugees and families receive a certificate of notification as asylum seekers. If they are allowed to stay in Germany, they are distributed to the federal states. They live in receiving institutions that are responsible for their (medical) care, or they can live in their own flats if housing is available. Refugees apply for asylum at the Federal Office for Migration and Refugees.

Reciprocity as Theoretical Perspective

Simmel (1908/2005) describes gratitude as a social bond. Gratitude may cause interactions and social exchanges in response to a voluntary act of giving (p. 104). Members of society consider it to be ethical-obligatory. Mauss (1968/2005) explains social cohesion through social exchange. He presents a comparative study on the exchange of gifts in “pre-modern societies.” For him, these societies can be understood by virtue of the principle of reciprocity. Blau (1968/2005) explains reciprocity not only as an integrative mechanism, but as a device that can generate a divergence of power and social asymmetry. He assumes that people initiate contacts with the expectation of a certain outcome. Reciprocity is the obligation to give in return once a person has benefitted from a contact. The paradox of social exchange is that reciprocity not only creates friendship; it may also lead to status differences between people (pp. 126–132), such as when the giver claims a superordinate status and creates dependency. Gouldner (1960, 1984/2005) describes reciprocity as a universal norm and distinguishes between reciprocity and charity. In the latter, the giver does not expect compensation. Gouldner extends the discussion on reciprocity by questioning the perspectives of giver and recipient: even if a giver defines the giving solely in terms of charity, the recipient does not necessarily interpret it in the same way. The recipient may interpret a charitable action in terms of reciprocity and may feel compelled to return it. Sahlin (1965/1999), however, emphasizes that reciprocity is embedded in societal structures. He distinguishes between generalized, balanced, and

negative reciprocity (p. 154). Generalized reciprocity is an altruistic exchange with a weak expectation of reciprocity; balanced or symmetric reciprocity implies a direct exchange of equal value by the involved parties (such as a gift exchange), whereas negative reciprocity is an attempt to receive a gift without expectation of return.

For the current analysis, the focus is on how the interviewed actors are involved in social exchanges, and their capacity to give and receive.

State of Research²

Social support alleviates detrimental life events and circumstances. It can promote well-being and prevent disruption, stresses, and strain. A main component of support relationships is reciprocity. Several studies explore the meaning of reciprocity in networks of old people (Brown et al., 2003), in the workplace (Bowling et al., 2005), in families and among friends (Nelson, 2000), in communities (Wellmann & Wortley, 1990), and in caregiver relationships (Neufeld & Harrison, 1995) as well as its role in coping with illness (Takizawa et al., 2006). The studies conclude that reciprocity is indispensable to well-being. They point out that *giving support* is just as important as or even more important than *receiving support* (Brown et al., 2003; Väänänen et al., 2005). If social support is to be truly supportive, it is essential to give and receive it (Williams, 1995). Dunbar et al. (1998) studied distress in social support relationships of people categorized as having and not having a disability. They found that people categorized as “having a disability” can in some cases experience depression when they receive support. Their results underpin the inequity hypothesis, which states that unequal relationships create stress, such as when someone receives more support than she or he is able to return. Shumaker and Brownell (1984) offer the thesis that people who feel unable to return a benefit “may be less likely to seek assistance or accept it when offered” (p. 14). A relationship between provider and receiver could come to an end because the imbalance is too great. Jung (1990) suggests

the possibility that the receipt of support, without previous giving of support in return, may have different effects (the feeling of guilt) than the receipt of support from persons with whom there is a previous or expected future reciprocated exchange of support. (p. 250)

Whether support is provided by friends, family members, or strangers can thus make a significant difference in the recipient’s experience.

2. This article was written in 2019 and accepted for publication in 2020. The state of research thus refers to 2019 and before. During finalization, further research could be included only in selected cases.

Reciprocity has been given little attention in research on refuge. However, some studies do refer to reciprocity in passing. In their analysis of community social support for Cuban refugees in Texas, Barnes and Aguilar (2007, p. 235) found that they receive support before the potential for a reciprocal relationship can arise. In their study on social support networks of Somali refugees in Canada, Stewart et al. (2008, p. 137) showed that the Somalis in their research value reciprocity. However, they perceive their current living situation as impersonal and do not benefit from reciprocal relationships. Smith (2016) and Maiter et al. (2008) discuss the importance of reciprocity in theatre and community projects with asylum-seeking people. The cooperation of refugees, locals, and pedagogical staff creates a venue for mutual exchange. Breithecker and Stöckinger (2020) led interviews with 12 volunteers in refugee work in a German town. The authors found that the motives to engage range from commitment, to magnanimity, to self-interest. Some respondents said they expected thanks from the refugees.

While these studies hint at the importance of reciprocal relationships and the perspective of volunteers, there is still a need for studies that systematically reconstruct reciprocity in the biographies of refugees from the perspective of the refugees themselves.

Methods

In spring 2016, I conducted 10 qualitative interviews (Przyborski & Wohlrab-Sahr, 2010, pp. 138–145) with young refugees in the Rhine-Main region of Germany. The project³ reconstructed possibilities for and barriers to participation in the lives of young people. The interviewees⁴ were aged between 17 and 31 at the time of the interviews and fled to Germany from Syria, Iraq, and Afghanistan between 2010 and 2015 (see Table 1).

All of them arrived in Germany without their parents or other custodians. While some were accommodated in facilities of youth welfare, others received barely sufficient support from social workers. The interviews explored life before the young people were forced to leave their home countries; experiences during flight; the living situation in Germany; and desires for the future. Initially the topic of reciprocity was not the focus of the study. It was made relevant by the interviewees themselves. Taking a sensitive approach was important, since the young people had already experienced hearings by the Federal Office for Migration and Flight

Table 1. Study Sample

Name	Age	Country of origin
Alexander	27	Syria
Amir	24	Syria
Bassam	18	Syria
Daniel	17	Iraq
Fatih	22	Afghanistan
Karim	25	Syria
Marku	31	Syria
Said	24	Syria
Tarek	23	Syria
Zarif	23	Syria

and interrogations by police officers. Contact was initiated with the help of gatekeepers with whom the young people had already built trusting relationships. These gatekeepers (social workers in social services, as well as volunteers) were requested to ask for an interview with young people who were psychologically capable of doing so and who had an interest in telling their story. The procedure was explained to participants in detail. It was important to clarify the researcher's interest in their individual views. The interviews were conducted in German and English. The sample was limited to young people who were able to communicate in either language. Despite this challenge, the interposition of an interpreter was omitted in order to avoid artificiality. The interviews held in German were translated into English for this article. The analysis was done using category building in grounded theory (Strauss & Corbin, 1996). Topics were identified in the material (open coding), and categories were built and related to one another (axial coding). The results were gathered in the key category "wish for reciprocity" (Strauss & Corbin, 1996).

Results

This section identifies family members, friends, and other refugees on the run as well as social workers in the welfare system and informal support givers in the migration country as relevant support givers. While the young people were receiving and providing support before and during their flight,

3. The project was funded by the Institute of Education at Mainz University in Germany. Data collection and analysis as well as all procedures followed were in accordance with the ethical standards of the university's Ethical Commission of Faculty 02: Social Sciences, Media, and Sports.

4. Names of interviewees have been replaced by pseudonyms. The author expresses her heartfelt thanks to the participants for sharing their stories.

they ran the danger of being mainly assigned the role of recipients of support in the country of destination.

Exchange of Money, Information, and Experiences: Social Support Before and During Flight

Bassam was 18 years old at the time of the interview. In 2012 he fled from Syria, where he had lived with his parents and six siblings and attended school. Because Bassam was to be drafted into Assad's army, the family decided that he should leave the country. He was supported by his father, who "for this group ... gave money ... then I went to Turkey." Other interviewees named friends who helped organize their flight. Zarif was 23 years old and fled to Germany in 2015. He studied civil engineering in a city near Aleppo. His priority was to complete his undergraduate studies despite the dangerous situation in Syria. Before he finally fled, Zarif visited his parents in Aleppo and was picked up by members of the Islamic State but managed to escape. A friend loaned him the money for the journey. Both friends fled together. Twenty-four-year-old Said also fled with a friend from Syria. Said's mother died 10 years beforehand, while his father lived with his stepmother in Jordan. The friends were fleeing to Germany and assisted each other during the whole trip: "He was with me until now."

But it was not only family and friends who supported the organization of flight. Friends from other countries also played a central role, as emphasized by 25-year-old Karim. Karim studied engineering in Syria and fled to Germany in 2015. He left Syria when he received a "decision" to go to "Assad's army." Karim was supported by friends in Sweden, France, and Germany whom he contacted via Facebook. His friend in Germany described the country as safe: "Then I have told everyone that I am going to Germany."

The support that these young men received went hand-in-hand with the desire to support those left behind and to repay the money borrowed as quickly as possible. Zarif reported his sense of pressure to return what he had borrowed: "I have no money... And at the same time I must pay for my friend." Zarif lived with other Syrian refugees in a house in a small village. He attended school and hoped to pass his German language exam level B1 in a few months. He repeatedly voiced his concern about not knowing how things would develop. His situation was characterized by dependence on government services.

Said also had to draw on money from others to pay for his flight. He received emotional and financial support from his father. In return, he wanted to improve the living circumstances of his family and friends by studying in Germany: "I can study here and I can build something for my friends and for my family."

While some of the young refugees had recourse to support networks, others began their flight with almost no

support and became dependent upon strangers. Daniel was 17 years old at the time of the interview. When he was two months old, his family fled from the Taliban in Afghanistan and sought refuge in neighbouring Iran. The family lived unregistered and changed their residence regularly in order to remain undiscovered by the authorities. At the age of 13, Daniel began to work on a construction site, where the police found him. He was deported to Afghanistan without the knowledge of his family. Daniel had to be completely self-sufficient because he had no family contacts there. He travelled back to Iran and searched for his family for an entire year, but without success. Finally, he decided to flee with a friend. With the help of smugglers Daniel and his friend travelled from Iran to Turkey: "For two days, we just ran." They had no plans for the rest of their route. In Turkey, they met another escape helper who offered to bring them to Greece for a sum of money. The two were transported by car, ran for more than a day on foot, and covered part of the dangerous route by rubber raft across the Mediterranean Sea. After arriving in Greece, Daniel was completely disoriented: "I did not know where to go." He got to know other refugees, who advised him to go to Germany.

The cases illustrate the creation of mutual support networks during flight. These networks were of great importance, especially for those who had no support in the organization of their flight. They consisted of people in similar situations, grew by directly sharing information, and—with exception of the service of smugglers—required no service in return. Those young people who had received the support of family and friends felt an urgent wish and pressure to "give something back." The experience of support went hand-in-hand with reciprocity intended in the future.

The Receiving of Support in Host Countries

Narrations about support and reciprocity in the country of destination, Germany, occupied the largest share of the interviews. The young men mentioned family members in Germany—teachers and caretakers in pedagogical institutions, and volunteers, as well as employees of social welfare services—as part of their support network. Whether or not the young people had become part of the German youth welfare system made a big difference in the support they received and whether or not they could reciprocate.

From Recipient to Giver: Reciprocity as a Consequence of Support in Youth Welfare Facilities

Fatih was 22 years old at the time of the interview. In 2010, he entered Germany as an unaccompanied minor. Fatih was born in Kabul, Afghanistan. When he was two years old, his home was hit by a rocket. Fatih's parents died and he grew up

with his aunt and cousin. At the age of 16, he and his cousin were to be recruited by “Islamic fighters.” “Then I had to flee.” Fatih fled to Germany and was picked up by the police, who brought him to a clearing house for unaccompanied minor refugees. He claimed to have relatives in the Rhine Main area who had lived there for twenty years: “I contacted my aunt from there ... ‘Your nephew is here.’” Fatih spent three months in the clearing house. During that time he received support from his cousins: “My cousin was always there. My girl cousin was there.... here I have this problem ... we somehow managed it, until I learned the language.” In addition to practical support, Fatih’s relatives gave him confidence. Their support enabled him to become increasingly independent. Finally, Fatih was accommodated in a youth welfare house close to where his relatives lived and was able to increase his contacts with them. Fatih highlighted the importance of his caregiver. She was always there for him: she made “everything possible.” She worked as a link between the institution and the school and motivated Fatih to graduate: “Mrs. — took care that I could attend school.... I did not like school ... and then Mrs. — said to me, ‘You have to go to school.’” Fatih emphasized his caregiver’s encouragement: she “always told me we did it so far, we will also handle the rest.” It is striking that Fatih said “we,” signalling that his caregiver was always at his side. She strengthened his “self-confidence” and helped him “to keep my path straight and then go.” Meanwhile, Fatih had completed his training as a nurse and worked in a clinic. In the future, he hoped to “study medicine.” He moved into his own flat but still was in close contact with his caregiver, the young people in the youth facility, and the clearing house where he first lived. He visited “his old caregivers from time to time,” collected “clothes” and gave them to the “new refugees there.” He received clothing from his circle of friends or bought it himself: “I collect or either buy. I have enough money now and I earn well.”

Fatih’s case clarifies how the initial support of relatives and the child and youth services gradually became superfluous and enabled the young man to become autonomous. The experience of receiving support transformed into a reciprocal relationship. Now Fatih could support others. Or, in Sahlin’s words, the young man established reciprocity and symmetry in contrast to a previously unbalanced relationship.

Bassam, housed in a youth welfare facility as well, also emphasized the importance of reciprocity for his future. Bassam was picked up by the police when he arrived in Germany. He was kept in a basketball court and had to sleep on the ground. From Munich, he was taken to three more cities. For three months, he lived in a clearing house for unaccompanied minors before he was finally taken to a youth house. At the time of the interview, Bassam had lived in Germany for half a year. Like in Fatih’s case, social

workers in the youth welfare house fulfilled an important function. Bassam visited a refugee class in a vocational school but was dissatisfied with his separation from local pupils and the slow learning pace: “Class ... only for refugees ... we are under-challenged.” In the youth welfare house, Bassam received tutoring in German in order to be able to learn according to his abilities. The tutor was compensating for Bassam’s schooling experiences and met his wish for education. Bassam felt empowered to go his own way with the help he received. The support from social workers even served as a role model. Bassam aimed to learn a social profession “to help the people.... I like to be a pedagogue.” He became familiar with the profession as a recipient of support and wanted to give support by bringing his knowledge and professional commitment into society in the future.

Caught in the Trap of the Receiver: Denied Reciprocity and Irregular Support of Refugees Above the Age of 18

While young people in the child and youth welfare system received constant support from pedagogues, the situation of those outside the child and youth welfare system differed. Zarif, Karim, Said, Tarek, Alexander, Amir, and Markus were not included in facilities of the youth system because they were older than 18 when they entered Germany. They lived together with other asylum-seeking people in small houses and apartments.

Only Alexander and Tarek reported the support of professionals. Tarek was 23 years old. He fled to Germany from Syria and lived with other young men from Syria in a house in a small village in Hessa. The young men were visited weekly by staff from the social welfare centre, who helped them organize an internet connection and translate letters.

At the age of 27, Alexander fled to Germany from Damascus, together with his three brothers. Like Tarek, they all lived together in a rented apartment. Alexander mentioned two employees of the social welfare department as supportive contacts. At the beginning of his time in Germany, he and his brothers were placed in a camp with many more people: “If you need to eat, you have to wait for four hours.... It was not clean. A month in the tent and other people in a building.” Finally, two staff from the welfare department helped him to leave the camp and move into his own flat: “They gave this place to us.” Once they arrived in their new apartment, Alexander could establish contact with a cultural centre in the city, where he met other people, listened to “music,” and went to “parties.” The low-threshold cultural centre acted as a networking hub. It allowed contact with other refugees and locals. Support from the large welfare associations did not play a big role in his life. Asked whether he received support from social institutions such as Caritas,

Karim did not know what kind of support Caritas would provide.

Instead, contacts with volunteers were highly relevant in the lives of all the young men. Zarif described making the acquaintance of a young woman in Germany as a turning point after flight:

She helped me a lot. She has found a flat ... she is very active, everything. When I want an appointment with a doctor, she does it. When I want to meet with others, she does ... like my ... big sister.... I learn at school. I want to go to university faster.

The woman provided practical support and acted as a gatekeeper to more participation in Germany, integrated the young man into everyday life, and translated between the official and school structures and Zarif's lifeworld. The sequence shows that providing and receiving practical support was accompanied by strong emotional ties, as he referred to the young woman as "sister." At the same time, Zarif stated that he had "a lot of stress" when he called "the girl." In the future, he did not want to continue receiving support, but aimed to return something:

People are very, very nice and very good and very helpful. In the future, I want to give something back for this country.... Thank you for Mrs. Merkel.... Thank you for German people. I would like to study here in Germany. I also would like to help people in the future for Germany.

Zarif clearly demonstrated his wish and desire for reciprocity: like Bassam and Fatih, he wished to contribute to the common good. To be unable to contribute thus far, however, led to "stress." He was grateful for the support given to him by the state and individuals: "Germany paid for my food and drink. Paid for everything." Simultaneously, the support had become a burden: "I want to give something back here. But first maybe I need one year to finish my German language course ... I would like to learn and I would like to work." Zarif clarified that he could reciprocate only if he had access to German language courses, education, and the labour market, in order to be able to provide for himself by earning his keep.

Tarek was also aware of this dilemma: he wanted to give something in return for the support he received, but that was not yet possible. He received support from a female volunteer: "I do not know what I can do for ——. — always helps." The woman compiled grammar exercises so that Tarek could learn German language at his individual level.

Said also received informal support from a family: if he received incomprehensible letters from the authorities, he photographed them with his smartphone and sent the

photo via WhatsApp to the family, who provided quick feedback. The family compensated for difficulties such as a monolingual contact with authorities and supports with the help of digital media. Beyond practical support, the family fulfilled emotional functions: "We can eat together and we can sit together and just talk." The family served as a guide, thus enabling Said to acclimate himself in Germany: "They are like one who stood behind you and he or she tells you go from there and go from there and do this and don't do this." Said also experienced support as both a chance and a burden. He was looking for ways to return to the family but could not find forms of reciprocity that seemed appropriate: "The word 'thank you' is not enough." As a barrier to reciprocal action, Said mentioned his missing work permit and an imposed waiting: "I prefer to work something to ... to help someone but I'm still in my house and just waiting ... no one likes to sit for nothing." Despite these barriers, Said imagined a transnational space of action. He wanted to build a life in Germany and in Syria, his home country:

I prefer to make something in this country ... also I will try to build something in my country. If I have allow to stay in this country I will.... But no one knows what happens. Maybe ... they will sent all of us to Syria.... I prefer to build my country and this deep connection between me and this country.

Said aimed to return the support he had experienced by committing to Germany. That led to a strong identification with Germany—in addition to his identification with Syria. Whether he could build a future transnationally in both countries depended on whether he was granted a long-term residence permit.

Amir and Markus also hoped to remain in Germany. Their desire seemed linked directly to their wish for reciprocity and their gratitude. Markus completed his law studies in Syria. He was 31 years old and lived in a shared flat in a city in the Rhine Main region. His goal was to study in Germany and to find a good workplace. When asked at the end of the interview whether he wanted to add anything further, he said, "Thank you for Germany. Thank you for the German people and thank you for you." Markus considered "close contact with neighbours, with friends," and togetherness and reciprocity as strong values of his country of origin. He aimed to put those very same values into practice in Germany.

Amir shared this strong wish "to give something back." Amir was 24 years old, having fled Syria and now living in a Hessian city. He had to cancel his studies in economics in his home country because of the war and was attending an integration course. With the support of volunteers he found his own apartment and intended to study in Germany in

order to contribute to society: “In five years ... with work ... I hope to help back.”

Wish for Reciprocity: A Theoretical Conclusion

The young people’s narrations highlight their wish for reciprocity as an urgent need, especially in their country of destination. They experienced the support of professionals, volunteers, and family members already living in Germany. *Practical support* was given by helping with translations, teaching the German language, and organizing appointments. *Emotional support* was given by listening, encouraging, and strengthening young people’s self-confidence. The results show that young refugees above the age of 18 who were cared for in youth facilities obtained a wider range of support from pedagogical staff as compared to those young people who were not cared for by youth services as a result of their greater age. The ones who lived in houses and apartments depended mainly on representatives from the social welfare department, cultural centres, and volunteers.

Some respondents felt unable to respond adequately to the support of volunteers and suffered as a consequence. Experiencing a power imbalance led to stress (see also Blau, 1968/2005; Dunbar et al., 1998; Shumaker & Brownell, 1984). *Barriers to reciprocity* were difficult or delayed access to education and work. The interviewees wanted to earn a livelihood but depended on state and individual support—with the exception of Fatih. Fatih finished his training and returned the support to newly arrived refugees by reciprocating with donating clothing and being available as a contact person. Other interviewees *imagined reciprocating in the future*: they wanted to express their gratitude to individuals and to the state of Germany and strove to contribute their abilities to the common good. Their strong orientation towards occupations that offer professional help and support such as doctors and social workers is striking.

By lending support, the young people could experience self-efficacy. The experience of agency is key, especially in the context of flight: the young people managed to flee and were now trapped in strong dependencies. Refugees who received support from the youth welfare system were more able to build reciprocal social conditions as opposed to young refugees beyond the reach of the youth welfare system. Thus, those older than 18 years of age depended more on informal support from individuals, reinforcing their sense of being unable to return adequately.

Based on this analysis, Sahlin’s (1965/1999) differentiation between social interactions in generalized, balanced, and negative reciprocity can be extended to “refused reciprocity,” such as when people are keen to reciprocate received support but live in environments that restrict their ability to act (or, in their understanding, prevent them from doing so

adequately). Society as a whole must respond to such refused reciprocity by recognizing young people’s capacities, skills, and knowledge. It is important to reduce social barriers that increase their vulnerability, and instead to strengthen their agency. To accept their right to self-determination means to provide them with a legal status that gives them the power to go their own way in society and create independence.

Discussion

The well-being of young refugees is linked to their potential reciprocal action. The provision of support must go hand-in-hand with strengthening young people’s ability to act. It must not put them in a position of dependency but needs to support their self-determination.

In public discourse, young asylum seekers become visible mainly as recipients of support. It is important to take into account their capacities, knowledge, and need for reciprocity and to create social environments in which reciprocity can arise. This is precisely what young people wish and need. To reach this goal, they must have a right of residence and access to societal systems such as education or work. If access is denied, reciprocal action is hardly possible. While the young people know exactly what they want to achieve in Germany and how to create reciprocity, they need inclusive conditions at the political level. Social welfare systems must prevent refugees’ dependence on informal support, since it may evoke even greater feelings of commitment than formal support networks do. Youth and welfare services must provide support to all young refugees, regardless of whether they are above or under the age of 18. Informal support relationships can then be a complementary aid and will not need to fill the gap in missing professional structures.

References

- Barnes, D. M., & Aguilar, R. (2007). Community social support for Cuban refugees in Texas. *Qualitative Health Research*, 17(2), 225–237. <https://doi.org/10.1177/1049732306297756>
- Blau, P. M. ([1968] 2005). Sozialer Austausch. In F. Adloff & S. Mau (Eds.), *Vom Geben und Nehmen. Zur Soziologie der Reziprozität* (pp. 125–137). Campus.
- Bowling, N. A., Beehr, Terry A., & Swader, W. M. (2005). Giving and receiving social support at work: The roles of personality and reciprocity. *Journal of Vocational Behavior*, 67, 476–489. <https://doi.org/10.1016/j.jvb.2004.08.004>
- Breithecker, R., & Stöckinger, M. (2020). Ist Geben seliger als Nehmen? Die Bedeutung von Gaben und Gegengaben in den Beziehungen von bürgerschaftlich engagierten und geflüchteten Menschen. In A. Schulz & T. Schwertel, (Eds.), *Der lange Sommer der Flucht – 2015 und danach* (pp. 73–97). Barbara Budrich.

- Brown, S. L., Nesse, R. M., Vinokur, A. D., & Smith, D. M. (2003). Providing social support may be more beneficial than receiving it. *Psychological Science*, 14(4), 320–327. <https://doi.org/10.1111/1467-9280.14461>
- Bundesamt für Migration und Flucht (BAMF). (2019). Aktuelle Zahlen. March 2019. http://www.bamf.de/SharedDocs/Anlagen/DE/Downloads/Infothek/Statistik/Asyl/aktuelle-zahlen-zu-asyl-maerz-2019.html;jsessionid=8E9E9C1CCoC37E396A02F8F3FBA92A75.2_cid368?nn=1694460
- Dunbar, M., Ford, G., & Hunt, K. (1998). Why is the receipt of social support associated with increased psychological distress? *Psychology & Health*, 13(3), 527–544. <https://doi.org/10.1080/08870449808407308>
- Gouldner, A. W. (1960). The norm of reciprocity: A preliminary statement. *American Sociological Review*, 25(2), 161–178. <https://www.jstor.org/stable/2092623>
- Gouldner, A. W. ([1984] 2005). Etwas gegen nichts. Reziprozität und Asymmetrie. In F. Adloff & S. Mau (Eds.), *Vom Geben und Nehmen. Zur Soziologie der Reziprozität* (pp. 109–123). Campus.
- Hamann, U., & Karakayali, S. (2016): Practicing Willkommenskultur: Migration and solidarity in Germany. *Intersections*, 2(4), 69–86. <https://doi.org/10.17356/ieejsp.v2i4.296>
- Institute of Research in Social Pedagogy Mainz (ISM). (2019). Entwicklung der jugendhilferechtlichen Zuständigkeit für umA im bundesweiten und rheinland-pfälzischen Vergleich. https://b-umf.de/src/wp-content/uploads/2019/02/2019_01_03_uma-meldung.pdf
- Jung, J. (1990). The role of reciprocity in social support. *Basic and Applied Social Psychology*, 11(3), 243–253. https://doi.org/10.1207/s15324834baspp1103_2
- Kohli, R. K. S. (2011). Working to ensure safety, belonging and success for unaccompanied asylum-seeking children. *Child Abuse Review*, 20, 311–323. <https://doi.org/10.1002/car.1182>
- Maiter, S., Simich, L., Jacobson, N., & Wise, J. (2008). Reciprocity: An ethic for community-based participatory action research. *Action Research*, 6(3), 305–325. <http://dx.doi.org/10.1177/1476750307083720>
- Mauss, M. ([1968] 2005). Die Gabe. In F. Adloff & S. Mau (Eds.), *Vom Geben und Nehmen. Zur Soziologie der Reziprozität* (pp. 61–72). Campus.
- Nelson, M. K. (2000). Single mothers and social support: The commitment to, and retreat from, reciprocity. *Qualitative Sociology*, 23(3), 291–317.
- Neufeld, A., & Harrison, M. J. (1995). Reciprocity and social support in caregivers' relationships: Variations and consequences. *Qualitative Health Research*, 5(3), 348–365. <https://doi.org/10.1177/104973239500500306>
- Przyborski, A., & Wohlrab-Sahr, M. (2010). *Qualitative Sozialforschung* (3rd ed.). Oldenbourg.
- Sahlin, M. D. ([1965] 1999). Zur Soziologie des primitiven Tauschs. *Berliner Journal für Soziologie*, 9(2), 149–178.
- Shumaker, S. A., & Brownell, A. (1984). Toward a theory of social support: Closing conceptual gaps. *Journal of Social Issues*, 40(4), 11–36. <http://dx.doi.org/10.1111/j.1540-4560.1984.tb01105.x>
- Siim, B., Saarinen A., & Krasteva A. (2019). Citizens' activism and solidarity movements in contemporary Europe: Contending with populism. In B. Siim, A. Krasteva, & A. Saarinen (Eds.), *Citizens' Activism and Solidarity Movements* (pp. 1–24). Palgrave Macmillan.
- Simmel, G. ([1908] 2005). Exkurs über Treue und Dankbarkeit. In F. Adloff & S. Mau (Eds.), *Vom Geben und Nehmen. Zur Soziologie der Reziprozität* (pp. 95–108). Campus.
- Smith, A. (2016). "They have become my family": Reciprocity and responsiveness in a volunteer-led program for refugees in migrants. *ArtsPraxis*, 3, 71–86.
- Stegbauer, C. (2011). Reziprozität. Einführung in soziale Formen der Gegenseitigkeit (2nd ed.). Verlag für Sozialwissenschaften (vs).
- Stewart, M., Anderson, J., Beiser, M., Mwakarimba, E., Neufeld, A., Simich, L., & Spitzer, D. (2008). Multicultural meanings of social support among immigrants and refugees. *International Migration*, 46(3), 123–159. <https://doi.org/10.1111/j.1468-2435.2008.00464.x>
- Strauss, A., & Corbin, J. (1996). *Grounded Theory*. Beltz.
- Takizawa, T., Kondo, T., Sakihara, S., Ariizumi, M., Watanabe, N., & Oyama, H. (2006). Stress buffering effects of social support on depressive symptoms in middle age: Reciprocity and community mental health. *Psychiatry and Clinical Neurosciences*, 60, 652–661. <https://doi.org/10.1111/j.1440-1819.2006.01579.x>
- UNHCR (2020). Figures at a glance. <https://www.unhcr.org/figures-at-a-glance.html>
- Väänänen, A., Buunk, B. P., Kivimäki, M., Pentti, J., & Vahtera, J. (2005). When it is better to give than to receive: Long-term health effects of perceived reciprocity in support exchange. *Journal of Personality and Social Psychology*, 89(2), 176–193. <https://doi.org/10.1037/0022-3514.89.2.176>
- Wellmann, B., & Wortley, S. (1990). Different strokes from different folks: Community ties and social support. *American Journal of Sociology*, 96(3), 558–588. <http://dx.doi.org/10.1086/229572>

Williams, H. (1995). There are no free gifts! Social support and the need for reciprocity. *Human Organization*, 54(4), 401–409. <https://doi.org/10.17730/humo.54.4.w233493122q420v7>

Caroline Schmitt is a professor of migration and inclusion research at Alpen-Adria-University, Klagenfurt, Austria. She can be reached at caroline.schmitt@aau.at.

“Boat People” and Discursive Bordering: Australian Parliamentary Discourses on Asylum Seekers, 1977–2013

JOHN VAN KOOY, LIAM MAGEE, AND SHANTHI ROBERTSON

Abstract

This article draws upon content analysis of Australian parliamentary transcripts to examine debates about asylum seekers who arrived by boat in three historical periods: 1977–1979, 1999–2001, and 2011–2013. We analyze term frequency and co-occurrence to identify patterns in specific usage of the phrase “boat people.” We then identify how the term is variously deployed in Parliament and discuss the relationship between these uses and government policy and practice. We conclude that forms of “discursive bordering” have amplified representations of asylum seekers as security threats to be controlled within and outside Australia’s sovereign territory. The scope of policy or legislative responses to boat arrivals is limited by a poverty of political language, thus corroborating recent conceptual arguments about the securitization and extra-territorialization of the contemporary border.

Résumé

Cet article s’appuie sur une analyse de contenu de transcriptions de débats parlementaires australiens sur les demandeurs d’asile arrivés par bateau lors de trois périodes historiques: 1977–1979, 1999–2001 et 2011–2013. Nous analysons la fréquence et cooccurrence des termes afin d’identifier des tendances dans l’utilisation spécifique de l’expression « boat people ». Nous identifions ensuite comment le terme est déployé dans les débats parlementaires à travers le temps et discutons du rapport entre ces utilisations et les politiques publiques et pratiques gouvernementales. Nous en arrivons à la conclusion que des formes de traçage discursif de frontières ont amplifié les représentations des demandeurs d’asile comme une menace sécuritaire devant être contrôlée à l’intérieur et à l’extérieur du territoire souverain de l’Australie. L’étendue des réponses politiques ou législatives à l’arrivée des bateaux est limitée par la pauvreté du langage politique, corroborant ainsi les arguments conceptuels récents autour de la sécurisation et de l’extra-territorialisation de la frontière contemporaine.

Introduction

The arrival of boats carrying primarily Vietnamese refugees in the mid-1970s began a decades-long public debate about Australia's humanitarian obligations, management of its coastline borders, and the impacts of irregular and "unauthorized" immigration. Relative to Australia's overall immigration intake, small numbers of boat arrivals have been the source of disproportionate public anxiety and media attention. In pursuit of political capital and electoral gains, politicians have sought to either subdue or stoke these tensions by shaping, through careful selection and association of linguistic terms, how their constituencies respond to the arrival of "boat people." Performance of these language games is staged across a variety of forums, including Australia's upper and lower houses of Parliament. Without thoroughly determining migration policy and practice, such games provide a scaffolding for policy consequences well beyond territorial borders.

While Australia's refugee intake has always been small in comparison to other receiving contexts globally, its evolving configuration of all three elements—policy, practice, and language—presents an extreme and illustrative case study of discursive bordering. Condemned by global institutions, human rights organizations, and local activists, Australia's contemporary asylum policies have nonetheless been heralded by politicians in Europe in recent years as possible solutions to the European "refugee crisis"—a successful experiment in the exercise of what Jakubowicz (2016, pp. 162–163) has termed "ethnocratic power," conducted in "the North in the South." Australia's role as an incubator of repressive border policy development and implementation has seen it variously externalize its borders to block asylum routes, employ third-party regional settlement agreements, and privatize detention regimes—all strategies now considered or adopted by other receiving countries (Martins & Strange, 2019; Little & Vaughan-Williams, 2017). Given their seminal role and global significance, it is important to understand the antecedents and genealogies of Australia's current asylum regime, together with the discursive histories of "border work" that have produced them.

Both in Australia and internationally, the term "boat people" has often been an important signifier in critical analyses of the role of discourse in shaping normative understandings of forced migration in settler contexts and the subsequent "Othering" of asylum seekers. Much of this literature has focused on qualitative analysis of media discourse within discrete periods of time, often centring on critical incidents or specific groups of asylum seekers (Lueck et al., 2015; McKay et al., 2011). In this article, we instead adopt a longitudinal frame, analyzing in quantitative and qualitative terms the evolution of Australian parliamentary

discourse over three distinct waves of boat arrivals spanning three-and-a-half decades. Focusing on formal political discourse is significant, we argue, because of the recognised institutional authority of Parliament, which permits politicians' use of classifying schemes, concepts, and definitions to structure, project, and legitimate particular representations of reality (Bourdieu & Wacquant, 1992).

National borders are the sites where governments enact the "spectacle" of immigration enforcement, deterrence, and detention, allaying public fears while reasserting territorial claims to an international audience (De Genova, 2013). The deployment of classificatory distinctions and associations in the Australian Parliament indicate significant performances of "border work" that occur far from territorial boundaries. We argue that usage of the label "boat people" in the houses of Parliament creates, reinforces, and popularizes certain understandings of immigration dynamics that evolve and sediment over time. Situated within assertions of (il)legality or (in)authenticity, the term "boat people" reflects a narrow presentation of policy options that have already been determined—an attempt to set the boundaries of policy action and reform. Examining how politicians across party lines use language in different time periods can help to delineate the wider epistemic character of these discourses and identify alternative discourses that may have been ruled out.

In this article, we combine quantitative content analysis of word frequencies with qualitative discourse analysis to understand how borders are performed through official language (Rumford, 2006), and how such performances transform or remain static as governments, public attitudes, and migration patterns change. We begin by briefly discussing previous research on representations of boat people in Australian media, parliamentary, and public discourse. We then discuss three periods of increased boat arrivals to Australia over the past 40 years and describe our methods for analyzing the parliamentary debates that followed. We present findings before concluding with suggestions for further research and action.

Discursive Bordering: Parliamentary Debates, Public Opinion, and Policy Framings

As political theorists and discourse analysis scholars have long argued, political and parliamentary discourse enacts games of language and power (Bourdieu, 1991; Wittgenstein, 2009; Wodak, 1999). Language "tokens," rhetorical tropes, and metaphorical schemes used in parliamentary debates can be viewed as effecting game moves, strategies, and gambits deployed to secure public opinion and leverage political advantage (Bächtiger et al., 2008). In Australia, elected representatives have constructed and formalized classifying labels for migrants, refugees, and asylum seekers, making

these socially constructed categories palatable to the wider public while also deploying them to attack political adversaries and help win elections (Leach, 2003; Rowe & O'Brien, 2014; Stevens, 2012). As Rowe and O'Brien (2014) suggest, parliamentary representations of people seeking asylum who arrive by boat have the potential to influence policy directions. Language games thus function as forms of "border work"—that is, as critical elements of the processes and relationships through which state borders are produced, interpreted, and contested (Reeves, 2014). Other parts include policy formulation, media representation, negotiation with other states, and, not least, the physical securitization of borders and management of migrant bodies.

Previous studies have demonstrated how binary representations of boat arrivals—particularly the use of qualifiers such as "legal" or "legitimate" versus "illegal" or "illegitimate"—shape public opinion and influence Australian government policy through the qualitative analysis of media discourse (Betts, 2001; Corlett, 2000; Goot & Watson, 2011; McKay et al., 2011). Pickering (2001), for example, argued that distinctions made between "legal" refugees and "illegal" boat people in newspaper articles served to justify draconian state responses, such as putting international treaties on hold and closing immigration routes. Media representations of asylum seekers in Australia are dominated by such stark contrasts, and suggestions of softening offshore processing and detention policies have solicited savage responses from sections of the press (Cameron, 2013; McKay et al., 2011). Letters published in national newspapers have reflected opinions of asylum seekers as "parasites," "leeches," and the "greatest peril imaginable" (Corlett, 2000).

Public reactions to boat arrivals have ranged from a compassionate "cosmopolitan sensibility" that considers Australia an inclusive nation, to exasperation, fear, and outright hostility (Haslam & Pederson, 2007). A 2010 Australian Election Study poll found that 55% of respondents thought boats carrying asylum seekers should be turned back (Goot & Watson, 2011). Public anxieties about boat people and unauthorized immigration reverberate back through parliamentary chambers, becoming entangled with policy responses from both government and opposition parties (Every & Augoustinos, 2008). Bureaucratic terminology can similarly both reflect and infect public and political debates, as in the 2013 invention of the term "illegal maritime arrivals" by then Immigration Minister Scott Morrison during Operation Sovereign Borders, to arguably dehumanizing ends (Robertson, 2019). As we show below, however, for over

40 years the use of "boat people" has remained a persistent frame of reference and a signifier capable of bearing subtle associative shifts and doing politically expedient work. Unlike the binary qualifiers often explored in media analyses or the consciously dehumanizing bureaucratic language of more recent immigration regimes, "boat people" has been a term that has moved across both humanitarian and securitized approaches to asylum seeking and across governments from both sides of the political spectrum.

We acknowledge the interdependency of different sources in the evolution of discourse on asylum seekers. However, by focusing on parliamentary debate over an extended period of time, we offer a counterweight to analyses that have favoured relatively time-bound, "snapshot" analyses of media discourse or public opinion. Through a temporal analysis of political language, we illustrate the explicit and covert roles that language plays in refugee policy debates alongside geopolitical conditions, partisan ideologies, and migration patterns. In doing so, we point toward how rhetorical strategies might be used to explore possibilities for more humane and equitable immigration policy.

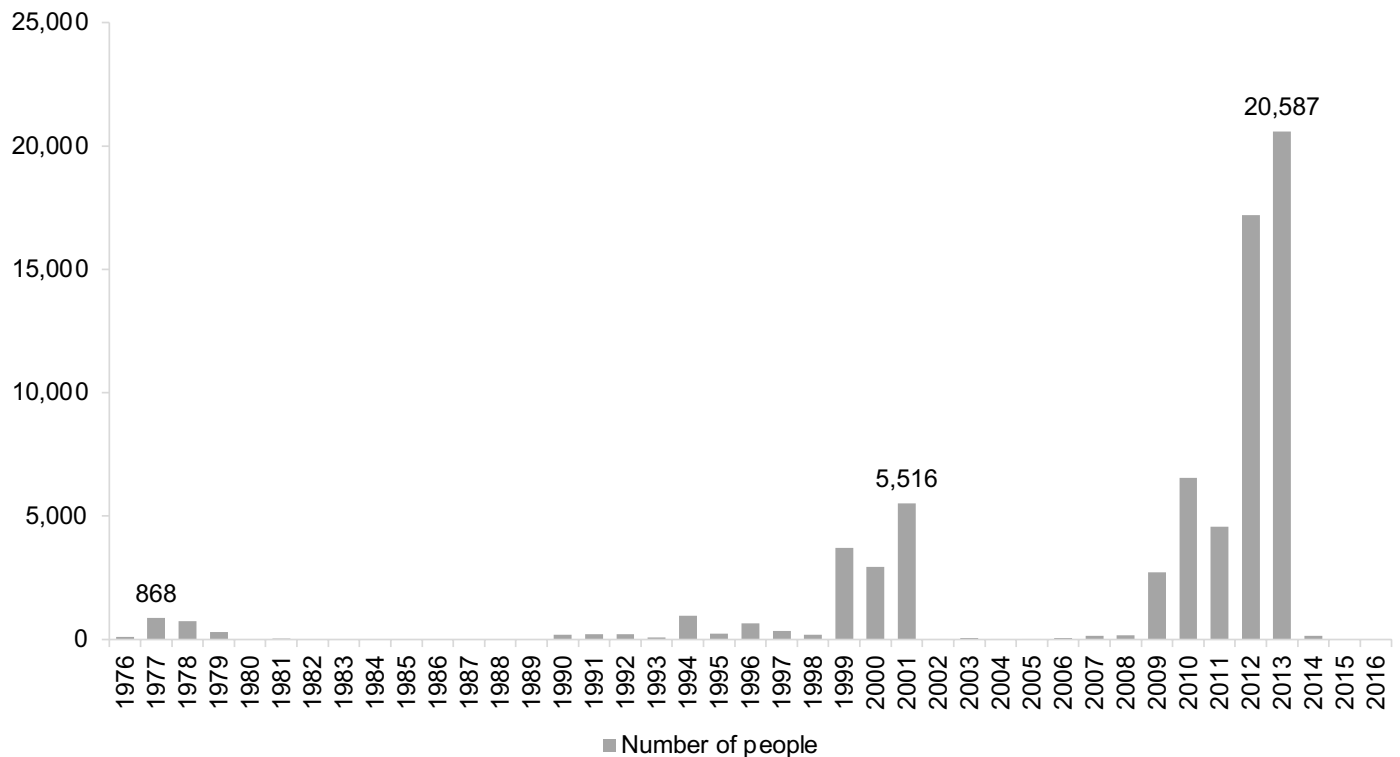
Continuity and Change in Public and Parliamentary Response: Three Waves of Boat Arrivals, 1977–2013

As shown in Figure 1, three historical "waves" of boat arrivals can be observed from 1977–1979, 1999–2001, and 2009–2013—with respective peaks in 1977, 2001, and 2013. In each of these periods, the increases in boat arrivals met with corresponding surges in media attention and parliamentary debate. To allow for comparable three-year time periods, we have reduced 2009–2013 to 2011–2013 in our analysis.

Following the introduction of the term "boat people" to the Australian political vernacular in 1976, each wave of boat arrivals coincided with new patterns and discordances in parliamentary debates. In addition, Australian federal elections in December 1977, November 2001, and September 2013 occasioned intense public debate on Australian immigration policies and correspond to high-profile migration-related events and policy episodes.

The arrival of boats in the 1970s carrying refugees from Indochina—an ethnically and culturally distinct minority group (mostly Vietnamese) seeking humanitarian protection and long-term resettlement support—represented one of the first major challenges to Australia's immigration regime since the dismantling of the White Australia policy architecture (see Figure 1).¹ From April 1976 to August 1981,

1. The White Australia policy describes a continuum of 20th-century immigration restrictions, beginning with Australia's federation in 1901, that sought to curtail the entry of non-white/non-European immigrants and had largely bipartisan support until the end of the Second World War. While these policies were progressively dismantled between the early 1940s and the early 1970s,

Figure 1. Boat Arrivals to Australia with Peaks, by Calendar Year

Source. Philips (2017)

some 2,059 refugees landed by boat on Australia's northern shores (Philips, 2017). Images of refugees desperately seeking asylum in leaky boats followed the visceral impact of the extensively televised U.S. war in Vietnam. Boat arrivals were one of the issues that dominated the news in the lead up to the December 1977 federal election (Betts, 2001).

After the re-election of the federal Liberal Party and Prime Minister Malcolm Fraser in 1977, the annual refugee intake was increased to 10,000 people, while aircraft and naval patrols were reinforced along Australia's northern coast to deter "unauthorized" boat arrivals. Despite public resistance to increased refugee resettlement, political debates were marked by relative compassion and sympathy, demonstrating bipartisan recognition of the deteriorating situation in Vietnam, and of Australia's international humanitarian obligations (Stevens, 2012).

More people arrived by boat to seek asylum in Australia between 1999 and February 2000 than in the years following

the U.S. war in Vietnam, prompting renewed public attention (Corlett, 2000). Betts (2001, p. 45) highlights how public receptivity to boat people changed following this increase:

In the late 1970s many people could have thought that to turn the boats around would be to condemn innocent and desperate people to death by drowning. [In 2001] a person offering this response could think, "Let the people smugglers take them back to Indonesia."

The Liberal government under Prime Minister John Howard adopted a hard-line stance at the turn of the century, combining offshore detention and processing of asylum seekers on small island states with high-profile military and naval operations. Refugees and people seeking asylum were especially prominent in media and public discourse after the *mv Tampa* incident—a tense standoff in Australian coastal waters in which the Special Air Service boarded and returned a vessel carrying over 400 asylum seekers to Nauru

the formal "end" of the White Australia policy is usually attributed to Gough Whitlam's Labor government in 1973, with the introduction of non-discriminatory migrant selection processes and multicultural settlement policy. For detailed context of the political history of Australian immigration, see Jupp (2002) or Markus (2001). For comprehensive analysis of the White Australia policy, see Tavan (2005) or Brawley (1995).

(Saxton, 2003). Many of the boat arrivals during this period were from Iraq and Afghanistan; Corlett (2000, p. 31) has argued that moves to intercept and detain boats symbolized public anxiety about demographic change, and the fear of “invasion” and “mass immigration out of control.”

Seeking re-election in November 2001, Liberal ministers dramatically inflated the asylum-seeker issue as a threat to Australian sovereignty, prompting concern from the United Nations High Commissioner for Refugees (Pugh, 2004). Reflecting a much more restrictive policy disposition and the heightened anxieties about global terrorism in the immediate aftermath of 9/11, during election campaigning Howard famously declared, “We will decide who comes to this country and the circumstances in which they come” (Liberal Party, 2001).

Media and parliamentary attention to asylum seekers spiked again during a third wave of boat arrivals, beginning in 2009. Following the sinking of an Indonesian ship carrying 49 asylum seekers off the northwest coast of Australia in April, newspaper articles were dominated by concerns about “waves” and “floods” of refugees, terrorism, and threats to national security (McKay et al., 2011). In 2010, 45% of respondents to a national opinion poll thought Australia was dealing with “huge numbers” of “boat people.” While the number of boat arrivals in 2010 reached 6,555—the highest annual number in Australia’s history at the time—it remained small in comparison to the net permanent immigration figure of around 172,000 people and over one million temporary visa holders in the country by the end of 2011 (Philips & Simon-Davies, 2017).

As numbers of boat arrivals continued to increase through 2010 and 2011, the federal government under Labor Prime Minister Julia Gillard reopened offshore “processing centres” and moved to return people who had their asylum claims rejected to their countries of origin—notably Afghanistan (Philips, 2017). Despite considerable debate, the two major political parties agreed in broad terms that “boat people” constituted a border security problem first and foremost (Rowe & O’Brien, 2014).

Methodology

Prior studies have applied critical discourse analysis to parliamentary debates about asylum seekers and refugees (see, for example, Every & Augoustinos, 2008). Such studies, however, have centred on specific contemporary “flashpoints” in the asylum-seeker debate such as the 2001 Tampa incident. While we follow a similar approach in studying transcripts of Australian parliamentary proceedings retrieved from the Hansard record to examine terms employed in debates about asylum seeking and unauthorized immigration, our analysis seeks to explore continuities and shifts in discourse over a more extended period, to explore how political discourse has evolved as public attitudes, geo-political concerns, and

forced migration patterns have transformed. We thus analyze transcripts containing the term “boat people” across the three periods discussed above.

Our analysis combines quantitative content analysis with qualitative discourse analysis. The quantitative analysis explores parliamentary discussions of boat people through word frequency analysis of correlated terms. Hansard is the “report of the proceedings of the Australian Parliament and its committees” and includes both upper and lower houses (Parliament of Australia, n.d.). Using the Hansard search function of the Parliament of Australia website, we searched for transcripts containing the phrase “boat people” across all available categories: Senate; House of Representatives; Main Committee; Joint Committees; Estimates; and All Other Committees. We downloaded the resulting matched documents in XML format and extracted only those paragraphs mentioning “boat people” into a text corpus. This corpus was simplified by consolidating word stems and removing common English stop words (extended to include terms common to parliamentary discourse, such as “minister,” “government,” “matter,” and “Australia”). We then generated word frequencies in table formats and looked for patterns in the text across the three chosen periods, along with changes in the relative frequency of terms. While Parliament is far from the only site that generates political discourse on boat people, Hansard presents a strong source for a rigorous and longitudinal analysis, as it presents an accessible, standardized, and consistent corpus across the periods of concern.

Rather than code the textual data or attempt to estimate policy positions from the words in our corpus (as in dictionary-based coding methods or “scoring” procedures; see Laver et al., 2003) we examine the word frequencies that are generated from the reference texts to identify how words that are co-located with “boat people” serve to frame policy debate.

For the qualitative analysis, we interpreted both the word frequencies and selected quotes from the Hansard excerpts through the lens of Bacchi’s (2009) “What’s the problem represented to be?” (WPR) method. Our qualitative analysis adapts Bacchi’s WPR questions, asking: What is the “problem” represented to be? What is left unproblematic—where are the silences? What effects are produced by this representation of the “problem”? Drawing on Foucauldian post-structuralism, Bacchi (2012) argues that the purpose of interrogating “problematisations” using such questions is to “dismantle” discursive objects and show how they have come to be “true” and “real.” The strategic point of doing so is to disrupt the status of terms used by those who govern so that we may open up relations of ruling for scrutiny and create “room to manoeuvre” on dominant policy positions.

Following this approach, we first identify problems implied in the correlation of terms with “boat people” in

Table 1. References to “Boat People” in Each Period, and Percentage of Those References in House of Representatives

Wave	Period	References to “boat people”	References in House of Representatives (%)
First	1977–1979	68	39.7
Second	1999–2001	123	28.5
Third	2011–2013	196	67.9

the text corpus. We then explore the binaries, concepts, and categories that support the problem representation. We situate these results within a historical reading of the three periods to illustrate ways that parliamentary discourse co-produces—alongside media and other discursive channels—the political moniker of the “boat person” across time. This analysis allows us to explore the varied ways in which asylum seekers were constituted in the debate during these three critical periods.

Content Analysis of Parliamentary Hansard

After the introduction of the term into Parliament in 1977, “boat people” features with increasing prominence in subsequent years, reflecting its normalisation within both political and wider public discourse. Table 1 illustrates this rising usage, alongside the proportion of references in the House of Representatives relative to Parliament overall.

The second period represents an 80.9% increase in references to “boat people” over the first period, while the third period shows a 59.3% increase in references to “boat people” over the second period. Given a slight overall decline in parliamentary sitting time,² these findings indicate that not only does the term “boat people” figure more prominently, but more parliamentary time is spent discussing associated issues. This trend rises sharply during the third wave. Indicating its accentuated role to policy, references to “boat people” are both more numerous and far more likely to be mentioned in House of Representatives debates.

2. We calculated the ratio of parliamentary sitting days to calendar days for the upper house (Senate) and the lower house (House of Representatives) in each period. The Senate sitting rate is approximately 18% of days during 1977–1979, 20% of days during 1999–2001, and 15% of days during 2011–2013. The House of Representatives sitting rates are 21, 20, and 17% of days respectively.

Table 2. Term Ranking, by Period and Overall

Term	Wave 1	Wave 2	Wave 3	Overall
Countries	2	4	1	1
Refugee	1	5	2	2
Immigrant	6	2	22	3
Problem	4	6	35	4
Process	28	39	13	5
Vietnamese	7	82	36	6
Australians	18	94	28	7
Cost	78	28	42	8
World	67	49	34	9
Political	75	12	65	10
Illegal	159	1	7	11
Contribute	32	47	95	12
Visa	137	10	48	13
Concern	16	11	190	14
Deal	198	30	14	15
United	46	22	178	16
Department	114	21	116	17
Fact	33	170	51	18
Stop	145	84	29	19
Recent	76	26	177	20
Area	15	55	216	21
Live	167	65	58	22
Indonesia	112	46	134	23
Place	176	101	18	24
Better	108	153	55	25

Term Frequencies

The 25 most highly ranked terms common to all three periods are shown in Table 2, along with the relative ranks in each of the three periods. Unsurprisingly, geographical terms (“countries,” “world,” “area,” “place,” as well as individual country and people names) feature prominently. Terms

Table 3. Positive Changes in Relative Frequency

Term	Periods 2–1	Term	Periods 3–1	Term	Periods 3–2
Illegal	1.88	Policies	0.80	Labor	0.79
Immigrant	0.59	Labor	0.80	Countries	0.45
Visa	0.36	Illegal	0.56	Boatloads	0.43
Figure	0.34	Work	0.51	Solution	0.42
Work	0.26	Deal	0.45	Coalition	0.38
Legislation	0.23	Malaysia	0.42	Signatories	0.36
Access	0.22	Offshore	0.35	Tax	0.35
Centre	0.22	Place	0.33	Offshore	0.35
Media	0.19	Border	0.33	Border	0.35
Address	0.19	Opposite	0.32	Process	0.33
Political	0.19	Send	0.29	Asylum	0.33
Department	0.17	Process	0.22	Protect	0.32
Lot	0.17	Lost	0.20	Deal	0.28
Yesterday	0.17	Announced	0.20	Send	0.28
Deal	0.16	Change	0.20	Place	0.27
Solve	0.14	Stop	0.19	Work	0.26
Arrival	0.13	Pay	0.17	Announced	0.25
Initial	0.13	Let	0.16	Refugee	0.22
Queue	0.12	Budget	0.16	Lost	0.22
Course	0.12	Times	0.15	Billion	0.21

associated with refugees and humanitarian policy such as “refugee,” “problem,” “contribute,” and “concern” are comparatively highly ranked in the first period, while a mix of economic, legal, and procedural terms (“illegal,” “political,” “cost,” “process,” “visa,” “stop,” “deal”) become more prominent in periods two and three. Whereas “illegal” is a remote concern in the first period, it becomes a key discursive token in the subsequent two periods, where it is often attached to “immigrant”: in the first period, the joint term “illegal immigrant” is mentioned only 8 times, while in the second period it is referenced 179 times.

Changes in Relative Frequency of Terms

To analyze changes of common terms, we subtracted their relative frequencies: period one from period two, period one from period three, and period two from period three. Tables 3 and 4 show the top 20 positive and negative changes for

each set of differences between frequencies. Table 3 confirms the shift in language from humanitarianism to proceduralism noted above: terms such as “illegal,” “political,” “visa,” “centre,” “access,” and “legislation” feature more prominently in period two. The third period introduces terms of a more complex border-management infrastructure—“offshore,” “solution,” “border,” “policies,” and “asylum”—and includes a large number of terms related to the financing of that industry, including “deal,” “tax,” “billion,” “budget,” and “pay.” These changes are large, relative to both preceding periods.

Negative changes highlight the geographic specificity of arrivals in the late 1970s, with more references, relatively, to specific countries, people, and directions: “Vietnamese,” “Thailand,” “Darwin,” “east,” and “south.” Again, the language of humanitarian obligation (such as “refugee”) is prominent in the first period but virtually vanishes in later periods, while terms such as “receive” and “report”

Table 4. Negative Changes in Relative Frequency

Term	Period 2–1	Term	Period 3–1	Term	Period 3–2
Refugee	-2.96	Refugee	-2.75	Illegal	-1.31
Situation	-0.81	Situation	-0.88	Immigrant	-1.03
Vietnamese	-0.64	Problem	-0.84	Committed	-0.55
Status	-0.56	Status	-0.68	Concern	-0.39
Thailand	-0.52	Vietnam	-0.64	Problem	-0.38
Ethnic	-0.49	Vietnamese	-0.54	Figure	-0.35
Vietnam	-0.48	South	-0.47	Communities	-0.33
Problem	-0.46	Immigrant	-0.44	Measure	-0.31
Countries	-0.43	Receive	-0.41	Visa	-0.27
Report	-0.42	Report	-0.41	Head	-0.25
Affairs	-0.41	Area	-0.41	Chinese	-0.25
East	-0.39	Concern	-0.39	Political	-0.23
South	-0.38	Present	-0.30	Access	-0.23
Darwin	-0.37	East	-0.29	Period	-0.22
Receive	-0.36	Direct	-0.27	China	-0.21
Indochina	-0.31	Total	-0.27	United	-0.20
Refer	-0.30	Migrant	-0.26	Recent	-0.20
Present	-0.29	Statement	-0.26	Detained	-0.20
Australians	-0.28	Authorities	-0.26	Forward	-0.20
Area	-0.27	Asia	-0.26	Address	-0.20

emphasize the nation's perceived role in monitoring and accommodating refugees. Differences between periods two and three, though more minor, illustrate a subtle shift from legal and securitized to logistical and economic language—terms such as “illegal” and “detained” become less frequent.

Three Waves of Parliamentary Discourse

To examine shifts in the terms and content of the debate on boat people over time, in this section we situate the word-frequency data above within a critical qualitative analysis of the historical context and key debates in which the term “boat people” appears. We use illustrative quotes from Hansard across the three periods to contextualize the significance of word frequencies (the rankings of specific terms in each wave of data are noted in parentheses). In applying Bacchi's WPR questions, we can discern patterns in the evolution of concepts and “problems.”

Wave One: Fraser Era (1977–1979)

During the period of government under conservative Prime Minister Malcolm Fraser, debates centre on establishing facts and discussing practical responses to Indochinese refugees arriving by boat, such as orderly immigration processes and matters of housing or cultural integration. The problematization of boat people in this period largely reflects the Australian government's response to an emerging geopolitical situation. The U.S. war in Vietnam produced a regional crisis. Australia's relative proximity to the conflict zone, the bipartisan desire to distance parliamentary discourse from the White Australia policy era, and the Fraser government's own ideological support for those fleeing the perceived spread of communism meant there was little dispute of the validity of boat arrivals' claims to political asylum. Then Minister for Immigration and Ethnic Affairs Michael MacKellar described those fleeing as Australia's “allies” (Peterie, 2016). Parliamentary discourse in this period consequently does

not portray boat people as a significant threat to Australia's sovereign borders, but takes an approach described by Stevens (2012) as more "pragmatic" than "inclusive."

The range of terms co-located with the use of "boat people" is limited during the Fraser era, with emphasis on parliamentarians gaining an understanding of the "problem" (ranking #4), the "situation" (#5), or the "status" (#9) of "affairs" (#10). The policy problem in question is one of information and institutional capacity. For example, in May 1978 one Labor Party senator in Opposition, noting the reported arrival of 3,000 boat people in the previous month, asks the immigration minister for the "actual number of refugees who have arrived in Australia to date," and for his comment on the pragmatic issue of their accommodation in hostels (Commonwealth, 1978b).

"Refugee" (#1) is the dominant term co-located with "boat people" during this period, indicating a conceptual link between boat arrivals and their pursuit of political asylum. Many passages refer to boat people as refugees synonymously, without establishing (or questioning) their legal migration status. During this period, references to boat people in Hansard could include those arriving by boat or those resettled from camps through the humanitarian program. The term's usage became much more fixed on actual boat arrivals in subsequent waves, reflecting starker discursive boundaries between supposedly "legitimate" and "illegitimate" modes of arrival. Other immigration terms during the Fraser era reflect a pragmatic appraisal of the situation, including "process" (#28), "accept" (#35), and "intake" (#45). Boat people are described as "immigrants" (#6) housed in refugee "camps" (#30).

Foreshadowing the trope of the "queue" in future political debate on asylum seekers and refugees, an interest in the maintenance of an "orderly process" also appears in this period. A Liberal senator in June 1979, for instance, argues that it was "inevitable" that some people would "attempt to bypass the [refugee] selection process," and that stronger approaches to "regularising" the outflow of people from Vietnam were needed (Commonwealth, 1979).

While Stevens (2012) found a general escalation of border enforcement rhetoric in Parliament and the media during the lead up to the 1977 federal election, we could find no emphasis on securing borders relating specifically to boat people in the Hansard extracts for this period. This is consistent with Peterie's (2016) arguments around the depoliticizing function of Fraser's silence on boat people during his campaign. Although it was standard procedure for boat arrivals to be temporarily detained in migrant centres while they were processed for residency, and there were additional facilities for detention of compliance cases like visa over-stayers (Philips & Spinks, 2013), offshore detention and

naval operations repelling boats were not widely discussed as policy responses. This gap in the Hansard fragments suggests that asylum seekers arriving by boat were not yet being problematized as a security threat—at least not explicitly in parliamentary discourse.

One particular speech fragment from May 1978 does, however, articulate concerns about the boat arrival "problem" in terms that would become more salient in later years. An MP for the National Country Party argues that there is an "absolute certainty" of early boat arrivals representing the "beginning of a flood" from Vietnam (Commonwealth, 1978a). The minister asserts that "welfare relief" acts as an incentive for people to leave Southeast Asia, then links boat people to national security risks, illicit drugs, and exotic diseases, before proposing the establishment of an "offshore base" on which refugees can be vetted and processed. The passage pre-empts future political positions based on establishing a pejorative link between asylum seeking, transnational organized crime, and people smuggling (Cameron, 2013).

Wave Two: Howard Era (1999–2001)

In the years 1999–2001 of John Howard's conservative coalition government, asylum seekers who arrive by boat are discursively constructed as the product of a commercial venture—"people smuggling"—which becomes almost the singular focus of policy debate. The identity or origins of boat arrivals seem to be of less concern than their mode of travel (especially their passage through Indonesia before boarding vessels bound for Australia). Compared with the Fraser era, parliamentarians in the Howard era frequently demonstrate skepticism toward the legitimacy and authenticity of asylum claims.

The quantitative lexical patterns during the Howard era reflect a turn in the problematization of asylum seeking by boat. "Illegal" becomes the most frequently used term, where it had scarcely been used from 1977–1979. Similarly, the procedural word "visa" (#10) enters the lexicon. Parliamentary discourse becomes preoccupied with "arrivals" (#3), while welcoming words of "accept" and "intake" virtually disappear, replaced by terms of invasiveness and security such as "smuggled" (#20), "detention" (#38), and "detained" (#40). References to illicit people smuggling in direct connection with boat people indicates shifting attention to offshore legal concerns, rather than onshore reception or integration.

Border protection, criminality, and illegality became significant policy themes in the Howard era, with a Border Protection Legislation Amendment Bill introduced and debated in Parliament in late 1999. In one of the readings of the bill, a member of the Labor Opposition claims that Australia (among other countries) is being targeted by a highly

sophisticated ring of people smugglers operating a multibillion-dollar global enterprise (Commonwealth, 1999a).

Phrases used in reference to people arriving by boat include “playing by the rules,” “sneaking through the system,” “jumping the queue,” and “exploiting loopholes.” This language extends the Fraser-era regional concerns with orderly processing of refugees into a far more comprehensive discursive construction: that of a global humanitarian system that some people are allegedly contravening or exploiting. The proposed response through instruments such as the Border Protection Bill is to stop the people-smuggling trade through systemic disincentives. Opposition members appear somewhat divided on the bill; one Labor senator in November 1999 attempts to keep open the policy possibility of bilateral negotiations and highlights the inflammatory potential of publicly issuing statements suggesting that “we are about to be flooded with refugees” (Commonwealth, 1999b).

As Betts (2001) argues, social conservatives from both sides of politics took the opportunity presented by the boats issue to attack perceived “political correctness.” Though in federal Opposition, one Labor Party senator argued that showing “caffè latte compassion” to boat people would be akin to weakness (Commonwealth, 2001). There was also criticism of public figures thought to be encouraging illegal immigration to Australia via their welcoming dispositions towards boat people. Corlett (2000, p. 29) describes these linguistic techniques as comprising a “rhetoric of dismissal,” which simplistically constructs “the marginalised as undeserving, often threatening people who are deliberately exploiting the generosity of the nation, especially its taxpayers.”

Wave Three: Gillard Era (2011–2013)

The Hansard dataset from 2011 to 2013 is more verbally dense and complex than the previous two periods, characterized by increased political partisanship on the boats issue. Amid record numbers of boat arrivals, debate centres on policy legitimacy and effectiveness in achieving “border security” for the “protection” of the Australian public. The boat people problem becomes a linguistic tool used by parliamentary adversaries to gain advantage in electoral politics.

Accordingly, both the representation of the boats issue and its discursive effects on policy indicate a shift towards politico-bureaucratic concerns. “Illegal,” while still a prominent term, falls to a ranking of seventh, with even sharper declines in relative usage of the terms “detained” (#426) and “smuggler” (#54). In place of these are the increasing

incidences of action-oriented terms like “deal” (#14), “solution” (#17), and “stop” (#29), highlighted by discussion of policy proposals (the “Malaysian Solution”) and electoral campaign slogans (“Stop the Boats”).

Partisan differences also appear more pronounced. Whereas in the Fraser and Howard years political party names were scarcely mentioned, in the Gillard era “Labor” appears in the top five words, while “Coalition” (a reference to the electoral partnership between the federal Liberal and National Parties) appears at #19. Party “policies” (#3) are also more prominent in the debate. Where in the past, detailed immigration statements or questions were commonly posed by senators or “backbenchers,”³ a feature of this increase in partisan language is the direct and sustained involvement of the prime minister and leader of the Opposition. For example, the leader of the Opposition confronts the prime minister in September 2011, asserting,

If you had any respect for the welfare of our country, if you had any respect for the safety of boat people and if you had any concern to preserve good relations with our neighbours you would go back to the [Liberal/National Coalition] policy that worked. (Commonwealth, 2011)

Throughout the three-year period, the Coalition continues to accuse the Labor government of mismanagement of the asylum-seeker/boats issue. The primary evidence cited by Opposition parliamentarians is the sharp increase in the number of boat arrivals. In one example, a Liberal senator argues that the “wilful dismantling” of “proven border protection policies” led to the arrival of 389 boats carrying 22,718 asylum seekers (Commonwealth, 2012).

Contesting the federal election in September 2013, both major political parties increased their public commitments to being “tough” on people who seek asylum by boat and reinforcing offshore processing policies, culminating in the Opposition’s election campaign promise to prevent all asylum-seeker vessels from arriving in Australia (“Operation Sovereign Borders”) (Johnson & Wanna, 2015). While the problematization of boat people as a security and illegal immigration problem is not considerably adjusted during this period, the increase in boat arrivals becomes a useful means of attacking political adversaries for electoral advantage, thus hardening the boundaries of policy debate.

Discussion and Conclusions

The seemingly innocuous term “boat people” has itself transgressed numerous discursive borders since its entry into

3. Referring to members of Parliament who do not hold Cabinet positions or official posts within the government or Opposition. Backbenchers are physically seated in the rear sections of the house.

Australian public language in the 1970s. It gains its curious contemporary semantics in part since, in the era of cheap air travel, the method of passage is an anachronism. The naval voyage is integral to Australian national myths of colonization and settlement; yet today, migration by boat connotes contradictory figures of either the highly vulnerable or highly suspect migrant. The former is a cost for the country to bear; the latter seeks to exploit its resources—stealing jobs, importing criminality, and defrauding the already stretched welfare state. Unlike those travelling by plane, the “boat person” seeks to enter foreign sovereign territory “under the radar.” These associations have become taken for granted in the public consciousness, such that dissenting policy positions are neutralized through repeated denial or condemnation (Muytjens & Ball, 2016).

Our analysis demonstrates how boat people have been problematized as a continued category of convenience and an equally convenient floating signifier over three periods of increased arrival—reflecting the expansion and reorientation of governmental language from concerns about humanitarianism in the 1970s to legality and securitization in the 1990s, and to regional solutions and their respective costs in the 2010s. Notwithstanding important regional distinctions, the integration of these discourses into a wider governmental language of securitization, privatization, logistics, and “solutions” appears common to the work undertaken by many nation states. The new global rhetoric of “border control and migration management,” emphasizing the “freedom of movement of its subjects” alongside “tough but humane” regulations, might be, as Mezzadra and Neilson (2013) argue, largely a “dream of a smooth governance of migration.” Yet this rhetoric functions in an uneasy conjunction with the complicated, chaotic, and frequently violent operations of borders, whether on land, sea, or in processing centres, to shore up sovereign power and ensure the continuance of a “sovereign machine of governmentality.”

Given the small numbers of arrivals relative to other immigration categories, the political fascination with boat people in Australia gives the term disproportionate power in public policy debates. That asylum seekers could consistently rank among the top three issues discussed during parliamentary Question Time from 2010 to 2013, for instance (alongside Australia’s public debt and taxation policies) (Rayner & Wanna, 2015), is testament to its contemporary prominence in the public sphere. Such prominence motivates and in turn is abetted by the economic and political capital the issue generates in media and parliamentary theatres, where it can function strategically as a wedge issue that can win election campaigns and reassert national sovereignty to the domestic public and regional neighbours. These political strategies are consistent with and indeed

emblematic of how, in an age of intensified global flows, bordering practices have also evolved and intensified, as many states in the Global North and, increasingly, the Global South, seek to reassert performances of border sovereignty by scapegoating “unwanted” immigrant groups.

In Australia, despite an increasingly bipartisan approach to the border regime, dominant political strategies on asylum seekers such as offshore detention have not gone unchallenged. In September 2017, the federal government was ordered to pay nearly 2,000 former detainees of the Manus Island detention centre around A\$70 million (~US\$46 million at the time of writing) in compensation, rather than see a lengthy class action proceed in court. The largest human rights pay-out in Australia’s history illustrates that while the dominant problematization of boat people continues to be reproduced according to new modes of governance and fashions of technocracy, policy will need to continue to comply with humanitarian principles.

Turning to Bacchi’s concern with the gaps, silences, and effects produced by problem representation, our analysis points to a comparative poverty of language concerning boat arrivals. Despite showing sizable terminological shifts over time, we suggest that what is silenced in parliamentary discourse on asylum seeking is not its significance but its innate complexity. The gradual association of irregular boat arrivals with individual duplicity, transnational crime, and threats to “sovereign borders” masks the diversity of forced migration motives and pathways (see, for example, Betts, 2013; Castles, 2006). Discursive bordering also enables a form of migration governance by exclusion—a conscious “complexity reduction” that narrows the scope for alternative policy positions (Mayblin, 2019).

Discourses from outside the parliamentary sphere (not analyzed here) signal new pathways for policy determination. As Gosden (2006, p. 6) notes, the asylum-seeker and refugee-advocacy movement that has emerged since the early 2000s “challenges the political administrative logic exemplified in the theory and practice of the policy, and it does so in the name of the legitimising values of justice and human rights.” Advocates, although a political minority, collectively contribute to a struggle to redefine national sentiment on asylum seekers towards a rhetoric of compassion and justice. Critical to these alternative discourses is the substitution of legal and humanitarian terms such as “asylum seekers” and “refugees” for “boat people.” The removal of explicit references to the mode of arrival itself redirects attention to alternative theatres of action: claims processing and accommodation, for example.

Our analysis does not account directly for the impact of these activist discourses, which supply an expanded vocabulary of responses to asylum seeking—including

terms notably absent from the text corpus we studied, such as “ethics,” “care,” “reception,” “fairness,” “partnerships,” “collaboration,” “complexity,” or “transparency.” A more nuanced mainstream discourse could yield consideration of more effective and humane policy proposals that too often exist on the fringes of politics.

Finally, despite the relative constancy of the term “boat people” itself, our combination of quantitative content analysis with qualitative interrogation of key passages demonstrates shifts in migration discourse. We believe that this approach can be a pragmatic and efficient means of preparing evidence of both continuity and change in political trends, such that research on contentious issues like forced migration and border governance can remain critically engaged and relevant to policy, while opening up possibilities for more informed debate. Further work in a similar vein might consider different historical frames and a wider set of parliamentary and media data sources over which to compare change between discursive forms.

References

- Bacchi, C. L. (2009). *Analysing policy: What's the problem represented to be?* Pearson Education.
- Bacchi, C. L. (2012). Why study problematizations? Making politics visible. *Open Journal of Political Science*, 2(1), 1–8. <http://dx.doi.org/10.4236/ojps.2012.21001>
- Bächtiger, A., Hangartner, D., Hess, P., & Fraefel, C. (2008). Patterns of parliamentary discourse: How “deliberative” are German legislative debates? *German Politics*, 17(3), 270–92. <https://doi.org/10.1080/09644000802300486>
- Betts, A. (2013). State fragility, refugee status and “survival migration.” *Forced Migration Review*, 43, 4–6.
- Betts, K. (2001). Boat people and public opinion in Australia. *People and Place*, 9(4), 34–48. <https://www.fmreview.org/fragilestates/betts>
- Bourdieu, P. (1991). The peculiar history of scientific reason. *Sociological Forum*, 6(1), 3–26. <https://doi.org/10.1007/BF0112725>
- Bourdieu, P., & Wacquant, L. J. D. (1992). *An invitation to reflexive sociology*. University of Chicago Press.
- Brawley, S. (1995). *The white peril: Foreign relations and Asian immigration to Australasia and North America, 1919–1978*. New South Publishing.
- Cameron, M. (2013). From “queue jumpers” to “absolute scum of the earth”: Refugee and organised criminal deviance in Australian asylum policy. *Australian Journal of Politics & History*, 2(59), 241–59. <https://doi.org/10.1111/ajph.12014>
- Castles, S. (2006). Global perspectives on forced migration. *Asian and Pacific Migration Journal*, 15(1), 7–28. <https://doi.org/10.1177/011719680601500102>
- Commonwealth. (1978a). *Parliamentary debates*. House of Representatives, no. 19 (Raymond Braithwaite MP, National Country Party, Queensland).
- Commonwealth. (1978b). *Parliamentary debates*. Senate, no. 19 (Senator Douglas McLelland, Australian Labor Party, New South Wales).
- Commonwealth. (1979). *Parliamentary debates*. Senate, no. 23 (Senator John Carrick, Liberal Party, NSW).
- Commonwealth. (1999a). *Parliamentary debates*. House of Representatives, no. 230 (Duncan Kerr MP, Australian Labor Party, Tasmania).
- Commonwealth. (1999b). *Parliamentary debates*. Senate, no. 200 (Senator Christopher Schacht, Australian Labor Party, South Australia).
- Commonwealth. (2001). *Parliamentary debates*. Senate, no. 12 (Senator Robert Ray, Australian Labor Party, Victoria).
- Commonwealth. (2011). *Parliamentary debates*. House of Representatives, no. 13 (Tony Abbott MP, Liberal Party, NSW).
- Commonwealth. (2012). *Parliamentary debates*. Senate, no. 8 (Senator Michaelia Cash, Liberal Party, Western Australia).
- Corlett, D. (2000). Politics, symbolism and the asylum seeker issue. *University of New South Wales Law Journal*, 23(3), 13–32.
- De Genova, N. (2013). Spectacles of migrant “illegality”: The scene of exclusion, the obscene of inclusion. *Ethnic and Racial Studies* 36(7), 1180–98. <https://doi.org/10.1080/01419870.2013.783710>
- Every, D., & Augoustinos, M. (2008). Constructions of Australia in pro- and anti-asylum seeker political discourse. *Nations and Nationalism*, 14(3), 562–80. <https://doi.org/10.1111/j.1469-8129.2008.00356.x>
- Goot, M., & Watson, I. (2011). *Population, immigration and asylum seekers: Patterns in Australian public opinion*. Department of Parliamentary Services: Parliament of Australia. https://www.aph.gov.au/~media/05%20About%20Parliament/54%20Parliamentary%20Depts/544%20Parliamentary%20Library/Pub_archive/Goot.ashx
- Gosden, D. (2006). “What if no one had spoken out against this policy?” The rise of asylum seeker and refugee advocacy in Australia. *Portal: Journal of Multidisciplinary International Studies*, 3(1), 1–21.
- Haslam, N., & Pedersen, A. (2007). Attitudes towards asylum seekers: The psychology of prejudice and exclusion. In D. Lusher & N. Haslam (Eds.), *Yearning to breathe free: Seeking asylum in Australia* (pp. 208–218). Federation Press.
- Jakubowicz, A. H. (2016). Once upon a time in ... ethnocentric Australia: Migration, refugees, diversity and contest-

- ed discourses of inclusion. *Cosmopolitan Civil Societies: An Interdisciplinary Journal*, 8(3), 144–167. <https://doi.org/10.5130/ccs.v8i3.5239>
- Johnson, C., & Wanna, J. (2015). Conclusion: Reflections on Abbott's gambit—mantras, manipulation and mandates. In J. Wanna, C. Johnson, & H. Le (Eds.), *Abbott's gambit: The 2013 Australian federal election* (pp. 425–436). ANU Press.
- Jupp, J. (2002). *From white Australia to Woomera: The story of Australian immigration*. Cambridge University Press.
- Laver, M., Benoit, K., & Garry, J. (2003). Extracting policy positions from political texts using words as data. *American Political Science Review*, 97(2), 311–31. <https://doi.org/10.1017/S0003055403000698>
- Leach, M. (2003). “Disturbing practices”: Dehumanizing asylum seekers in the refugee “crisis” in Australia, 2001–2002. *Refuge*, 21(3), 25–33. <https://doi.org/10.25071/1920-7336.21301>
- Liberal Party. (2001). Launch of the Liberal Party's election campaign. Sydney Recital Hall, 28 October.
- Little, A., & Vaughan-Williams, N. (2017). Stopping boats, saving lives, securing subjects: Humanitarian borders in Europe and Australia. *European Journal of International Relations*, 23(3), 533–556. <https://doi.org/10.1177/1354066116661227>
- Lueck, K., Due, C., & Augoustinos, M. (2015). Neoliberalism and nationalism: Representations of asylum seekers in the Australian mainstream news media. *Discourse & Society*, 26(5), 608–29. <https://doi.org/10.1177/0957926515581159>
- Markus, A. (2001). *Race*. Allen & Unwin.
- Martins, B. O., & Strange, M. (2019). Rethinking EU external migration policy: Contestation and critique. *Global Affairs*, 5(3), 195–202. <https://doi.org/10.1080/23340460.2019.1641128>
- Mayblin, L. (2019). Imagining asylum, governing asylum seekers: Complexity reduction and policy making in the UK Home Office. *Migration Studies*, 7(1), 1–20. <https://doi.org/10.1093/migration/mnx060>
- McKay, F. H., Thomas, S. L., & Blood, R. W. (2011). “Any one of these boat people could be a terrorist for all we know!” Media representations and public perceptions of “boat people” arrivals in Australia. *Journalism*, 12(5), 607–26. <https://doi.org/10.1177/1464884911408219>
- Mezzadra, S., & Neilson, B. (2013). *Border as method, or, the multiplication of labor*. Duke University Press.
- Muytjens, S., & Ball, M. (2016). Neutralising punitive asylum seeker policies: An analysis of Australian news media during the 2013 federal election campaign. *Journal of Australian Studies*, 40(4), 448–63. <https://doi.org/10.1080/14443058.2016.1223153>
- Parliament of Australia. (n.d.). *Hansard*. Parliament of Australia. https://www.aph.gov.au/parliamentary_business/hansard
- Peterie, M. (2016). “These few small boats”: Representations of asylum seekers during Australia's 1977 and 2001 elections. *Journal of Australian Studies*, 40(4), 433–47. <https://doi.org/10.1080/14443058.2016.1223150>
- Phillips, J. (2017). *Boat arrivals and boat “turnbacks” in Australia since 1976: A quick guide to the statistics*. Department of Parliamentary Services: Parliament of Australia. http://parlinfo.aph.gov.au/parlInfo/download/library/prspub/4068239/upload_binary/4068239.pdf;fileType=application/pdf
- Phillips, J., & Simon-Davies, J. (2017). *Migration to Australia: A quick guide to the statistics*. Department of Parliamentary Services: Parliament of Australia. http://parlinfo.aph.gov.au/parlInfo/download/library/prspub/3165114/upload_binary/3165114.pdf
- Phillips, J., & Spinks, H. (2013). *Immigration detention in Australia*. Department of Parliamentary Services: Parliament of Australia. http://parlinfo.aph.gov.au/parlInfo/download/library/prspub/1311498/upload_binary/1311498.pdf;fileType=application/pdf
- Pickering, S. (2001). Common sense and original deviancy: News discourses and asylum seekers in Australia. *Journal of Refugee Studies*, 14(2), 169–186. <https://doi.org/10.1093/jrs/14.2.169>
- Pugh, M. (2004). Drowning not waving: Boat people and humanitarianism at sea. *Journal of Refugee Studies*, 17(1), 50–69. <https://doi.org/10.1093/jrs/17.1.50>
- Rayner, J., & Wanna, J. (2015). 1. An overview of the 2013 federal election campaign: Ruinous politics, cynical adversarialism and contending agendas. In J. Wanna, C. Johnson & H. Lee (Eds.), *Abbott's gambit: The 2013 Australian federal election* (pp. 17–34). ANU Press.
- Reeves, M. (2014). *Border work: Spatial lives of the state in rural Central Asia*. Cornell University Press.
- Robertson, S. (2019). Status-making: Rethinking migrant categorization. *Journal of Sociology*, 55(3), 219–233. <https://doi.org/10.1177/1440783318791761>
- Rowe, E., & O'Brien, E. (2014). “Genuine” refugees or illegitimate “boat people”: Political constructions of asylum seekers and refugees in the Malaysia deal debate. *The Australian Journal of Social Issues*, 49(2), 171–193. <https://doi.org/10.1002/j.1839-4655.2014.tb00307.x>
- Rumford, C. (2006). Theorizing borders. *European Journal of Social Theory*, 9(2), 155–69. <https://doi.org/10.1177/1368431006063330>
- Saxton, A. (2003). “I certainly don't want people like that here”: The discursive construction of “asylum seekers.” *Media International Australia Incorporat-*

- ing Culture and Policy*, 109(1), 109–120. <https://doi.org/10.1177/1329878X0310900111>
- Stevens, R. (2012). Political debates on asylum seekers during the Fraser government, 1977–1982. *Australian Journal of Politics & History*, 58(4), 526–41. <https://doi.org/10.1111/j.1467-8497.2012.01651.x>
- Tavan, G. (2005). *The long slow death of white Australia*. Scribe.
- Wittgenstein, L. (2009). *Philosophical investigations*. John Wiley & Sons.
- Wodak, R. (1999). Critical discourse analysis at the end of the 20th century. *Research on Language and Social Inter-action*, 32(1 & 2), 185–93. <https://doi.org/10.1080/08351813.1999.9683622>
-
- John van Kooy is a researcher and PhD candidate at Monash University. He can be reached at john.vankooy@monash.edu.*
- Liam Magee is an associate professor at Western Sydney University. He can be reached at l.magee@westernsydney.edu.au.*
- Shanthi Robertson is an associate professor at Western Sydney University. She can be reached at s.robertson@westernsydney.edu.au.*

The Psychosocial Condition of Syrian Children Facing a Precarious Future

MAHA SHUAYB AND NADER AHMAD

Abstract

This study investigates the psychosocial conditions of Syrian refugees and vulnerable Lebanese children in Lebanese public schools. A survey was conducted with Syrian and Lebanese children and their parents. Interviews with public school staff were also carried out. The study found that poverty and war play equal roles in affecting children's emotional well-being as Syrian and Lebanese children manifest similar levels of anxiety and hyperactivity. While the past presents significant stressors, present and future stressors were also identified amongst refugees. This article critiques the prime emphasis of psychosocial intervention paradigms on past trauma, which risks overlooking present and future stressors. It argues that the psychosocial conditions of refugees are interpreted in isolation from refugees' poverty, subordinated social status, and the local injustices to which they are subject.

Résumé

Cette étude examine les conditions psychosociales des enfants réfugiés syriens et des enfants libanais vulnérables dans les écoles publiques libanaises. Un sondage a été réalisé auprès d'enfants syriens et libanais et de leurs

parents. Des entrevues avec le personnel scolaire ont aussi été effectuées. L'étude démontre que la pauvreté et la guerre affectent de manière égale le bien-être émotionnel des enfants, les enfants syriens et libanais manifestant des niveaux similaires d'anxiété et d'hyperactivité. Alors que le passé comporte des facteurs de stress significatifs, des facteurs de stress présents et futurs ont aussi été identifiés chez les réfugiés. Cet article critique les paradigmes d'intervention psychosociale qui mettent l'accent sur les traumatismes passés, au risque de négliger les facteurs de stress présents et futurs. L'article soutient que les conditions psychosociales des réfugiés sont interprétées indépendamment de leur pauvreté, de leur statut social subordonné et des injustices locales dont ils font l'objet.

Introduction

Lebanon maintains one of the highest ratios of refugees relative to its population in the world. According to the United Nations and the Lebanese government, one in three people in Lebanon is either a displaced Palestinian or Syrian refugee (Government of Lebanon & UNHCR, 2019). Education has been a main area of humanitarian response, including considerable efforts to offer education specifically to Syrian refugees. In 2016, the United Nations High Com-

missioner for Refugees (UNHCR) estimated the number of Syrian children in Lebanon at 488,832 (MEHE, 2016). Despite efforts to offer education to Syrian refugees, enrolment rates in formal education do not exceed 40%, with only 1% currently enrolled in grade 9 (MEHE, 2019). Following the Syrian crisis (which began on March 15, 2011), the demands on Lebanese public schools increased, resulting in the opening of two school shifts for all students: one in the morning (8 to 1) and another in the afternoon (2 to 6). However, enrolment in the afternoon shift is restricted to Syrian children, and they are offered a more concise version of the Lebanese curriculum. Currently, over 65% of Syrian refugee children enrolled in school attend the afternoon shift (MEHE, 2020).

The public education sector, which presented numerous weaknesses prior to the crisis, is now further affected by the influx of the significant number of school-aged refugee children, compared to school-aged Lebanese children. Public schools are ill-equipped and under-resourced to deal with this situation. Prior to the Syrian crisis, around 30% of school-enrolled children were attending the public education system. Low enrolment in primary public schools was in response to the poor quality of education offered. To respond to the Syrian crisis, the Ministry of Education and Higher Education (MEHE), with the support of UN agencies and donor communities, developed two consecutive three-year education strategies (RACE I and RACE II) to absorb Syrian refugee children in public schools and strengthen the public school system. Still, many teachers are unable to cope with the challenges of larger classes, the two-shift school day, and pupils from extremely disadvantaged backgrounds (Shuayb et al., 2014).

This study was conducted in 2015, three years after the arrival of hundreds of thousands of Syrian refugees. The trauma from the war was very fresh in refugees' minds and hearts. As a result, addressing the psychological needs of refugee children has occupied a considerable part of relief responses following the Syrian refugee crisis. In this article, we are interested in understanding the psychological stressors facing Syrian children in Lebanon and examining how schools have responded to their needs.

School can be a form of psychosocial support for children in emergencies. School provides a safe space for children, stabilizes and normalizes everyday routines, and offers them a sense of control and belonging by being a predictable factor in contexts often dominated by loss and violence. At the same time, school may trigger more trauma and unhappiness as a result of bullying and discrimination, etc. The few existing studies on the psychosocial well-being of Syrian children in Lebanon report high levels of insecurity, isolation, and pervasive symptoms of distress, such as trouble with sleeping, horrifying flashbacks, bedwetting, or

speech problems (UNHCR, 2013, 2015). Similarly, Abou-Saleh and Mobayad (2013) discovered a high prevalence of PTSD (41%–76%) among children in camps. The main predictor was the number of traumatic experiences children encountered related to the conflict. Positive coping mechanisms included going out, exercising, and playing with other children. Negative coping mechanisms included smoking, watching television, and being idle. A study by Pérez-Sales (2013) reveals that feelings of humiliation—linked to the frustration of having a high dependency on aid—are prevalent among Syrian refugees.

Susceptibility to stress in adolescents with higher levels of economic pressure is well captured in the conservation of resources theory (Khamis, 2012; Hobfoll, 1989). According to this theory, loss of resources is the primary mechanism through which stressful life events affect adolescents' psychological health.

This study investigates the psychosocial conditions and lived stressors of Syrian refugee and Lebanese children in public schools in Lebanon. The article is divided into three main sections. In the first section, we situate our research by examining the research on the psychosocial needs of Syrian refugees and the main paradigms of intervention. This is followed by research methodology and data analysis, respectively. The findings are presented under three main themes: psychosocial well-being and school experience; psychosocial support provisions; and sources of psychosocial distress.

Psychosocial Intervention Paradigms in a Refugee Context: Current Debates

To situate our study of the psychological needs of and interventions for refugee children in Lebanon, we will examine the main paradigms and schools of thought that shape the field. Recent literature presents two primary paradigms to address the psychological strains prompted by refugee crises around the world: clinical and psychosocial. The clinical trauma-focused approach emphasizes war-related trauma as the main source of distress. It advocates case-focused support targeting individuals. Its objective is to support the mental health and psychosocial well-being of individuals by providing emotional support or clinical mental health services, in an attempt to help them cope with their distress using their own strengths and social networks (Hassan et al., 2016). There are several limitations in the clinical approach, including that the narrow focus of post-traumatic stress disorder (PTSD) and traumatic experiences undermines the post-displacement stressors of everyday life, which are major sources of mental and social problems (Berthold, 2000; Betancourt et al., 2013; Alfarhli & Drury, 2016). Refugees in local communities, are predominantly affected by overcrowded housing,

poverty, unemployment, insecurity, exploitation, and poor health (Panter-Brick et al., 2008). These challenges may converge with symptoms of PTSD or clinical depression (Patel, 2014; Hassan et al., 2016).

In contrast, the psychosocial support paradigm emphasizes current experiences in refugee destination countries as the main sources of distress. While there is no universally accepted definition of psychosocial interventions in the literature, it is commonly agreed that they comprise interpersonal or informational activities, techniques, or strategies that target biological, behavioural, cognitive, emotional, interpersonal, social, or environmental factors to improve health and well-being (Institute of Medicine, 2015). This approach promotes ad hoc localized interventions to alleviate the challenges of daily life, such as shelter, food, and monetary assistance as well as specialized clinical services for specific cases (IASC, 2007). In this paradigm, psychosocial support includes raising awareness about diversity and discrimination in order to reduce tension between local communities and newcomers through capacity-building programs and cultural events (Atlas, 2009). Psychosocial interventions have been found to have beneficial effects on PTSD, depression, and anxiety symptoms (Turrini et al., 2019; Nosè et al., 2017). Yet there is little evidence on the impact of psychosocial interventions on refugee children (Turrini et al., 2019; Fazel, 2018). Critics argue that these interventions risk subordinating refugees and creating dependency on the resources and expertise of practitioners (Gupte & Mehta, 2009; Alfadhli & Drury, 2016). This uneven power dynamic places newcomers in a state of powerlessness, which often erodes their individual agency (Hassan et al., 2016).

To conclude, refugees are often faced with two options: either live in a condition of powerlessness and dependence on paltry services and assistance, or put one's life at a higher risk in the quest to live with dignity, in justice, and with self-determination. All too often, confinement, social isolation, or putting oneself at risk are the price of mere existence. Displaced children share much of this fate with their parents (Huyck & Fields, 1981). They suffer the repercussions of a form of double exclusion. The first is experienced in the form of family neglect, violence, and disintegration as a result of the heavy weight of repression and exclusion experienced by their parents. The second is experienced in education (Shuayb, 2014; Bush & Saltarelli, 2000).

Methodology

The research methodology comprises five case studies of upper primary public schools offering two shifts: a morning one for Syrian and Lebanese and an afternoon one for Syrian

children only. The research instruments included a quantitative survey, individual interviews with school principals, teachers, and counsellors, as well as focus groups with children and parents.

Quantitative Surveys

A quantitative survey was administered to students, their parents, and teachers in each public school. The questionnaires investigating the emotional well-being of children (filled out by children as well as their parents) were based on Goodman's One-Sided Strengths and Difficulties Questionnaire.¹ The quantitative data of the students' survey examined six variables, each comprising three to five items. Designed to measure students' psychosocial condition, these quantitative variables examine students' (1) emotions, (2) conduct, (3) hyperactivity, (4) relation to family, (5) relation to peers, and (6) relation to school.

Qualitative Interviews and Focus Groups

We conducted one-to-one interviews with principals, teachers, counsellors, supervisors (enrolled both in the morning and afternoon shifts), children who dropped out of school, and their parents. Focus group interviews were conducted with Syrian children and parents of Syrian and Lebanese children to explore the stressors children are exposed to and their coping mechanisms.

Sample

A convenience sampling was followed in this study in response to the restrictions imposed by the MEHE, including reserving the selection of schools for any research study for the Project Management Unit (PMU) which was developed specifically to manage the education response for Syrian refugees. As a result, this study's sample was not representative of the refugee population. However, to tackle this drawback, we sent criteria to the PMU at the MEHE that aimed to cover the main characteristics of schools, and the geographical locations where the majority of refugees resided. These criteria helped decrease the bias of a convenience sampling. The criteria sent to PMU included selecting public schools that included a large number of Syrian refugees in both urban and rural locations. We also specified that the schools must have two shifts (morning and afternoon). The last criterion included the geographical locations with the largest concentration of refugees (Akkar, the Bekaa, and Beirut). A letter was sent to MEHE requesting permission to conduct the study and specifying the criteria of the five public schools. MEHE then nominated five schools for the study on the basis of our

1. Available from <https://www.sdqinfo.org/ao.html>

Table 1. Study Sample

Type of participants	Number quantitatively surveyed	Number interviewed
Students	248	49
Principals and school supervisors	9	10
Teachers	18	8
Parents	18	32
Counsellors	1	2

Table 2. Number of Surveyed Syrian and Lebanese Students in Morning and Afternoon Shifts

School regions	Lebanese morning	Syrian morning	Total morning	Total afternoon (all Syrian)
Mount Lebanon	132	65	197	600
Akkar	217	258	475	590
The Bekaa	137	85	222	466

criteria. The five schools selected for the case study represent different regions in Lebanon (urban, rural, north, south, and centre). The schools were located in a deprived area of Beirut, Akkar, and the Bekaa where the local Lebanese population suffers from extreme poverty. It is worth noting that the majority of Syrian refugees reside in the poorest areas in Lebanon because the rent is cheaper and living expenses are lower (LCRP, 2015). Table 1 presents an overview of the sample.

The survey sample covers students in grades 4 and 7 during both morning and afternoon shifts (ages 10–15). In the student sample, 42% were Lebanese and 60% were female. We randomly selected an equal number of girls and boys from the same grades to participate in the focus groups. Only individual schools could contact the parents to invite them to participate in the focus groups. The majority of parents who participated in the focus groups were female, probably because fathers were working, and in a patriarchal society, mothers deal with school matters. All but three interviewed teachers were female. Most of the children had fled Syria to Lebanon two years earlier, in 2012. Those who took refuge in the Bekaa and Akkar fled from rural Syria.

Many of the morning classes had fewer than 15 students, while afternoon classes had 30 or more. In contrast, all classrooms in afternoon schools we visited had 30 to 36 students. Syrian children who attended the morning shift had often been enrolled in the school for at least two years. However, it

is worth noting that quite a few of children in the afternoon shift had been enrolled previously but were not allowed to register in the morning shift, although there was capacity in at least two of the visited schools. The main reason for their rejection was that half the children in the morning shift must be Lebanese.

The majority of the surveyed Syrian refugee children had missed at least one year of schooling. Just under half of the surveyed Syrian refugee children (44%) missed one to two years, one-third missed three to four years, while 2% missed five years of schooling. Class repetition was common among both Syrian and Lebanese children. One-third of the surveyed Syrian children compared to 38% of Lebanese students repeated one to two years of their schooling. Just under half (45%) of those who had repeated one to two years of schooling attended the morning shift, while only one-third were in the afternoon shift. Although students were struggling academically, both Syrian and Lebanese parents reported limited ability to support their children, particularly in subjects taught in foreign languages.

Data Analysis

Descriptive statistical data were generated to analyze quantitative data gathered from the Strengths and Difficulties Questionnaire using Statistical Product and Service Solutions. These included percentages, mean, and cross tabulation. In addition, variables were computed to create scales. In order

to assess whether there were significant differences between the emotional well-being of Syrian and Lebanese children, we conducted chi-squared tests. Qualitative data, which included focus group interviews with parents and students as well as individual interviews with teachers, principals, and school counsellors, were transcribed (and translated where appropriate) and were analyzed using qualitative coding software (NVivo). Our analytical framework was based on a combination of emic codes derived from the content of the interviews and etic codes that reflected important themes identified through our literature on refugee education policies. The main themes were psychosocial conditions of refugees, support provisions, and types of stressors. Sub-codes for each main code emerged from reading and analyzing the interviews.

Limitations

As mentioned earlier, convenience sampling was used for this study because the MEHE restricted the selection of the schools. To address the bias associated with a convenience sample, we sent criteria to MEHE for consideration when selecting the schools for our study. Since we were interested in the differences between Syrian and Lebanese students, we collected data from schools that operated morning and afternoon shifts. To reduce sampling bias, we collected data from all three main governorates with the largest concentrations of Syrian refugees. We also sought to equally cover urban and rural areas as well as both sexes. However, convenience sampling does not allow us to make generalizations about our target populations. As a result, the quantitative results reported here indicate phenomena of interest and, in conjunction with our rich qualitative data, offer insights into the psychosocial well-being and school experiences of Syrian and Lebanese students in Lebanese public schools.

Findings

The findings of the study were grouped under three main headings: children's psychosocial well-being, sources of distress, and current interventions.

Psychosocial Well-being and School Experience

The statistical analysis shows that the overall emotional well-being of both Syrian and Lebanese students is in the range of normal,² including basic emotions, conduct, and degree of hyperactivity, as well as relations to peers, school, and family. However, when isolating each variable, students' conduct, hyperactivity, and peer relations appear to be in the borderline range and close to abnormal. Despite the normal-

ity of the overall results, the statistical analysis shows that the difference is significant when comparing Syrian children's overall well-being to that of Lebanese children. A closer look reveals that Lebanese children are more likely to report higher levels of misconduct at the 5% significance level ($p < 0.05$), hyperactivity at the 1% significance level ($p < 0.01$), and weak relations to school at the 5% significance level ($p < 0.05$). However, no significant difference was recorded at the level of emotion and relation to family.

A closer look at the quantitative figures recorded no significant difference between Syrian and Lebanese children in regard to feeling perpetually anxious and nervous, having constant fears, or often feeling unhappy. However, Lebanese were 5% more likely to report perpetual feelings of anger and engage in scuffles, compared to Syrian children. They were also 5% more likely to feel restless compared to their Syrian peers. Syrian children were 1% more likely to report liking school compared to Lebanese children, and 5% more likely to finish what they started. However, Syrian parents in the focus group discussions, particularly of children in the afternoon shift, stated that their children felt afraid when going to or from school as a result of the violence and bullying they experienced. Their view was supported by quantitative data from the survey of Syrian children who reported higher percentages of feeling afraid, compared to Lebanese children, although this was not statistically significant.

Bullying and physical violence were relatively common among both Syrian and Lebanese students during both shifts. There were few differences between the responses of Syrian and Lebanese students in the quantitative data, which were not statistically significant. However, school staff reported that a significant number of Syrian children bullied and physically abused each other. Both teachers and administrators reported that Syrian children were fidgety and restless, and they constantly distracted their peers, interrupted their teachers, and had difficulty concentrating. Furthermore, teachers pointed out that some Lebanese children ridiculed the Syrian accent, which exacerbated tensions.

Physical and verbal violence was prevalent among Syrian and Lebanese students in both shifts. In all schools that we visited, principals reported verbal and physical violence between students in the morning and afternoon shifts. In one school, children who were part of a focus group reported knifings and sexual harassment. The main strategy employed by all principals to address violence was to separate students by having them follow different routes when morning children left and afternoon children arrived. In

2. Based on the original three-band categorizations of Goodman's Strengths & Difficulties Questionnaire for 4- to 17-year-olds (Goodman et al. 1998).

addition to this strategy, one principal threatened to take students to the police station if they ever fought. Parents of Syrian children also reported that a primary challenge to their children was lack of safety at or on the way to and from school.

School had different meanings for Syrian children. On the one hand, there was discrimination, bullying, and danger on the way to and from school. On the other hand, school presented freedom from the difficult situation that they experienced at home and uncertainties about their future. In addition, dire housing and living conditions plagued by insecurity could be one reason that school appeared to be more satisfying for Syrian children than for their Lebanese peers. It is worth noting that the majority of interviewed parents and children reported that, on average, a family of six individuals lived in one room. Some parents prohibited their children, especially girls, from leaving the house out of fear for their security. As one parent noted, "It [the school] is the only place they can meet other children and run." Principals commented on the hyperactivity of Syrian children on the playground. One principal reported, "I have never seen this amount of running in the playground except by Syrian children." Students' expectations were reflected in the improvements they recommended for their school. When asked to name four main things they would like to change, a majority of Syrian and Lebanese students reported the need to improve school facilities, responsiveness of school staff, extracurricular activities, and protection from bullying and interruptive behaviour during class. Specifically they wished for better seats, heating, library, clubs, and sanitation, in addition to extracurricular activities such as arts and sports, and longer breaks in the afternoon shift.

These results confirm the work of other scholars, who found that poverty and a poor schooling experience can have major impacts on children's emotional well-being (Banerjee et al., 2016; McLoyd, 1998; Khamis, 2015; Hobfoll, 1989), as reported by Lebanese children in this study. They also had more negative views about their schooling experience than their Syrian peers. This could be partly the result of a higher sense of entitlement as citizens.

Psychosocial Support

As mentioned in the methodology, qualitative interviews were conducted with school counsellors in order to understand what psychosocial support was offered. MEHE had introduced psychosocial support in response to the needs of Syrian children and the receipt of donor funding for it in 2015. This new service was introduced only for the afternoon shift as part of the overall response plans LCRP and RACE I

and II. In 2015, educational counsellors were appointed to provide psychosocial support to Syrian students in the afternoon shift only. Interestingly, students in the morning shift, which included both Lebanese and Syrian students, were not offered this support. This could be because MEHE policy was to enrol refugee children who fled the war in Syria in the afternoon shift while Syrian children living in Lebanon prior to the crisis were enrolled in the morning shift. However, we observed a few Syrian students in the morning shift who had fled the war. Moreover this approach assumed that Lebanese children did not need this support, although students in both shifts reported emotional difficulties. Four out of the five visited schools had educational counsellors in the second shift. Most of the interviewed counsellors recommended psychosocial support for both Syrian and Lebanese students in the morning shift, rather than exclusively for Syrian children in the afternoon shift.

The majority of counsellors had backgrounds in the social sciences, and some had experience in NGOs and international agencies, yet none had a background in psychology. Educational counsellors typically collaborated with the head teacher or the principal and spent 45 minutes every week with each class. They also worked with an average of 20 to 30 students per week and spent an average of 30 minutes with each student. In meetings, counsellors focused primarily on asking children about what bothered them or made them sad, and then offered advice. Some counsellors facilitated drawing and other activities to help students open up. One counsellor stated, "I try to gather more information about students with problems. I talk to them, comfort them, encourage them, and give them more hope." Another counsellor explained that psychosocial support was offered as a way for students "to communicate in a non-violent way, decrease bullying, communicate with one another, establish self-confidence, motivation, creativity, and self-protection, to accept others, and to accept difference. These themes were handed out to us by MEHE."

In cases of trauma or sexual abuse as well as other severe experiences, counsellors asked to see the children's parents, or these cases were referred to the Centre for Guidance and Counselling at MEHE or to supporting NGOs for more specialized help. Students with severe behavioural problems, such as bullying and restlessness, tended to be eventually expelled after meetings with their parents failed to change their problematic behaviour.

Sources of Psychosocial Distress

When examining the factors that might affect students' psychosocial condition, we identified three kinds of distress: pre-existing, ongoing, and future. Pre-existing distress is

mainly war-related; ongoing distress is socio-economic (especially poverty), fear of movement, and education inequity; and future distress is due to uncertainty.

War-Related Distress

A few severe cases of children's war-related trauma were brought up during interviews with teacher administrators and in focus group discussions with children and educational counsellors (offered in most of the visited schools in the second shift). The counsellors argued that severe cases of psychosocial distress were due to witnessing armed conflict and violence, as well as loss of close family members. These children exhibited stuttering, crying, depression, and other behavioural issues. In some second-shift focus group discussions with Syrian children, girls often reported experiencing a major trauma or loss of a close family member. Boys, on the other hand, were reluctant to talk about the trauma they witnessed in Syria and were more concerned with the present bullying and the violence of Lebanese children on their way to and from school.

Several administrators and social counsellors related stark behavioural issues corresponding to war-related experiences. However, interviews with students and their parents, teachers, and administrators showed that the majority of children were affected by present distress and future uncertainty similar to that of their parents. The major ongoing forms of distress reflected the fear of movement and poverty, as well as uncertainties about the future due to the potential for reification. Syrian refugees had few opportunities to participate in social life on a par with local citizens.

Present Socio-economic Distress

A wealth of literature points to poverty as a central factor affecting mental health and emotional well-being. Numerous studies demonstrate higher rates of behavioural and emotional difficulties among children growing up in families and communities with higher levels of deprivation (Banerjee et al., 2016; McLoyd, 1998).

The assessment of the psychosocial distresses of children reveals that family socio-economic conditions are determining factors in their psychosocial and mental conditions. When asked to recall the last time they were happy, many Syrian children answered that their unhappiness was related to their parents' continuous anxiety and poor living conditions. In other words, the emotional stress of refugee children was associated with the experiences of their parents outside the school. Thematic categorization of Syrian children's psychosocial distress showed that out-of-school stress was far more traumatic than that experienced in school. It also showed that the relationship between Syrian

and Lebanese children in Lebanese public schools reflected the wider relationship between Syrian refugees and local communities, which was characterized by segregation and neglect from authorities and translated into a struggle over inadequate resources and poor services.

In discussions with Syrian refugee students who attended the afternoon shift, none of the 10 randomly selected children were able to recall the last time they felt happy. In contrast, they freely reported trauma and anxiety. Concerns for their parents and family members were recurring sources of anxiety, followed closely by lack of financial resources. Girls, on the whole, expressed a greater sense of trauma and loss. Yet they also worried about their parents and the pressures of insecurity. One girl who asked to be interviewed alone described how concerned she was about her mother, who often cried and mourned the loss of her brother. She explained, "I try not to cause her trouble and help her at home to make her feel happy, but she is always sad." Another girl noted, "I worry about my dad, as he is trying to bring his mother who lost her arm as a result of the war to Lebanon, but he cannot," as a result of the fear of movement and lack of financial means.

Administrators and teachers had varied perceptions of Syrian parents. Some argued that children's psychosocial and learning problems were due mainly to parents' ignorance and carelessness, whereas others suggested that these problems were the result of systemic socio-economic disadvantages suffered by both parents and children. When asked about children's major needs, the majority of psychosocial counsellors held the latter view. They emphasized the need to improve the socio-economic conditions of Syrian and Lebanese parents so that they could adequately provide for their children. One counsellor stated, "Children and adults need to feel they are valued, respected, and esteemed." One Syrian parent made the dubious suggestion that "when the elders are safe, it will get better for kids." A teacher captured the essence of the unfortunate situation: "Many children in grade one come with no jackets or warm shoes. You feel helpless sometimes."

Despite the efforts of UN agencies, many Syrian refugee families still perceive education as a financial burden. Limited access to aid, proper housing, clean water, sufficient power supply, and adequate living conditions in the camps often pushes them into prioritizing work over education. The ripple effects of poverty shape the psychosocial condition of Syrian children. Many have experienced violence and neglect, including domestic violence that stems from parents' inability to cope with their disadvantaged socio-economic conditions. This was reported by Syrian as well as Lebanese families. This violence is then reflected in the schools amongst students.

Other forms of violence or neglect are perpetrated by parents as a “necessity,” in return for safety or financial independence. These forms of distress include house confinement, particularly for girls and women; child labour; early marriage; and discouragement from attending school. Many children are forced to leave school and work with their fathers or in harsh work environments, where they are exposed to exploitation and abuse. Many parents also understandably prioritize moving to places where they can find new jobs, regardless of how far they are from their children’s school, discouraging them from attending school or forcing them to drop out. Most of these children end up working with their fathers or are exploited as low-cost labour in local shops and businesses.

Fear of Movement

At first glance, the Lebanese “No refugee camp” policy offers freedom of movement to Syrian refugees. However, closer inspection reveals its unseemly implications. Neighbourhoods and local communities, rather than the government, have become responsible for hosting and regulating the Syrian presence and establishing their own forms of vigilante control and security within their own territories. And government neglect of its responsibilities is not a phenomenon unique to Syrian refugees. State neglect in crises is the hallmark of how it has treated disadvantaged Lebanese and Palestinians.

The consequences of this neglect is apparent in the emotional well-being of children. Refugee children told education counsellors about their persistent fears of kidnapping, exploitation, sexual harassment, and harm to their families. These fears led parents to refrain from sending their children to schools, or left children with little choice but to drop out. Psychosocial counsellors reported that many children were subject to sexual harassment by people such as landlords or local shopkeepers. But relatively few children mentioned experiencing actual attempts of kidnapping. A field assessment by the Norwegian Refugee Council (2013) found that Syrians and other refugees in Lebanon were frequently stopped at police or vigilante checkpoints, were humiliated, are detained, and/or are threatened with deportation. Fear of abduction and abuse—experienced by both parents and children—was perpetual, regardless of whether the trip was to the workplace, the local shop, or school.

Parents perceived the restriction of their children to afternoon public school shifts as another indication of an unwelcoming and threatening environment. Their primary method of coping was self-confinement, in order to avoid the possibility of threat and humiliation, so they retreated from social life and abandoned their attempts to improve their situation.

They discouraged their children from attending school or pushed them to drop out as a result of concerns about security or inability to afford costs of transportation. Many preferred to keep their children without education, because they were unwilling to trade their children’s education for their safety.

Present Distress: Access to Quality and Inclusive Education

Access to quality education has become a main source of stress. While acquisition of a foreign language (English and French) was cited as the primary barrier facing Syrian students in Lebanese schools, a number of school principals, teachers, and parents asserted that both Syrian and Lebanese students faced difficulties in other subjects as well. School staff highlighted the need to improve the curriculum and support public schools with much-needed resources and extracurricular activities as well as classes in art and physical education, or cultural events. These were also the needs most frequently reported by both Syrian and Lebanese students in the survey.

Most principals asserted the need for teacher education and qualified recruitment, and for more administrative autonomy. One teacher was frustrated by being restricted to using only curriculum materials and pedagogies: “I need more power and freedom to act and take decisions ... the resources are limited.”

It would be misleading to reduce the issue of quality education to notions such as “refugee education” or to the afternoon shift. The challenges that undermine the quality of education in public schools are structural and rooted in factors that precede the outbreak of the Syrian conflict. There have been four attempts to reform education since the end of the Lebanese civil war in 1989, most of which had limited success (Shuayb, 2016).

When students were asked what would improve their psychosocial well-being, 32% said they would change cruel teachers or staff; 28% said facilities (smaller classes, better seats and desks, cleanliness, heat, libraries, clubs, cafeterias, computers, and sports facilities); 27% mentioned extracurricular activities (breaks, play, entertainment, art, and sporting activities); and 13% mentioned safety and security (protection against bullying, noise reduction, and more justice between students and staff).

The afternoon shift significantly affects the exposure of Syrian and Lebanese children to one another. Around 40% of Lebanese students claimed they had only Lebanese friends, while 60% of Syrian students claimed they had only Syrian friends. Morning shift Syrian students had Lebanese friends (74%), compared to only 27% in the afternoon shift.

The segregation of Syrian and Lebanese students into two separate shifts affected social cohesion and has resulted in bullying.

Some principals reported jealousy caused by inequality. Lebanese and Syrian students in the morning shift felt privileged because they received longer lunch breaks and had time for extracurricular activities. One Syrian student described himself as a Syrian, “but a morning shift student,” implying that he had higher status. Lebanese students in the morning shift blamed Syrian students in the afternoon shift for damaging the classroom and were jealous of the supplemental assistance given to the refugees. One principal claimed that some Lebanese parents “told [me] to stop taking Syrian children.” In contrast, many Syrian students demanded to be transferred to the morning shift. Syrian parents claimed that the lower quality of education in the afternoon shift exhausted their children and was the primary reason that they dropped out. A teacher confirmed these power dynamics and the struggle among students over resources: “They fight a lot, especially when the Syrians get some aid [mainly stationery or cost of transport].”

Future Distress: Uncertainty

Interviews revealed that Syrian children and parents perceived their stay in Lebanon as temporary, so survival was their priority. Being labelled as refugees had made them subordinate and restricted their movement. The majority of interviewed Syrian parents and children operated in “survival mode” and were far from perceiving their presence as a new beginning. Their anxiety about the future was repeated continuously in the focus group discussions. Some parents noted that it pushed them to take the risk of going to Europe by sea and potentially drowning with their children, rather than await a hopeless future in Lebanon.

This section concludes with a reflection on sources of stress. The clinical and psychosocial schools of intervention offer few answers. Emphasis on past trauma and mere subsistence in the present does not respond to refugee aspirations to exceed or simply restore their prior social positions and to preserve their individual identities. Nor does it speak to the anxieties, uncertainties, and bleak futures faced by refugees. Many refugees expressed a desire to be reborn, wanted, and cared for, free from destitution, humiliation, and helplessness, able to pursue their hopes and aspirations.

Discussion and Conclusion

One central finding of this article is that traumas overlap and exacerbate one another. The trauma of exposure to, displacement by, and survival in an ongoing war affects refugees. But

living in poverty without the prospect of a better future is similarly traumatic. These findings support earlier studies that show that economic pressure affects adolescents’ mental health, both directly as a source of stress and indirectly through reduced resources that may protect against the impact of traumatic events (Khamis, 2012, 2015; Hobfoll, 1989). Most psychosocial and mental health interventions emphasize war-related trauma, or, in other words, the residual impact of past distress, while overlooking present and future distress.

The struggle over resources between adult Syrian refugees and the local Lebanese communities is reproduced in the school space between Syrian refugee children and the majority of impoverished Lebanese students. The territorial divide that parents experience through camp confinement and restrictions on mobility is imposed on students through their confinement to the afternoon shift. While the adults are divided by territory, the children are divided by shifts. Although the quantitative analysis shows no significant difference on the emotional level between Syrian and Lebanese students, the qualitative data show that Syrian students suffer from anxiety, nervousness, and misfortune associated with their parents’ concerns and socio-economic condition.

Ad hoc assistance for deprived people may save the day, but it does not free them from exploitation and violence in destination countries that are often unfamiliar with and hostile to newcomers. Nor does it provide refugees with an opportunity for a new beginning. Humanitarian assistance only satisfies immediate needs. It does not provide freedom from the fear of being left behind and of becoming a “nobody,” unentitled to self-determination, esteem, participation, and status. Emphasis on past trauma and present subsistence (i.e., focusing on the clinical and psychosocial approach and conditional relief provisions) does not respond to newcomers’ desire to restore autonomy and social position. Nor does it offer avenues to preserve their privacy and individual identity or address their deepest anxieties and uncertainties about the future. Ad hoc interventions neglect the right to self-determination by imposing a precarious condition and promoting dependence on aid systems for subsistence. For many newcomers as well as local communities, past traumas are of far less concern than those of regenerating and transforming themselves amid a dire situation while also facing a precarious future.

To conclude, this study aimed to understand the psychosocial experiences of Lebanese and Syrian refugee children and the provisions made for them. However, it sought to do so while encompassing the socio-economic situation that engulfs all children in Lebanon. While the findings of this study cannot be generalized as a result of the limitations of the methodology and sampling, they shed light on the need

to move away from a clinical approach to dealing with refugees' emotional well-being. Currently, refugees are plagued by extreme poverty in addition to a precarious future, which alone is a consistent source of trauma. In conclusion, structural changes that encompass the present and create opportunities and hopeful avenues for the future are key to the emotional well-being of children.

References

- Abou-Saleh, M., & Mobayad, M. (2013). Mental health in Syria. *International Psychiatry, 10*(3), 58–60.
- Alfadhli, K., & Drury, J. (2016). Psychosocial support among refugees of conflict in developing countries: A critical literature review. *Intervention, 14*(2), 128–141. https://www.interventionjournal.com/sites/default/files/Psychosocial_support_among_refugees_of_conflict_in.6.pdf
- Atlas, M. (2009). Experiencing displacement: Using art therapy to address xenophobia in South Africa. *Development, 52*(4), 531–536.
- Banerjee, R., McLaughlin, C., Jess, C., Roberts, L., & Peereboom, C. (2016). Promoting emotional health, well-being and resilience in primary schools. The Public Policy Institute for Wales.
- Berthold, S. M. (2000). War traumas and community violence: Psychological, behavioural, and academic outcomes among Khmer refugee adolescents. *Journal of Multicultural Social Work, 8*(1–2), 15–46. https://doi.org/10.1300/J285v08n01_02
- Betancourt, T. S., Borisova, I., Williams, T. P., Meyers-Ohki, S., Rubin-Smith, J., Annan, J., et al. (2013). Research review: Psychosocial adjustment and mental health in former child soldiers—A systematic review of the literature and recommendations for future research. *Journal of Child Psychology and Psychiatry, 54*(1), 17–36.
- Bush, K., & Saltarelli, D. (2000). The two faces of education in ethnic conflict: towards a peace building education for children. UNICEF Innocenti Research Centre, Florence.
- Fazel, M. (2018). Psychological and psychosocial interventions for refugee children resettled in high-income countries. *Epidemiology and Psychiatric Sciences, 27*, 117–123. <https://doi.org/10.1017/S2045796017000695>
- Goodman, R., Meltzer, H., & Bailey, V. (1998). The Strengths and Difficulties Questionnaire: A pilot study on the validity of the self-report version. *European Child and Adolescent Psychiatry, 7*, 125–130. <https://doi.org/10.1007/s007870050057>
- Government of Lebanon and UNHCR. (2019). Lebanese crisis: Response plan, 2017–2020 (2019 update). <https://reliefweb.int/sites/reliefweb.int/files/resources/67780.pdf>
- Gupte, J., & Mehta, L. (2009). Disjunctures in labelling refugees and oustees. In R. E. Joy Moncrieffe (Ed.), *The power of labelling: How people are categorized and why it matters* (pp. 64–79). Earthscan.
- Hassan, G., Ventevogel, P., Jefee-Bahloul, H., Barkil-Oteo, A., & Kirmayer, L. J. (2016). Mental health and psychosocial wellbeing of Syrians affected by armed conflict. *Epidemiology and Psychiatric Sciences, 25*, 129–141. <https://doi.org/10.1017/S2045796016000044>
- Hobfoll, S. E. (1989). Conservation of resources: A new attempt at conceptualizing stress. *American Psychologist, 44*(3), 513–524. <https://doi.org/10.1037/0003-066X.44.3.513>
- Huyck, E. E., & Fields, R. (1981). Impact of resettlement on refugee children. *The International Migration Review, 15*(1–2), 246–254. <https://doi.org/10.1177%2F0197918381015001-225>
- Institute of Medicine. (2015). *Psychosocial interventions for mental and substance use disorders: A framework for establishing evidence-based standards*. The National Academies Press. <https://doi.org/10.17226/19013>
- Inter-Agency Standing Committee (IASC). (2007). IASC guidelines on mental health and psychosocial support in emergency settings. IASC.
- Khamis, V. (2012). Posttraumatic stress and worry as mediators and moderators between political stressors and emotional and behavioral disorders in Palestinian children. *International Journal of Psychology, 47*(2), 133–141. <https://doi.org/10.1080/00207594.2011.598524>
- Khamis, V. (2015). War, religiosity, ideology and PTSD in the Middle East. In V. R. Preedy (Ed.), *Comprehensive guide to post-traumatic stress disorder*. Springer International Publishing.
- McLoyd, V. C. (1998). Socioeconomic disadvantage and child development. *American Psychologist, 53*(2), 185–204. <https://doi.org/10.1037/0003-066X.53.2.185>
- Ministry of Education and Higher Education (MEHE). (2014). *Reaching all children with education: RACE I*.
- MEHE. (2016). *Reaching all children with education: RACE II (2017–2021)*.
- MEHE. (2019). RACE II Fact Sheet: March 2019. <http://racep-mulebanon.com/images/fact-sheet-march-2019.pdf>
- MEHE. (2020). Reaching all children with education: Lebanon (RACE II). <http://racep-mulebanon.com/index.php/features-mainmenu-47/race2-article>.
- Norwegian Refugee Council. (2013). The consequences of limited legal status for Syrian refugees in Lebanon: NRC Lebanon Field Assessment Aarsal and Wadi Khaled.
- Nosè, M., Balette, F., Bighelli, I., Turrini, G., Purgato, M., Tol, W., Priebe, S., & Barbui, C. (2017). Psychosocial interventions for post-traumatic stress disorder in refugees and asylum seekers resettled in high-income countries: Systematic review and meta-analysis. *PLoS ONE, 12*, 1–16. <https://doi.org/10.1371/journal.pone.0171030>

- Panter-Brick, C., Eggerman, M., Mojadidi, A., & McDade, T. W. (2008). Social stressors, mental health, and physiological stress in an urban elite of young Afghans in Kabul. *American Journal of Human Biology*, 20(6): 627–641. <https://doi.org/10.1002/ajhb.20797>
- Patel, V. (2014). Rethinking mental health care: Bridging the credibility gap. *Intervention* 12(Supplement 1): 15–20. <https://www.interventionjournal.com/sites/default/files/Patel%202014%20I%20bridging%20credibility%20gap.pdf>
- Pérez-Sales, P. (2013). Assessment of trauma experience, mental health and individual and community coping resources of refugee Syrian population displaced in north Bekaa (Lebanon). *Médecins du Monde—France / Médicos del Mundo—España*.
- Perez-Sales, P., Médecins du Monde. (2013, January 28). Assessment of trauma experiences, mental health and individual and community coping resources of refugee Syrian population displaced in north Bekaa, Lebanon.
- Shuayb, M. (2016). The role of research centres in shaping education reform in Lebanon. *Al Moustakbal*, N443: 84–102.
- Shuayb, M., Makkouk, N., & Tuttunji, S. (2014). Widening access to quality education for Syrian refugees: The role of private and NGO sectors in Lebanon. <http://lebanesestudies.com/wp-content/uploads/2014/09/Widening-Access-to-Quality-Education-for-Syrian-Refugees-the-role-private-and-NGO-sectors-in-Lebanon-.pdf>
- Turrini, G., Purgato, M., Acarturk, C., Anttila, M., Au, T., Ballette, F., & Barbui, C. (2019). Efficacy and acceptability of psychosocial interventions in asylum seekers and refugees: Systematic review and meta-analysis. *Epidemiology and Psychiatric Sciences*, 28(4), 376–388. <https://doi.org/10.1017/S2045796019000027>
- United Nations. (2016). *Regional refugee & resilience plan (3RP) 2015–2016: Regional strategic overview*.
- United Nations and Government of Lebanon. (2015). *Lebanon Crisis Response Plan 2015–2016*.
- United Nations High Commissioner on Refugees (UNHCR). (2015). *UNHCR report 2015: Lebanon crisis response plan 2015–2016*. https://www.unocha.org/sites/dms/CAP/2015-2016_Lebanon_CRP_EN.pdf
- UNHCR. (2013). *Syria crisis: Education interrupted*. <http://www.refworld.org/docid/52aebbco4.html>

Maha Shuayb is director of the Centre for Lebanese Studies at the Lebanese American University, Beirut, and an associate lecturer at University of Cambridge, Faculty of Education. She can be reached at maha.shuayb@lebanesestudies.com

Nader Ahmad is a research assistant at the American University of Beirut. He can be reached at naa86@mail.aub.edu

Volunteer Mentor Experiences of Mentoring Forced Migrants in the United Kingdom

IONA TYNEWYDD, JOANNA SEMLYEN, SOPHIE NORTH, AND IMOGEN RUSHWORTH¹

Abstract

Research demonstrates the complex nature of supporting forced migrant populations; however, there is almost no research on volunteer experience of supporting forced migrants. This study explored the experiences of volunteer mentors in the United Kingdom. Eight participants were recruited from a single charitable organization. Data were collected using in-depth, semi-structured interviews, and verbatim transcripts were analyzed using Interpretative phenomenological analysis. Four superordinate themes emerged: “paralyzed by responsibility and powerlessness”; “weighty emotional fallout”; “navigating murky boundaries”; and “enriched with hope, joy, and inspiration.” Participants experienced a range of emotions as a result of their mentoring: from distress to inspiration. Findings suggest that focusing on achievable changes helps mentors. The mentoring relationship is hugely important to mentors but also requires careful navigation. The findings suggest that, whilst it is a fulfilling experience, support is required for volunteers mentoring forced migrants. The relative strengths

and limitations of the study are considered. Theoretical implications and suggestions for organizations, clinical applications, and future research are provided.

Résumé

Les recherches démontrent la complexité de soutenir des populations en situation de migration forcée. Cependant, peu d'études portent sur l'expérience des bénévoles soutenant les migrants forcés. Cette étude explore les expériences de mentors bénévoles au Royaume-Uni. Huit participants ont été recrutés dans un organisme de bienfaisance particulier. Les données ont été recueillies à l'aide d'entrevues semi-structurées approfondies. Les transcriptions textuelles ont fait l'objet d'une analyse interprétative phénoménologique. Quatre thèmes principaux ont émergé : « Paralisé par la responsabilité et l'impuissance », « Lourdes répercussions émotionnelles », « Naviguer des frontières troubles » et « Enrichi d'espoir, de joie et d'inspiration ». Les participants ont vécu une gamme d'émotions suite à leur mentorat, allant de la détresse à l'inspiration. Les résultats indiquent que le fait de se concentrer sur des changements réalisables aide les mentors.

1. The authors thank the participants for their time, their openness, and their rich contributions to this research. We would also like to thank the organization and staff for their support of the study and their aid with recruitment.

La relation de mentorat a une énorme importance pour les mentors mais demande aussi une navigation prudente. Les résultats indiquent que bien qu'il s'agisse d'une expérience enrichissante, un soutien pour les bénévoles qui agissent comme mentors auprès des migrants forcés est requis. Les forces et limites relatives de l'étude sont prises en compte. Nous abordons les implications théoriques de nos résultats et offrons des suggestions pour les organisations, le milieu clinique et la recherche future.

It is well documented that forced migrants typically experience numerous traumatic events (Ellis et al., 2007; Neuner et al., 2004). This population has exacerbated rates of post-traumatic stress disorder (PTSD) and other mental health difficulties associated with trauma (Morgan et al., 2017). A systematic review of the literature (Fazel et al., 2005) estimated a prevalence of 7%–17% of diagnosed PTSD in refugee populations. High rates of co-morbidity with other mental health difficulties, namely depression, were found. This estimate does not, however, account for those who have not accessed services or with unrecognized difficulties. Supporting this population can therefore be challenging and is associated with a wide range of psychological implications for health-care professionals (Century et al., 2007; Robertshaw et al., 2017).

Several models seek to explain the effects, including benefits and challenges, of working with traumatized populations. It is proposed that responses akin to direct traumatic experience, such as loss of predictability of the world and shattered beliefs, occur (Barrington & Shakespeare-Finch, 2013; Ehlers & Clark, 2000), resulting in experiences and behaviours like those in PTSD (Lusk & Terrazas, 2015). Beneficial psychological changes, including growth in self-perception, interpersonal relationships, and life philosophies, may also occur (Tedeschi & Calhoun, 1996) for those working with traumatized populations. Ludick and Figley's (2017) compassion fatigue resilience model proposes a framework whereby empathic concern and exposure to suffering contribute to development of secondary traumatic stress, which is influenced by additional factors (such as self-care) to create compassion fatigue resilience. Protective factors contribute to this state wherein adaptation and coping abilities have been attained. However, the authors highlight that specialist training is often required to access protective factors. Although these models acknowledge some complexity in experience of working with traumatized populations and the importance of social context, they do not seek to explore the phenomenon of this experience. Qualitative, phenomenological exploration of experience can inform our understanding of this complex process and further our

psychological understanding of the meanings ascribed to supporting forced migrants. This could improve support for those supporting forced migrants whilst contributing to the theoretical literature.

Professional Experiences in Supporting Forced Migrants

A wealth of qualitative literature indicates that professionals who support forced migrants can experience complex emotions and profound changes. High levels of distress are consistently reported, particularly when hearing about forced migrants' traumatic experiences. This has been conceptualized as "vicarious trauma" and "burnout" in health-care professionals and psychological therapists (Barrington & Shakespeare-Finch, 2013, 2014; Hernandez-Wolfe et al., 2015; Splevins et al., 2010). A study of 12 refugee centre staff holding practical and supportive roles highlighted the range and scale of clients' difficulties and the pressure this carried for them, describing structures they worked within as limiting (Guhan & Liebling-Kalifani, 2011). Some participants cited feeling overwhelmed and traumatized. Whilst this study offers important insights into experiences of employees supporting forced migrants, lack of clarity about participant job title, role, and training makes the content difficult to contextualize. In a novel thematic analysis with 13 counsellors working with forced migrants, participants described themselves as feeling conflicted and sometimes helpless (Century et al., 2007). They described uncertainty about appropriate responses to clients' harrowing stories and distress and feeling unsupported as the result of limited resources. Moreover, interpreters working with forced migrants described intense feelings, mirroring the clients' emotions, when listening to their accounts, particularly when they had had similar experiences (Splevins et al., 2010).

Studies consistently highlight the importance of personal coping strategies but also training, supervision, and management of these distressing experiences. Individualized coping strategies aid management of feeling shock and distress (Barrington & Shakespeare-Finch, 2013; Guhan & Liebling-Kalifani, 2011; Splevins et al., 2010). However, supervision may be useful for making sense of traumatic accounts heard.

In addition to difficulties in listening to distressing accounts, several studies have also identified difficulties with boundaries for professionals working with forced migrant populations. For example, interpreters experienced problems identifying appropriate boundaries because they lacked training and supervision (Splevins et al., 2010). Counsellors also experienced boundaries as harder to maintain because the population had "specialist needs" (Century et al., 2007). However, explicit exploration of how and why

boundary maintenance was challenging for counsellors was omitted from the study.

The benefits to working with forced migrants are also reported. Therapists described their work as meaningful and rewarding, some reflecting existentiality and personal circumstances (Apostolidou, 2016a; Schweitzer et al., 2015). They spoke of feeling wiser, “richer,” or “deeper,” and more able to live in the moment because of their work. Interpreters also reported improvement in personal qualities and life outlook (Splevins et al., 2010). Not-for-profit staff felt their work reinforced their beliefs and values and gained enjoyment from seeing clients “grow” (Guhan & Liebling-Kalifani, 2011), although staff roles were combined in the study, meaning specific associated roles cannot be identified. These benefits were sometimes conceptualized as “vicarious post-traumatic growth” or “vicarious resilience” (Barrington & Shakespeare-Finch, 2014), and these vicarious responses were described as “transformative” for trauma therapists (Hernandez-Wolfe et al., 2015).

Volunteer Experiences in Supporting Forced Migrants

Volunteers are commonly involved in supporting forced migrants in the United Kingdom; however, they seldom have professional experience and training to draw upon and may not be offered supervision (Wren, 2007). Wren raises concerns about the reactive nature of service provision and large responsibility placed on voluntary and charitable sectors to meet needs unmet by statutory services. Furthermore, research with 25 volunteer organizations offering befriending programs for refugees in Australia, Canada, England, and the United States indicates that organizations feel their volunteers can become overwhelmed by refugees’ complex needs and traumatic experiences (Behnia, 2007). Given these factors and the findings regarding professionals’ responses to hearing forced migrants’ stories, and the reference to the value of supervision, it is therefore important to consider the experiences of volunteers supporting forced migrants.

Only one study regarding volunteers was identified. Jones and Williamson (2014) sought to explore the roles, motivations, and experiences of eight volunteers working in Glasgow with forced migrants using a framework analysis. Some described their relationship with those they supported as a friendship and named these relationships as the most positive aspect of their work. Participants reported finding it particularly stressful and upsetting when those they supported were refused asylum or made destitute. Boundaries and directly and indirectly witnessing traumatic events were identified as a struggle; however, this was not explored. All participants placed value on organizational support, but most felt little was available—partly as the result of resource

and funding limitations. Whilst this study provides some understanding of volunteers’ experiences, it is brief and acknowledges the limited insight it provides, emphasizing the need for further research.

In summary, studies demonstrate the complex nature of experiences in working with forced migrant populations. Although several studies seek to document and explore the experiences of professionals, there is almost no research about volunteers’ experiences. Research has highlighted the challenge in listening to the traumatic accounts and stories of forced migrants, the importance of training and supervision, and difficulties with boundary maintenance. Although volunteers may have access to less support for their own needs than employed professionals do, they are often relied upon to support forced migrants in the United Kingdom. This study therefore aims to explore the experiences of volunteer mentors supporting forced migrants in the United Kingdom.

Research Question

Since this study is discovery orientated, the study research question is broad and open-ended: What are the experiences of volunteers supporting forced migrants in the United Kingdom?

A secondary question, given professionals’ experiences of hearing forced migrants’ stories, is: How do volunteers make sense of the stories they hear in their roles?

Method

Design

A qualitative design employing individual semi-structured interviews and interpretative phenomenological analysis (IPA) was used to generate in-depth accounts of experience (Smith et al., 2009). IPA is a popular and well-used research method, frequently utilized within psychology when addressing phenomenological research questions. Moreover, IPA is a recognized research method for exploring refugee experience from a phenomenological perspective (e.g., Rosbrook & Schweitzer, 2010; Schweitzer & Steele, 2008).

IPA was considered appropriate, given the lack of prior research and interest in exploring individuals’ lived experiences of this phenomenon within its context (Pietkiewicz & Smith, 2014). Shinebourne (2011) details the theoretical underpinnings of IPA and outlines how these are informed by Heidegger, Merleau-Ponty, and Sartre’s phenomenological and existential works. There is not an overall agreement between different philosophers and researchers on the matter of phenomenology; however, the authors of this article take an epistemological and ontological position grounded in critical-realism and contextualism (Bryman, 2012). This

position is most consistent with IPA, thus making it the most appropriate methodology to explore the research questions in this study.

Ethical approval was obtained from the Faculty of Medicine and Health Sciences Research Ethics Committee at the University of East Anglia.

Participants

Participants were eight volunteer mentors recruited from a single charitable organization in the east of England, who typically met their mentees once a week for 90 minutes. Their role was to support mentees in reaching individualized, collaboratively set goals. Recruitment was purposive to select a sample most relevant to the research question (Willig, 2013). In accordance with the philosophical underpinnings of IPA, a homogenous sample were recruited who were current volunteer mentors (active within the last six months), mentoring for more than six months, over the age of 18, and English speaking. Prospective participants were excluded if they were a qualified professional in a relevant field (such as social work, counselling, psychological therapies, or mental health) or had lived experience of forced migration, since this would change the sense-making of their volunteer experiences. Further demographic information was not collected in the interest of preserving confidentiality, because the charitable organisation was small. A reflexive lens was used throughout, in particular to consider the potential influence of assumptions in developing the research question, topic guide, and recruitment.

Materials

A semi-structured interview guide was developed with reference to previous research and in consultation with the organization (Jones & Williamson, 2014). The interview guide was refined through a pilot interview. In line with the study aims, questions were open ended and moved from description to interpretation and reflection (e.g., “Tell me a bit about what it is like to hear the stories of the people you work with” to “How do you make sense of the stories you hear?” and “What changes as a result of the stories you hear?”). The guide was applied flexibly to allow exploration of participants’ topics naturally as they occurred (Smith et al., 2009).

Procedure

Informed consent was gained before participants entered the study. Participants were advised they could withdraw, in accordance with the British Psychological Society Code of Human Research Ethics (BPS, 2014), for up to four weeks post-interview without needing to give a reason and without repercussion. It was not possible for participants to withdraw

after this time frame because transcription and analysis had begun, and this was clearly explained to participants before they gave their consent. They were told that confidentiality would be maintained wherever possible, excepting concerns about safety. Participants were offered a choice of interview settings; all selected the University of East Anglia. Interviews were audio-recorded and lasted between 47 and 77 minutes. All data were transferred and stored securely. Although the interview was designed to be benign, participants were advised they could pause or end the interview at any time, and the interviewer, a trainee clinical psychologist, monitored distress throughout. Debrief information signposted participants to support resources.

Analysis

Interpretative phenomenological analysis aims to explore how individuals make sense of a specific experience from their own perspective, through the production of linguistically and interpretatively rich contextualized accounts. IPA’s theoretical underpinnings posit that an interpretive process be used to access the meanings an individual ascribes to events. Therefore, IPA acknowledges the “double hermeneutic,” whereby researchers use their own understandings to interpret the participants’ understandings of the phenomenon being studied (Smith et al., 2009).

The transcribed interviews were analyzed by the first author following the steps advocated by Smith et al. (2009). A reflective journal was used throughout to identify and “bracket off” the first author’s initial impressions and reflections. Transcripts were read and reread while making initial notes. Descriptive, linguistic, and conceptual codes were identified within each transcript, which was then read again in an iterative process. Emergent themes, identified from initial notes, were clustered into groups forming a hierarchy of themes. Not all emergent themes were utilized, and rationale for exclusion was recorded. Analytic dilemmas, decisions, and rationale were recorded to ensure transparency. After the hierarchy of themes was developed, the transcript was referred to, to ensure the themes were plausible. This process was repeated for the subsequent transcripts, and, after all transcripts had been analyzed, themes for each were brought together to look for overarching themes. Supervision was utilized to affirm the plausibility of codes and themes during the analytic process.

Results

The analysis generated four overall superordinate themes present in at least half of the participants’ superordinate themes. These overall superordinate themes comprised a further 10 subordinate themes that emerged from participants’ superordinate and subordinate themes developed from the

transcripts. The appendix, which illustrates the structure of the themes and their relationships to the individual accounts, may be downloaded from the Refuge website.²

Each superordinate theme will be discussed in detail, illustrated by individual participant accounts with verbatim extracts to explore the individuality across participants. In some instances, related participant experiences are also summarized. Within this section potentially identifiable information has been replaced. Pseudonyms have been used to protect participant confidentiality.

Theme 1: Paralyzed by Responsibility and Powerlessness

Mentors felt an overwhelming sense of responsibility for their mentees, coupled with powerlessness. They heard about their mentees' experiences of settling and living in the United Kingdom, their hopes and daily challenges. They also heard about mentees' worries about situations such as their asylum status or separation from their families. Mentors felt a strong desire to improve things for their mentees and to alleviate their distress and discomfort, often driven by their personal values, sense of morality and justice. Essie conveyed a sense of despair of being unable to do more for her mentee, and her inability to influence certain situations.

ESSIE. There's other times where I walk away thinking, "Oh my God, I can't do a thing to help this person," and "I wish I could do more," and you know just sort of concerned about the lack of power that we have perhaps to influence things.

Roy spoke of experiencing powerful emotional reactions to situations in which he felt fearful and responsible for his mentee.

ROY. It's quite anxiety provoking at times, like you'd be worried about him, or we've gotten into this mode where he'll come up and he'll go, "Big problem, big problem," and my heart stops and I go, "What's going on? Is he involved with the police, is he getting kicked out, is he going to be homeless?"

Here, Roy's phrase "my heart stops" creates an evocative moment denoting panic. Roy lists possible problematic situations in quick succession, suggesting tumbling thoughts. He seems to be questioning how he is going to help his mentee and also indicates that this is a common occurrence—"we've gotten into this mode"—which adds to the sense of powerlessness.

Mentors often felt pressured by this simultaneous need and inability to "rescue" their mentees. Tyrone used the phrase "How on earth?" to illustrate his hopelessness and

inability to respond to a difficult situation. Jeff also questioned how mentors are supposed to help and highlighted the pressure he feels.

JEFF. How does the mentor who may not have ever done that before ... you know, got no clue how it works ... okay using the internet you can spend an hour or so trying to find out how to do it, but that time they've got into arrears ... so you can rescue them once they've got into trouble, yes, by finding out, but actually there's no I have to say manual of how you how someone needs to fit into how things work—not society, but how things work in the UK.

Often external forces contributed to this sense of powerlessness. Roy and Jeff both spoke about feeling frustrated and powerless when interacting and liaising with complex systems such as housing authorities, councils, and financial authorities on behalf of their mentees. For Tyrone, the support his mentee was getting from his school was a source of discontent.

TYRONE. It's just like his situation and how like there aren't enough resources for him and he's still not getting enough time like the school he's going to.

When participants were able to identify something they could do to help, this enabled them to remain motivated and encouraged. There was a common attitude of "as long as I'm doing something to help, I'm making a worthwhile difference," as illustrated by Marion.

MARION. You feel uncomfortable because you don't ... you kind of initially want to solve the problem but you can't. You can't solve anything for them so you're sort of ... I mean, I feel then just sort of forced to just go ... just be there for them, just be present and don't panic, and go, "Oh God! OK, what can I say, what's going to make them feel better?" You know, like ... what can we do now to distract or something and yeah ... so that's been my overall feeling like ... when it is just to like really show him that you're there and like you listen to them.

Marion identifies the unpleasant feelings she experiences from being unable to help as much as she would like. Her descriptions "you can't solve anything for them" and "forced to just" evoke a sense of helplessness and being unable to control the situation or alleviate the problem. However, Marion then identifies that just "being with" her mentee is helpful, and her focus changes from solving the problem to supporting her mentee emotionally, "show him that you're there."

2. See appendix (separate file), <http://doi.org/10.25071/1920-7336.40708>

Theme 2: Weighty Emotional Fallout

The emotional toll for mentors was sometimes overwhelming, and they conveyed a sense of heaviness. Participants consistently described experiencing personal ongoing distress, and occasionally horror at what they heard. Participants linked this to empathizing with and hearing about mentees' situations, both past and present, and also fears for their mentee's future. One mentor voiced how experiencing and being exposed to constant distress had led to "emotional fatigue."

MARION. You lose touch with the ... the emotion because it's ... you're just confronted with it as an everyday thing, and so you kind of go, "Oh well, that's just ... I can't feel that emotion every day." It'll be tiring to constantly be reminding myself of how you can feel after certain like moments of actually imagining, you know, what a horrible experience that people have gone through.

Marion appeared to be tired during the interview. She struggled to form coherent sentences—"lose touch with the ... the" and "oh well, that's just ... can't"—suggesting this part of her experience is disruptive and difficult to articulate. Her powerful phrase "I can't feel that emotion every day" gives a sense of being burdened. The length of her full description adds to the sense of being overwhelmed. The timing of a subsequently requested drink break seems important—perhaps indicating this topic was aversive.

Some participants tried to protect themselves by disconnecting from their mentees and emotive material, highlighting concerns about over-connecting, predominantly in relation to burnout and becoming "ill" from too much exposure to emotive material. Lana twice referred to others' emotions as "poison," conveying a powerful and emotive sense of danger and implying fear. Both Lana and Tyrone felt that achieving a good balance between connecting and not connecting was important for their own self-care, and for their mentee's experience. Lana highlighted this in her repeated use of the phrase "compassionate distancing." Lana and Tyrone located self-efficacy and responsibility within their mentees, perhaps to distance themselves from feeling overly responsible for their mentees as part of their strategy to avoid becoming too connected.

LANA. You can only so far help people as well. So it's kind of like being compassionate and not allowing yourself to get absorbed in it ... 'cause as soon as you get absorbed in it I think you've gone, and you can't really help another 'cause you're in the pit with them ... So yes that I'd say like you observe it and you stay focused, and you know in that way you can be compassionate and throw them the stick to get them out rather than jump in and both be lost.

In this extract Lana uses a goal-orientated metaphor, which denotes her having a job to do and needing to take a different stance to the mentee in order to be helpful. The references "you've gone" and "both be lost" indicate high stakes and danger in this scenario, and a finality to potential consequences. She is located as the more powerful and responsible individual in the pit metaphor, in contrast to the beginning of the extract where she states that you can only help people so far. However, she is at risk of being in the pit with them, which suggests a merging of selves and boundaries and of being "brought down." This provides a potential link to the theme of "navigating murky boundaries." These contrasts and the hypothesized positions of being in the pit or being out of the pit convey the dynamic of power and powerlessness, which seems to permeate her experience, providing a link to the theme of "paralyzed by responsibility and powerlessness." Her "distancing" in the metaphor allows her to avoid becoming overwhelmed and "lost" in response to the emotionality of the situation.

Some mentors appeared to neglect their own emotional needs. Several suggested they ought to be able to cope because they "had it easier" than their mentees. Tyrone commented that he would want any additional emotional support to go to mentees before mentors, and Vicki described prioritizing her mentee's feelings over her own. However, mentors also consistently described needing emotional support. Roy spoke of feeling "disconnected" from the voluntary organization and isolated in his mentoring role. Essie spoke about her hopes the interview might offer a space to help process her feelings.

ESSIE. It is more the kind of psychological things ... I mean even this, you know that's one of the reasons I thought ... I thought actually it would just be quite good for me to come and talk about this for an hour or so, so maybe the sort of talking aspect is ... is a useful thing, and if it was there, people would use it, definitely.

Essie shares her thinking prior to the interview itself, indicating that this was an issue she was already considering, and perhaps indicating she was hoping that the space to talk might help her make sense of her feelings. She suggests that there isn't a space for her or others to talk through their feelings and "psychological" things, conveying a sense of lack of support. Her use of formal language could suggest she perceives this issue to be serious. Furthermore, some mentors commented they would not begin a subsequent mentorship—perhaps symbolizing the draining nature of their experience and the lack of support available to them.

Theme 3: Navigating Murky Boundaries

Mentors often found it hard to decide where to place boundaries and were drawn to bend boundaries by their care and

concern for mentees. For some (Essie and Roy) this was experienced as a gradual blurring that “crept in.” For Jeff the desire to help was so strong he chose to forego “the rules” in order to help his mentee.

JEFF. You think bloody hell something will happen here you know ... so I did I guess I broke some of the mentoring rules, so I got ... I leant him some sleeping bags, blow-up mattresses, camping chairs, you know, just to give them somewhere to sleep and sit yes ... and then trying to help him hunt up some furniture.

Jeff uses profanity to emphasize the strength of his feelings in relation to the situation. The phrase “something will happen here” suggests Jeff had fears for his mentee in the event he did not intervene, and this drove him to act. Here a link to the theme “paralyzed by responsibility and powerlessness” is seen through Jeff’s sense of responsibility to his mentee. Rather than remaining powerless, Jeff chooses to act, regardless of “the rules.”

Some participants described difficulties balancing friendship and boundaries, with most describing the relationship as a type of friendship. Participants experienced this developing naturally, and some relaxed the boundaries of their relationship, becoming involved with their mentee’s social circle (or vice versa) and spending time together informally.

MARION. I just can’t do that with him in the same way, so I’m just going to make my own judgments on like where ... like how ... like what the ... because he needed like he ... he’s just such a social person, like he loved meeting my [relation], and like we just we were out, and it was like summertime, and so yeah I sort of felt like I could be a bit like more free with it and just not so ... yeah I guess not sort of sectioning it off as meeting someone who needed the special help but just sort of like another human being who enjoyed ... in his case at least he enjoys meeting new people, and he’s just very sort of outgoing and so it’s kind of like cool—OK, then I can just be a friend.

Marion repeatedly emphasizes the benefit of relaxing boundaries for her mentee, also implying this was necessary to maintain the relationship. Here she may be justifying her decision to relax the boundaries, feeling that others may not approve (elsewhere she states this is discouraged). The use of the phrases “with him” and “my own judgments” suggests Marion sees appropriate boundaries as shifting, rather than being static.

Tonya illustrated feeling tension between the friendship and mentoring role, referencing her reluctance to share information in group supervision and feeling “bad,” perhaps guilty, for doing so. She references the trust her mentee

has placed in her and uses the phrase “grassed on” (reporting someone to an authority figure), which has particularly negative connotations concerning betraying loyalty.

TONYA. I’m quite close to her as well, so I would be like we are friends I think ... I felt bad for even saying something. I don’t know whether you remember, I felt like I’d grassed on her in a way about what had happened ... I would feel like she would not like it I was talking about certain things in front of people because we do meet and she does trust me and I trust her so we ... I wouldn’t do that to her anyway, so I find that challenging definitely.

The accounts suggest there is an ongoing tension, judgment, and negotiation regarding boundaries, which contribute to mentors’ abilities to carry out their role. There was a sense of boundaries being the mentor’s own responsibility, rather than a responsibility shared with the organization.

Theme 4: Enriched with Hope, Joy, and Inspiration

Despite the challenges, mentors found the experience inspiring, fulfilling, and joyful. Most participants referred to their mentees as either inspirational or amazing. Often this was seen as a result of witnessing resilience or courage and perseverance. Tyrone described moments of “pure happiness,” and Roy spoke about feeling his “hope in humanity” had increased. Roy also repeatedly used the word “enriched” to indicate the desirable influence his mentoring had on him. The connection mentors had with their mentees seemed to give many mentors a sense of enjoyment, meaning, and accomplishment. Lana reflected on how she had not expected this two-way process.

LANA. I was surprised about was the amount of appreciation that I’ve felt, you know, from meeting him and what I get out of it, you know, because before it was like, I’ll go and help them, you know, the people that need my help, whereas actually like every time I go I come back feeling so much more, you know, joyful and like ... yes like just like wow, you know.

Similarly, Jeff spoke of feeling “rewarded” through his role, stating that this was what enabled him to continue with it. Tonya spoke about feeling that she had gained perspective on life.

TONYA. I just think it’s amazing. I just look at her and think you’re so strong and it is inspirational to think that the impact that someone can have on you and I don’t even know ... I don’t even know what happened to her and she’s so positive and happy and always down for a laugh, and we always have a good time together, and I’m always happy to see her. I just think it makes

you appreciate her as a person and puts it into perspective why so many people have problems that don't seem significant.

Here Tonya speaks quickly and confidently, using “so” and “always” to further emphasize her belief in her statements. She also conveys a sense of warmth, admiration, and respect for her mentee, sharing that she has shaped her perspectives despite not knowing the details of her journey to the United Kingdom.

Finally, some mentors felt improved in their outlook and ability to empathize with others, as described by Vicki.

VICKI. It's beneficial to yourself you get to kind of reflect on yourself and how you treat people ... you learn how to listen and I think it helps you like treat people better as well ... friends and family and that kind of thing.

Marion also spoke about becoming more empathetic and sensitive to others' experiences, as did Tyrone. This theme was often revisited by participants in their closing statements. It seemed they felt the inspiration, appreciation, and growth they gained was an important part of their experience, which they wanted to encapsulate in a “take-home message” to the researcher. Furthermore, it seemed these experiences offered mentors some protection against the more difficult aspects of mentoring, particularly those described in the theme “weighty emotional fallout.”

Discussion

The literature has explored the experiences of professionals working with forced migrants, identifying this as a complex phenomenon and emphasizing challenges in listening to accounts of trauma and the importance of support and supervision. Given the reliance by many charitable organizations on volunteers to support forced migrants, often without regular support structures, this study aimed to explore volunteers' experiences of hearing forced migrants' stories. Rather than hearing substantial, repeated accounts of mentees' journeying and historical trauma, volunteer mentors heard snippets over time and most commonly heard stories of post-migratory lives and fears for the future. Participants focused largely on the emotional implications of hearing these stories, perhaps indicating the emotiveness of their experience.

Theme one, “paralyzed by responsibility and powerlessness,” encapsulated mentors' simultaneous feelings of responsibility and helplessness. Participants felt ineffective to help their mentees and sometimes overwhelmed. Literature on volunteers, counsellors, and specialist practitioners identifies a similar sense of helplessness in relation to effecting change, linking this to burnout (e.g., Apostolidou, 2016a). Experiences of dualistic hope and hopelessness were

described by refugee centre staff, interpreters, and mental health professionals working with forced migrants (e.g., Barrington & Shakespeare-Finch, 2014), which links this theme to the final theme, “enriched in hope and joy” in the current study. To sustain motivation and well-being, some participants focused on the changes they were able to make or had made. This could be considered a coping strategy that protects mentors against overwhelming feelings of powerlessness or helplessness. Other volunteers supporting forced migrants have named seeing successful outcomes as positive, fulfilling, and motivational (Jones & Williamson, 2014).

Theme two, “weighty emotional fallout,” explored the emotional implications of mentors' ongoing distress, which often involved fearing what might happen to their mentee. Similarly, volunteers interviewed by Jones and Williamson (2014) experienced distress from worrying about asylum decisions and possibilities of destitution. Strong feelings of empathy and distress were experienced by counsellors and interpreters working with forced migrants (Century et al., 2007; Splevins et al., 2010). Similarly, voluntary organizations offering befriending programs have reported instances of volunteers being overwhelmed by refugees' complex needs and “anguishing situations” where they feel helpless and powerless (Behnia, 2007). Behnia identifies situations where volunteers can do little to help and find the complicated legal aspects of helping as contributing to this, which was also evident in the mentors' experiences in the present study. However, feelings of shock and trauma were not generally experienced by the mentors in this study, in contrast to previous research (Behnia, 2007; Splevins et al., 2010). This difference could be due to lesser exposure to traumatic materials for the participants in the present study.

Some mentors articulated refraining from connecting too much with mentees' emotional experiences. This was conceptualized as a self-protecting strategy to reduce likelihood of burnout, which also enabled mentors to remain compassionate and efficiently support their mentees. Ludick and Figley (2017) pose that detachment is a common self-care strategy in those exposed to trauma to retain resilience and compassion. Conversely, there is some suggestion that connecting with others and with those who are traumatized aids to prevent burnout in highly emotive and distressing situations, though this research does not specifically concern supporting forced migrants (Kearney et al., 2009). Although there seemed to be conflicting positions for mentors in taking care of their own emotions, there was a strong and consistent sense that they need emotional support from their organization. This has been identified as particularly important for mental health professionals working with

forced migrants (Apostolidou, 2016a; Barrington & Shakespeare-Finch, 2014).

Theme three, “navigating murky boundaries,” considered how mentors weighed where to place boundaries and how boundaries became eroded. This finding adds to the literature that documents the difficulties in negotiating appropriate boundaries with forced migrants (Century et al., 2007; Jones & Williamson, 2014; Splevins et al., 2010). Some mentors chose to forego boundaries in order to help their mentees and to counteract feelings of powerlessness. Counsellors have also described choosing to “step outside of” boundaries out of feelings of impotency and a need to help forced migrants in some situations (Century et al., 2007). In both instances this seems to be linked to feelings of moral imperative to help others in dire or unjust situations.

In the current study, mentors usually considered themselves becoming friends of their mentees, yet recognized boundaries were needed. Not only do participants support a population with specialist needs, but the nature of their role requires the formation of a strong relationship (Ragins et al., 2000). Fell and Fell (2014) detail the difference between befriending and friendship. They discuss how befriending involves being in a more powerful position and helping another, whereas friendship is defined as a mutually beneficial relationship. However, aspects of both are relevant for mentors. Mentors have a position of relative power and are supporting mentees; however, they also see the relationship as a friendship from which they too are benefiting. Therefore, it is logical that confusion and difficulties in implementing boundaries may arise. The literature suggests that good supervision and training is integral to reducing this difficulty for those supporting forced migrants (e.g., Apostolidou, 2016b). Hoad (2002) argues that organizations must be responsible for supporting volunteers in creating and maintaining consistent boundaries through ongoing supervision. Gilbert (2001) specifically advocates the use of reflective practice and supervision in considering boundaries and obligations to service users in professional roles. Furthermore, supervision has been shown to reduce stress and burnout when working within emotionally challenging settings (Bradshaw et al., 2007; Edwards et al., 2000).

Theme four, “enriched with hope, joy, and inspiration,” encompassed the energizing and hopeful aspects of mentors’ experiences. Many related this aspect of their experience to the connections they enjoyed with their mentees. Other research with volunteers supporting forced migrants cites the relationship as the most positive aspect of their work (Jones & Williamson, 2014). The relationship experience was identified as a superordinate theme in a study of therapists’ experience (Schweitzer et al., 2015). Moreover, compassion and relating to forced migrants was interpreted as a

protective factor against vicarious trauma for refugee centre staff (Guhan & Liebling-Kalifani, 2011). This aspect of the mentors’ experience may therefore potentially have benefits in relation to managing the distress they also experienced.

Mentors spoke passionately about feeling inspired and fulfilled, and having grown in their appreciation for life and their empathy for others. They conveyed a sense of renewal and enrichment through their experiences and often through witnessing resilience from their mentees, which seemed to positively influence the way they saw their lives. These experiences are similar to those of others who work with or support forced migrants. Interpreters have also described a sense of joy, admiration, reward, and aspirations to live deeper, more meaningful lives from working with forced migrants (Splevins et al., 2010). Trauma therapists have reported gains in empathy, compassion, tolerance, and sensitivity, and appreciation of life (Arnold, 2005). Similarly, mental health professionals, therapists, and counsellors working specifically with forced migrants report a variety of enriching changes, including feelings of reward, appreciation, satisfaction, privilege, change in life philosophy, and sense of purpose (e.g., Century et al., 2007). Hernandez-Wolfe and colleagues (2015) describe the interaction between distress and these responses as “profound intertwined experiences of pain, hope and joy.” In the current study these enriching experiences appeared to be highly important to the well-being of mentors and to their continuation in their roles. Despite formally taking only 90 minutes a week of mentors’ time, the diverse and deep emotional responses explored here seem to suggest that the mentoring experience has important meaning and significance for mentors, and potentially has implications that influence their lives more widely.

Implications

This study has a range of implications for theory, service design, and clinical application. Theoretically, this research has provided an initial understanding of what voluntarily mentoring forced migrants in the United Kingdom is like. It has highlighted emotional challenges, mentors’ sense of responsibility, and the importance of feeling efficacious. Although participants experienced powerlessness and distress, they also felt hopeful, encouraged, and fulfilled by their mentoring.

Organizations in the United Kingdom using volunteer mentors to support forced migrants may need to attend particularly to trauma, self-care, and boundaries in training, even when roles do not involve direct trauma work. Given the distress and dilemmas experienced by participants, specialist supervision with a validating, emotional focus should be provided wherever possible. Support from psychologists or other professionals proficient in supporting

those working with traumatized populations may be advantageous. It is recognized that organizations may be charitable, and resources may be limited; however, investing in these areas might aid sustainability by improving volunteer retention, resilience, and efficiency. Organizations may wish to consider how to monitor volunteer well-being and create non-stigmatizing avenues for those struggling.

Conclusion

This study explores a novel research area using methodology particularly suited to this end. It provides greater understanding of the commonalities of experience of regularly voluntarily mentoring forced migrants in the United Kingdom, attempting to give an idiographic and interpretive account. The epistemological approach is consistent throughout, and steps have been taken to strengthen the quality of the approach, including the use of a pilot, reflective journal, and supervision.

There are many possible areas for further research. This could investigate further the scope of distress experienced in this population and consider how to monitor and improve well-being. Since this study has highlighted the importance of the mentoring relationship and of supervision, research into what facilitates a “good” mentoring relationship, or how mentors can manage a difficult relationship, would be appropriate. Similarly, research into how supervision is experienced, or evaluating supervision for this population, is highly important. Research could also explore the experiences of volunteers with different roles, or those located in different organizations and geographies.

Declaration of Conflicting Interests

The authors declare that there is no conflict of interest.

Funding

This research received no specific grant from any funding agency in the public, commercial, or not-for-profit sectors.

References

- Apostolidou, Z. (2016a). Constructions of emotional impact, risk and meaning among practitioners working with asylum seekers and refugees. *Counselling & Psychotherapy Research*, 16(4), 277–287. <https://doi.org/10.1002/capr.12087>
- Apostolidou, Z. (2016b). The notion of professional identity among practitioners working with asylum seekers: A discursive analysis of practitioners’ experience of clinical supervision and working context in work with asylum seekers. *European Journal of Psychotherapy & Counselling*, 18(1), 4–18. <https://doi.org/10.1080/13642537.2015.1130073>
- Arnold, D., Calhoun, L. G., Tedeschi, R., & Cann, A. (2005). Vicarious posttraumatic growth in psychotherapy. *Journal of Humanistic Psychology*, 45(2), 239–263. <https://doi.org/10.1177/0022167805274729>
- Barrington, A. J., & Shakespeare-Finch, J. (2013). Working with refugee survivors of torture and trauma: An opportunity for vicarious post-traumatic growth. *Counselling Psychology Quarterly*, 26(1), 89–105. <https://doi.org/10.1080/09515070.2012.727553>
- Barrington, A. J., & Shakespeare-Finch, J. (2014). Giving voice to service providers who work with survivors of torture and trauma. *Qualitative Health Research*, 24(12), 1686–1699. <https://doi.org/10.1177/1049732314549023>
- Behnia, B. (2007). An exploratory study of befriending programs with refugees. *Journal of Immigrant & Refugee Studies*, 5(3), 1–19. https://doi.org/10.1300/J500v05n03_01
- Bradshaw, T., Butterworth, A., & Mairs, H. (2007). Does structured clinical supervision during psychosocial intervention education enhance outcome for mental health nurses and the service users they work with? *Journal of Psychiatric and Mental Health Nursing*, 14(1), 4–12. <https://doi.org/10.1111/j.1365-2850.2007.01021.x>
- British Psychological Society (BPS). (2014). *Code of human research ethics*. Retrieved from <https://www.bps.org.uk/sites/bps.org.uk/files/Policy/Policy - Files/BPS Code of Human Research Ethics.pdf>
- Bryman, A. (2012). *Social research methods*. Oxford University Press.
- Century, G., Leavey, G., & Payne, H. (2007). The experience of working with refugees: Counsellors in primary care. *British Journal of Guidance & Counselling*, 35(1), 23–40. <https://doi.org/10.1080/03069880601106765>
- Edwards, D., Burnard, P., Coyle, D., Fothergill, A., & Hannigan, B. (2000). Stress and burnout in community mental health nursing: A review of the literature. *Journal of Psychiatric and Mental Health Nursing*, 7(1), 7–14. <https://doi.org/10.1046/j.1365-2850.2000.00258.x>
- Ehlers, A., & Clark, D. M. (2000). A cognitive model of posttraumatic stress disorder. *Behaviour Research and Therapy*, 38(4), 319–345. [https://doi.org/10.1016/S0005-7967\(99\)00123-0](https://doi.org/10.1016/S0005-7967(99)00123-0)
- Ellis, B. H., Kia-Keating, M., Yusuf, S. A., Lincoln, A., & Nur, A. (2007). Ethical research in refugee communities and the use of community participatory methods. *Transcultural Psychiatry*, 44(3), 459–481. <https://doi.org/10.1177/1363461507081642>
- Fazel, M., Wheeler, J., & Danesh, J. (2005). Prevalence of serious mental disorder in 7000 refugees resettled in western countries: A systematic review. *The*

- Lancet*, 365(9467), 1309–1314. [https://doi.org/10.1016/S0140-6736\(05\)61027-6](https://doi.org/10.1016/S0140-6736(05)61027-6)
- Fell, B., & Fell, P. (2014). Welfare across borders: A social work process with adult asylum seekers. *British Journal of Social Work*, 44(5), 1322–1339. <https://doi.org/10.1093/bjsw/bct003>
- Gilbert, T. (2001). Reflective practice and clinical supervision: Meticulous rituals of the confessional. *Journal of Advanced Nursing*, 36(2), 199–205. <https://doi.org/10.1046/j.1365-2648.2001.01960.x>
- Guhan, R., & Liebling-Kalifani, H. (2011). The experiences of staff working with refugees and asylum seekers in the United Kingdom: A grounded theory exploration. *Journal of Immigrant & Refugee Studies*, 9(3), 205–228. <https://doi.org/10.1080/15562948.2011.592804>
- Hernandez-Wolfe, P., Killian, K., Engstrom, D., & Gangsei, D. (2015). Vicarious resilience, vicarious trauma, and awareness of equity in trauma work. *Journal of Humanistic Psychology*, 55(2), 153–172. <https://doi.org/10.1177/0022167814534322>
- Hoad, P. (2002). Drawing the line: The boundaries of volunteering in the community care of older people. *Health and Social Care in the Community*, 10(4), 239–246. Retrieved from <https://onlinelibrary.wiley.com/doi/pdf/10.1046/j.1365-2524.2002.00361.x>
- Jones, C., & Williamson, A. (2014). Volunteers working to support migrants in Glasgow: A qualitative study. *International Journal of Migration, Health and Social Care*, 10(4), 193–206. <https://doi.org/10.1108/IJMHS-10-2013-0034>
- Kearney, M. K., Weininger, R. B., Vachon, M. L. S., Harrison, R. L., & Mount, B. M. (2009). Self-care of physicians caring for patients at the end of life. *Journal of the American Medical Association*, 301(11), 1155. <https://doi.org/10.1001/jama.2009.352>
- Ludick, M., & Figley, C. R. (2017). Toward a mechanism for secondary trauma induction and reduction: Reimagining a theory of secondary traumatic stress. *Traumatology*, 23(1), 112–123. <https://doi.org/10.1037/trm0000096>
- Lusk, M., & Terrazas, S. (2015). Secondary trauma among caregivers who work with Mexican and Central American refugees. *Hispanic Journal of Behavioral Sciences*, 37(2), 257–273. <https://doi.org/10.1177/0739986315578842>
- Morgan, G., Melluish, S., & Welham, A. (2017). Exploring the relationship between postmigratory stressors and mental health for asylum seekers and refused asylum seekers in the UK. *Transcultural Psychiatry*, 54(5–6), 653–674. <https://doi.org/10.1177/1363461517737188>
- Neuner, F., Schauer, M., Klaschik, C., Karunakara, U., & Elbert, T. (2004). A comparison of narrative exposure therapy, supportive counseling, and psychoeducation for treating posttraumatic stress disorder in an African refugee settlement. *Journal of Consulting and Clinical Psychology*. <https://doi.org/10.1037/0022-006X.72.4.579>
- Pietkiewicz, I., & Smith, J. A. (2014). A practical guide to using interpretative phenomenological analysis in qualitative research psychology. *Czasopismo Psychologiczne—Psychological Journal*. https://www.researchgate.net/publication/263767248_A_practical_guide_to_using_Interpretative_Phenomenological_Analysis_in_qualitative_research_psychology
- Ragins, B. R., Cotton, J. L., & Miller, J. S. (2000). Marginal mentoring: The effects of type of mentor, quality of relationship, and program design on work and career attitudes. *Academy of Management Journal*, 43(6), 1177–1194. <https://doi.org/10.5465/1556344>
- Robertshaw, L., Dhesi, S., & Jones, L. L. (2017). Challenges and facilitators for health professionals providing primary healthcare for refugees and asylum seekers in high-income countries: A systematic review and thematic synthesis of qualitative research. *BMJ Open*, 7(8), e015981. <https://doi.org/10.1136/BMJOPEN-2017-015981>
- Rosbrook, B., & Schweitzer, R. D. (2010). The meaning of home for Karen and Chin refugees from Burma: An interpretative phenomenological approach. *European Journal of Psychotherapy*, 12, 159–172. <https://doi.org/10.1080/13642537.2010.488876>
- Schweitzer R. D., & Steele, Z. (2008). Researching refugees: Methodological and ethical considerations. In P. Liamputtong (Ed.), *Doing cross-cultural research: Ethical and methodological considerations* (pp. 87–102). Springer.
- Schweitzer, R., van Wyk, S., & Murray, K. (2015). Therapeutic practice with refugee clients: A qualitative study of therapist experience. *Counselling and Psychotherapy Research*, 15(2), 109–118. <https://doi.org/10.1002/capr.12018>
- Shinebourne, P. (2011). The theoretical underpinnings of Interpretative Phenomenological Analysis (IPA). *Existential Analysis*, 22(1), 16–31.
- Smith, J. A., Flowers, P., & Larkin, M. (2009). *Interpretative phenomenological analysis: Theory, method, and research*. SAGE Publications.
- Splevins, K. A., Cohen, K., Joseph, S., Murray, C., & Bowley, J. (2010). Vicarious posttraumatic growth among interpreters. *Qualitative Health Research*, 20(12), 1705–1716. <https://doi.org/10.1177/1049732310377457>
- Tedeschi, R. G., & Calhoun, L. G. (1996). The posttraumatic growth inventory: Measuring the positive legacy of trauma. *Journal of Traumatic Stress*, 9(3), 455–471. <https://doi.org/10.1007/BF02103658>
- Willig, C. (2013). *Introducing qualitative research in psychology*. Open University Press.

Wren, K. (2007). Supporting asylum seekers and refugees in Glasgow: The role of multi-agency networks. *Journal of Refugee Studies*, 20(3), 391–413. <https://doi.org/10.1093/jrs/fem006>

Iona Tynnewydd is a senior clinical psychologist at Betsi Cadwaladr University Health Board. She can be reached at iona.tynnewydd@wales.nhs.uk.

Joanna Semlyen is a psychologist and senior lecturer at Norwich Medical School, University of East Anglia. She can be reached at j.semlyen@uea.ac.uk.

Sophie North is a lecturer at the University of East Anglia. She can be reached at S.North1@uea.ac.uk.

Imogen Rushworth is a clinical associate professor in clinical psychology at Norwich Medical School, University of East Anglia, Norwich. She can be reached at i.rushworth@uea.ac.uk.

“Small Gold Mine of Talent”: Integrating Prague Spring Refugee Professionals in Canada, 1968–1969

JAN RASKA

Abstract

Following the August 1968 Soviet-led invasion of Czechoslovakia, 11,200 Prague Spring refugees were resettled in Canada. This movement included many experienced professionals and skilled tradespeople. This article examines how these refugees navigated language training and barriers to employment, including professional accreditation, and examines how this experience shaped bureaucratic and public views of refugee integration. The focus of this article is primarily on resettlement and integration efforts in Ontario, since roughly half of the Prague Spring refugees were permanently resettled in the province. The article outlines how, as part of its efforts to help the refugees with their economic and social integration, Canadian officials provided assisted passage, initial accommodations, help with securing Canadian employment, and English- or French-language training. Prague Spring refugees navigated professional obstacles, including securing accreditation of their foreign credentials and underemployment in their respective fields. Their successful resettlement and integra-

tion depended on intergovernmental cooperation between Canada and its provinces, and the assistance provided by local Czech and Slovak communities across the country.

Résumé

Suite à l'invasion menée par l'Union soviétique en Tchécoslovaquie en août 1968, 11 200 réfugiés du Printemps de Prague ont été relocalisés au Canada. Ce mouvement comprenait plusieurs professionnels expérimentés et ouvriers qualifiés. Cet article examine comment ces réfugiés ont composé avec la formation linguistique et les obstacles à l'emploi, y compris l'accréditation professionnelle, et examine comment cette expérience a façonné la vision bureaucratique et publique de l'intégration des réfugiés. Cet article se concentre principalement sur les efforts de réinstallation et d'intégration en Ontario, étant donné qu'environ la moitié des réfugiés du Printemps de Prague ont été réinstallés de façon permanente dans la province. Cet article décrit comment, dans le cadre de leurs efforts pour favoriser l'intégration économique et sociale des réfugiés, les autorités canadiennes leur ont fourni une aide au

transport, un hébergement initial, de l'aide pour obtenir un emploi au Canada et une formation linguistique en anglais ou en français. Les réfugiés du Printemps de Prague ont été confrontés à des obstacles professionnels, notamment en ce qui concerne l'accréditation de leurs diplômes étrangers et le sous-emploi dans leurs domaines respectifs. Le succès de leur relocalisation et de leur intégration reposait sur la coopération intergouvernementale entre le Canada et ses provinces et sur le soutien apporté par les communautés tchèques et slovaques locales à travers le pays.

Introduction

Overnight on August 20–21, 1968, Warsaw Pact forces invaded Czechoslovakia to crush the Prague Spring—a period that lasted over seven months in which civic freedoms were restored, press censorship was abolished, and the economy was liberalized, all in an effort to reform the communist regime from within. The sudden crisis forced approximately 27,000 Czechoslovak nationals to seek refuge in the West. They joined close to 80,000 compatriots who were in Austria, Yugoslavia, West Germany, Italy, France, and the United Kingdom at the time of the Soviet-led invasion. Many of these individuals were on holiday, studying at universities abroad, or conducting business as representatives of state companies. As a result of the invasion, many individuals and families decided that they could not return home and looked for permanent resettlement in the West. Conversely, Czechoslovak nationals who left their homeland after the invasion did so because they refused to live under Soviet occupation. Many of them sought United Nations (UN) convention refugee status and asylum in the West (Holborn, 1975, pp. 516–517).

Many Czechoslovak nationals did not meet the conditions for UN convention refugee status since they were outside of their home country at the time of the invasion. While the office of the United Nations High Commissioner for Refugees (UNHCR) declined to label them as convention refugees, the Canadian government chose to manipulate the convention definition and later deemed them as refugees. Manpower and Immigration officials viewed the Czechoslovak refugees (also commonly referred to as the Prague Spring refugees) as “good material” as a result of their post-secondary education, training, work experience, professions and skilled trades, and linguistic abilities (Madokoro, 2009, pp. 165–167). Canadian officials also believed that this “small gold mine of talent” would be able to rapidly assimilate into the fabric of Canadian society and make a significant contribution to Canada’s economy (Whalen, 1968).

Several reasons underpin the Canadian government’s decision to resettle approximately 11,200 Prague Spring

refugees between September 1968 and January 1969 (Canada, 1970, p. 524). Scholarship has claimed that political self-interest, economic considerations, and international humanitarianism played an important role in the federal government’s decision to bring mostly young and well-educated skilled workers and professionals to Canada because they could make an immediate contribution to Canadian society and its economy (Troper, 1993, p. 271). Scholars have also pointed to Cold War ideological considerations to explain Canada’s resettlement of these refugees. Canadian officials relaxed immigration criteria, including medical examination and security screening, to embarrass the Soviet authorities for propaganda purposes and to politicize the Eastern Bloc as a group of refugee-producing communist states (Dirks, 1977, p. 255).

Humanitarian organizations and supporters of refugee rights criticized the Canadian government for playing Cold War politics in its selection and admission of refugees fleeing communism in Eastern Europe, while other individuals in search of refuge from right-wing regimes were ignored (Troper, 1993, p. 272). Others suggest that federal officials used the pretence of humanitarian intervention to disguise economic self-interest and bring refugees to Canada who did not pose a security risk to Canadian society. In addition, the Canadian government sought to maintain good relations with its Soviet counterparts and to promote détente without further heightening Cold War tensions (Madokoro, 2009, p. 168).

The Warsaw Pact invasion of Czechoslovakia caught Canadian officials by surprise. Initially hesitant to implement a military or humanitarian response, the Canadian government was criticized by the mainstream press for its perceived inaction. Coupled with the lobbying efforts of the Canadian Czechoslovak and nationalist Slovak communities, Canadian officials were pressured to establish a resettlement scheme for the Prague Spring refugees. In the context of the Cold War, Canadian officials were aware that many of these individuals and families held pro-democracy and anti-communist values that fit into the conservative Cold War consensus found in Canada. Similarly, Canadian officials deemed the Prague Spring refugees to be highly desirable immigrants—as a result of their political beliefs and economic backgrounds as skilled workers and professionals—who could adapt rapidly to Canada’s culture and economy (Raska, 2018, pp. 146–147).

The Prague Spring refugee movement occurred during a period of immigration policy formulation that sought to address labour shortages in Canada’s economy. Coupled with the liberalization of Canadian immigration with the introduction of Order-in-Council P.C. 1967–1616—commonly referred to as the points system, in which racial and

geographic criteria limiting immigration were removed—immigrant selection was based increasingly on education, skills, work experience, and the linguistic ability of the prospective immigrant. Meanwhile, bureaucratic efforts to integrate newcomers were organized into a framework beginning with immigrant selection, followed by short-term integration—helping immigrants access services, including language training, orientation, and employment—and completed with these individuals obtaining citizenship (Griffith, 2017, pp. 5–6). Nearly a decade before the special program for Prague Spring refugees, the Canadian government articulated in its 1959 *Canada Year Book* that Canadian integration recognized and respected the cultural contributions of immigrants from diverse ethnic backgrounds because these newcomers cared for the welfare of their new country. Federal officials further suggested that ultimate responsibility for integration rested with the Canadian public, because without their support and acceptance of immigrants into their communities, no integration could occur. However, immigrant integration remained a voluntary process between the state and the newcomers themselves (Canada, 1959, p. 177).

Canadian officials could turn to a historical precedent to inform their decisions on the admission and resettlement of Prague Spring refugees in Canada. In November 1956, Soviet forces crushed the Hungarian Revolution and forced over 200,000 Hungarians to seek safe haven in Austria and Yugoslavia. The events in Hungary drew widespread attention from the Canadian public (Kelley & Trebilcock, 2010, pp. 345–347). As mainstream press outlets referred to the Hungarian refugees as “freedom fighters,” the Canadian government saw an opportunity to embarrass the Soviet Union by resettling them in Canada (Dirks, 1977, p. 255). Federal officials willingly received individuals who espoused a pro-democracy and anti-communist identity, but also viewed the refugees—in economic terms—as an excellent source of skilled labour due to their post-secondary education, previous work experience, and established professions in medicine, law, academia, and the arts. The Canadian government responded by relaxing immigration admissions criteria to bring approximately 37,500 Hungarian refugees to Canada. Along with provincial authorities, voluntary service agencies, and the Canadian Hungarian community, the 1956 Hungarian refugee movement represents the first instance of public-private collaboration in refugee resettlement during the postwar period (Hawkins, 1988, pp. 115–116).

Twelve years later, the Soviet-led invasion of Czechoslovakia once again garnered widespread public attention and forced Canadian officials to respond to the plight of the Prague Spring refugees. The Canadian government

recognized that Czechs and Slovaks had fled communism in their homeland, which helped to establish their Cold War desirability within Canadian society. Federal officials believed these refugees would promote the Cold War consensus and help prevent communist infiltration in their ethnocultural communities and across Canada (Raska, 2018, pp. 225, 230–231).

Ethnocultural communities play an important part in the social integration of recently arrived refugees in Canada. The 1961 Canadian Census reported over 73,061 Czechs and Slovaks in Canada, with nearly half of them born overseas (Gellner & Smerek, 1968, pp. 82–83). Following the 1948 communist takeover of Czechoslovakia, approximately 4,000 anti-communist and pro-democracy refugees arrived in Canada (Raska, 2018, p. 86). These Czech and Slovak refugees were met by local members of the Czechoslovak and nationalist Slovak communities, many of whom were interwar immigrants and espoused a belief in a common “Czechoslovak” ethno-lingual heritage between Czechs and Slovaks or advocated for a separate Slovak national identity. The two ethnocultural communities were represented separately across Canada by the Czechoslovak National Association of Canada and the Canadian Slovak League. Both organizations were instrumental in assisting Cold War arrivals with access to federal and provincial services.

In the context of the Prague Spring movement, the social and economic integration of these refugees in Canada consisted primarily of assisted passage, initial accommodations and funds for basic necessities, assistance in transitioning to Canadian employment, and English- or French-language training. Similar to the Assisted Passage Loan Scheme implemented in 1951, federal officials considered providing transportation loans to the Prague Spring refugees. In subsequent Cabinet discussions, the refugees were placed in the same category as the 1956 Hungarian movement, which had received free transportation and resettlement support (Canada, 1968, September 5). While newly arrived immigrants also had access to English- and French-language training across Canada, federal officials provided the Prague Spring refugees with allowances during their language courses (Raska, 2018, pp. 140, 155). The federal Cabinet later concluded that the refugees had been invited to resettle in Canada. Since they had not been treated as regular immigrants at the time of their admission, the Canadian government had “incurred a special responsibility” to look after them during their resettlement (Canada, 1968, October 3).

The Prague Spring refugee movement to Canada poses important questions: How did this movement of refugees from Czechoslovakia navigate language training and barriers to employment, including accreditation? Did their experiences shape bureaucratic and public views of refugee

integration? This article focuses primarily on the resettlement and integration efforts in Ontario, since roughly half of the approximately 11,200 Prague Spring refugees were permanently resettled in the province (*Globe and Mail*, 1969).

Language Training and Financial Assistance for Prague Spring Refugees

Approximately half of all individuals who arrived in Canada through the special refugee program opted to resettle in Ontario because they had extended family, business contacts, economic opportunities, and established Czech and Slovak populations. Given this reality, the provincial government believed that the needs of the incoming refugees from Czechoslovakia could be adequately met through the establishment of a provincial action committee comprising representatives from the Department of the Provincial Secretary and Citizenship, Department of Trade and Development (Immigration Branch), Department of Labour (Apprenticeship Branch), Department of Education (Arts and Technological Branch), and Department of University Affairs. The function of the provincial interdepartmental committee was to establish contact with community leaders and the refugees themselves to determine their needs: to communicate to provincial and federal agencies and departments the special needs of the refugees; to cooperate closely with the federal Department of Manpower and Immigration (DMI) in securing accommodation, employment, and counseling for refugees; to recommend to local and provincial authorities the necessary language and citizenship training that refugees required upon arrival; and to liaise with immigrant aid and social services agencies that worked closely with refugees from Czechoslovakia. In addition, provincial authorities attempted to acquaint the Prague Spring refugees with proper business practices to assist them in succeeding in their professions in Canada (Colombo, 1968).

In some cases, the level of assistance given to the refugees did not meet their specific needs and was insufficient in furthering their socioeconomic integration in Canada. In early October 1968, Ontario's minister of labour, Dalton Bales, received a letter from a constituent in his Greater Toronto riding of York Mills. The subject of the correspondence was the resettlement of three Prague Spring refugees who had arrived in Toronto three weeks earlier. The two young men and one woman were promised six months of schooling in English, with a small living allowance, by Canadian immigration officials in Zurich, prior to leaving for Canada. The men were sent to the Cooksville area of Mississauga with no directions or money and were given cards informing the public that they were refugees from Czechoslovakia who could not speak English. One of the men was a welder by

trade while the other was a university student. After reporting to a local Manpower office, they obtained employment as workers in a plastics factory for \$1.75 per hour and moved to downtown Toronto, where they shared accommodations with Italian and Polish immigrants. Both refugees had yet to be paid and had already received a letter from the DMI informing them that \$28 was due each month to pay for their assisted passage to Canada. Conversely, the young woman who was trained as a display artist and window dresser received \$60 from the Manpower office for expenses as she attempted to secure employment after attending several unsuccessful job interviews. The letter to the minister argued for more spaces in English-language classes so that these three refugees and their compatriots could acquire employment befitting their training and experience (Unknown [redacted], 1968).

The Ontario Department of the Provincial Secretary and Citizenship investigated the available language-training facilities in the province and concluded that programs for immigrant children were more than adequate, while English-language programs for adult newcomers were lacking. Provincial officials were surprised to learn that complaints recently brought forward by Czechoslovak community leaders had confirmed a lack of adequate language-training facilities for adults. Referrals to language-training programs for newcomers in the adult training centres had been reduced from 150 to 25 individuals per week, and then recently increased to 40 positions. The lack of adequate referrals was amplified by a waiting list of several hundred people. Additionally, the waiting period to begin such programs was over six months—excluding refugees from Czechoslovakia. Meanwhile, provincial officials were informed by their federal counterparts that the federal budget for English as a Second Language training under the Manpower Retraining Agreement was already overspent by three months. Given these circumstances, the Ontario government was aware that if settlement allowances were terminated for refugees without knowledge of English, these individuals would be forced to apply for welfare, as they had no previous work experience in Canada and could not qualify for unemployment insurance. Experts at the adult training centres noted that a majority of the recent arrivals from Czechoslovakia required 22 weeks of full-time language training to “function effectively in our society” (Yoerger, 1968, October 18). Consequently, many of the Prague Spring refugees were admitted into English classes sponsored under the Ontario Manpower Retraining Program (Welch, 1968, November 1).

Soon after, the Ontario government began to focus its efforts on providing financial assistance to the Prague Spring refugees. Provincial Secretary and Minister of Citizenship Robert Welch informed his colleague, the minister

of social and family services, John Yaremko, that many of the refugees from Czechoslovakia had requested financial assistance while they attended full-time English-language training. Although financial assistance was available only to the unemployable, Welch noted that many ethnic groups across the province were concerned with the preferential treatment that the Prague Spring refugees were already receiving in their initial settlement in Canada. Welch agreed that these recent arrivals were receiving more assistance than previous groups of newcomers, as English-language training was being offered daily at adult training centres across the province, and several days per week through school boards. Similarly, free tuition was offered to refugees who wished to enrol in a university program, along with a full living allowance for up to six weeks after their arrival. Provincial officials were aware that very few refugees from Czechoslovakia had been unable to find work after arriving in Canada. However, Welch remained concerned that the precedent of reasonable assistance could not be maintained for future arrivals (Welch, 1968, November 19). Some of the refugees most in need of assistance were professionals who sought to continue their practices in Canada.

Managing the Expectations of Refugee Professionals

Seizing upon newspaper coverage of the plight of five Prague Spring refugee dentists attempting to practise their profession in Canada, in early October 1968, Robert Norman Thompson, Progressive Conservative MP for Red Deer and Opposition critic for employment and immigration, asked the minister of manpower and immigration, Allan MacEachen, whether the federal government was investigating their situation (Canada, 1969, p. 986). The dentists from Czechoslovakia were qualified to practise their profession in their homeland but were now being prevented from opening a practice in Ontario for a period of 18 months in order to attend a mandatory retraining program. While dental school graduates with diplomas from American, Australian, British, and New Zealand institutions were permitted to take licensing tests in the province of their residence, graduates from all other countries were required to study two or more years at a Canadian dental school (Curry, 1968, October 15). MacEachen was aware of the situation, but noted that the issue of professional standards in dentistry was a question for the provincial governments and their respective provincial associations. Thompson wondered whether the refugee dentists had been told of the situation in Canada prior to immigrating. MacEachen replied that Canadian immigration officials overseas attempted to inform every immigrant about the conditions they would find in Canada after resettlement (Canada, 1969, p. 986). Following the media cover-

age of Question Period in the House of Commons, officials within the DMI requested that Canadian immigration offices overseas provide Ottawa with any available information on the counseling of refugee professionals and any advice given to dentists on any retraining they may have needed to complete after arriving in Canada (Couillard, 1968).

Under normal immigration procedures, prospective immigrant professionals, including doctors, dentists, nurses, engineers, and architects, were required to submit their credentials to provincial professional licensing bodies before their immigration was approved. As a former Canadian immigration officer who was posted to Vienna in 1968, Michael J. Molloy notes that in response to the sudden crisis in Czechoslovakia and the emergency nature of the Prague Spring movement, the Canadian government wanted to be sure that the refugees understood that they would not be able to work or would be underemployed in their professions upon arrival in Canada (personal communication, April 10, 2019). In mid-October 1968, Canadian immigration officials in Vienna informed Ottawa that each refugee from Czechoslovakia was now receiving a standard 20-minute interview and was being counselled on what to expect after arriving in Canada. Immigration officials assessed applicants' personal backgrounds and indicated any difficulties they might have upon arriving in Canada. Refugee professionals interested in resettling in Canada signed a statement of preparedness to undertake alternate employment.

In the case of medical professionals, doctors were advised that they could expect to become medical laboratory technicians, while dentists were informed that they were likely to assume positions as dental technicians upon resettling in Canada. Doctors and dentists signed an additional statement:

I fully understand that my acceptance in the medical profession in Canada is at the sole discretion of the licencing authority in the province in which I wish to work or practise. I further understand that acceptance by the licencing authority in any province or provinces in Canada is not an assurance of acceptance in other provinces. (Curry, 1968, October 16)

Canadian officials in Vienna translated the above statement into the Czech and Slovak languages to avoid any confusion on the part of the applicant. Canada's European regional director of immigration in Geneva wrote to Ottawa, confirming that all refugee professionals from Czechoslovakia were carefully informed of the difficulties they might encounter in Canada, including the fact that they might not be able to practise their profession or trade and had to be willing to accept alternative employment until they were able

to return to their industry through recertification (Curry, 1968, October 16).

Meanwhile, Canadian immigration authorities in Europe had received 8,207 enquires from Czechoslovak citizens for immigration to Canada, of which 6,344 (or 77.3%) resulted in applications. The largest number of applications was filed with Canadian immigration officials in Vienna. However, 38% of all refugee applicants in Vienna did not attend their scheduled immigration interview and cancelled their flights, thus forcing the Canadian immigration team to find other successful applicants to keep each chartered aircraft full of refugees on their way to Canada (Curry, 1968, October 15). The DMI originally estimated that only 500 to 1,000 individuals would apply for permanent resettlement from Austria and Yugoslavia during the special program. The demand of refugees fleeing Czechoslovakia soon outpaced Canadian officials' expectations for the resettlement scheme. The federal government responded by allocating some of the special program's \$2 million fund to support the charter flights. In the first eight weeks after the Soviet-led invasion, 14 flights arrived in Canada, bringing refugees without a preference for settlement to every region of Canada. Soon thereafter, many of the Prague Spring refugees were enrolled in language classes and special courses designed to teach them about Canadian customs and lifestyle, and had secured temporary and permanent employment. More than 1,900 of these individuals were receiving government assistance to support daily costs until they received their first pay cheque (*Globe and Mail*, 1968, October 24).

In addition to the linguistic difficulties that the newcomers faced, many of them—including doctors, dentists, engineers, lawyers, accountants, and skilled tradespeople—were certified professionally in their chosen fields but faced challenges in having their credentials recognized in Canada. This issue was raised by community leaders in Toronto during their meetings with provincial officials in mid-October 1968. The Ontario government later recommended to Ottawa that its language programs be expanded to include professionals rather than limit them to unskilled and semi-skilled refugees (Welch, 1968, October 30). Provincial officials noted that 300 locations in Toronto alone were open and ready to receive refugees for language training (Yoerger, 1968, October 21).

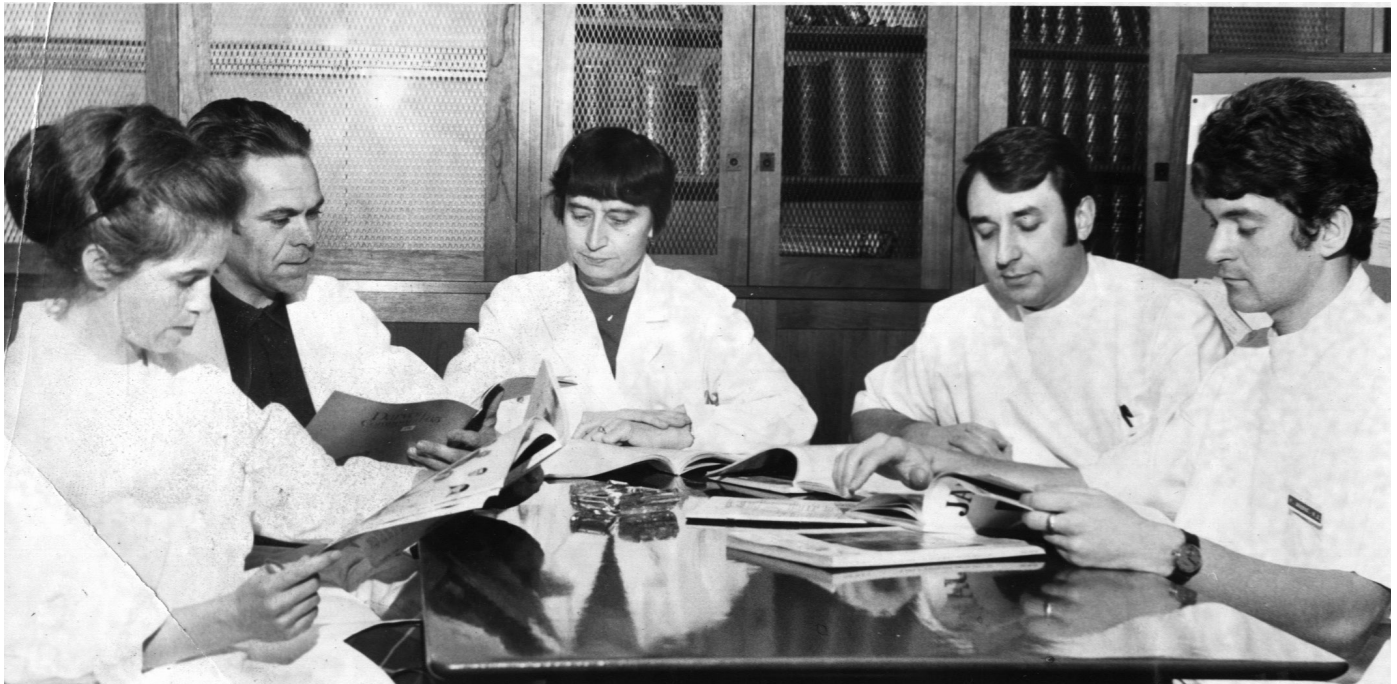
Meanwhile, the five refugee dentists who sought to re-establish their practices in Ontario continued to ignite public debates about resettlement support and the recognition of foreign professional certifications. The Ontario Federation of Labour (OFL) lobbied the provincial government to assess each incoming dentist's skills and knowledge with a practical examination under the auspices of the Royal College of

Dental Surgeons instead of forcing them to enter a university dentistry program for more schooling. The president of the OFL, David Archer, had sent Premier John Robarts a letter criticizing the college's insistence that refugee dentists undergo Canadian training in order to be fully licensed. Archer suggested that the college was involved in practices that discriminated against individuals by country of origin (*Globe and Mail*, 1968, October 21). Incidentally, officials in Ottawa could only locate the name of one of the dentists, Ján Vávra, who was residing in Hearst, Ontario (Head of Immigration Secretariat, 1968). According to Canadian immigration officials in Vienna, Vávra had signed a statement confirming that he understood he would be expected to work as a dental technician before he could meet the professional requirements in his province of residence. Vávra was offered employment as a dentist, but could not accept the position because he had yet to complete his Canadian training. The newly arrived refugee from Czechoslovakia claimed that he would need only one year to improve his English-language capabilities and become acquainted with the types of drugs, instruments and materials, and medical terms used in Canada. Like other newcomer dentists from Czechoslovakia, Vávra did not understand why he should be forced to attend university dentistry courses for two years.

The situation was much the same for doctors. A group of 30 medical doctors was required to take special examinations administered by the Ontario College of Physicians and Surgeons. For the refugee doctors whose English-language abilities were good and who were able to pass the examination, the college indicated that they would be permitted to undertake one- or two-year internships at hospitals across the province (*Globe and Mail*, 1968, October 2, p. 8). In St. Thomas, the *Times-Journal* published an article with an accompanying photograph describing the recent resettlement of five refugee physicians to the area (see Figure 1).

In mid-November 1968, Ontario's College of Dental Surgeons finally bowed to public pressure and agreed to allow the refugee dentists from Czechoslovakia to practise in the province if they passed a licensing examination. Six months later, sixteen refugee dentists failed the special licensing test, subsequently claiming that the result was due to not having been permitted to acquire sufficient practice in Canadian dental techniques after arriving. The group of dentists remained divided over their futures. Some of them agreed to take the exam again in November, while others considered moving elsewhere or enrolling in a two-year dentistry program at a Canadian university. While Canadian dentistry graduates received their licences upon graduation, licensing examinations were for the benefit of

Figure 1. Five Recently Settled Refugee Physicians



Ludmila Hilbert, Anthony Snopek, Olga Laczová, Peter Greščo, and Jiří Veselý—undergo a two-year internship at the local St. Thomas-Elgin General Hospital in southwestern Ontario. Courtesy of Elgin County Archives.

incoming dentists from other countries (Lind, 1969). The college's decision directly affected the five refugee dentists who were already living in Ontario, including Ján Vávra, and any others who had applied for a licence to practise in the province before 1969. Under the college's newly relaxed licensing rules, the refugee dentists were placed in the same category as dentists from Commonwealth countries and Scandinavia and had their qualifications and experience accepted. As a result, they were only required to pass a licensing examination. The college encouraged the five dentists—three in Toronto and two in Windsor—along with Ján Vávra to increase their English-language proficiency and to shadow local dentists at their offices (*Globe and Mail*, 1968, November 13).

Throughout 1969, refugees from Czechoslovakia continued to arrive in Canada, but no longer under the special program. They were now subject to more stringent regulations, particularly with regard to their professional status, as exemplified in the case of 17 doctors from Czechoslovakia who arrived in Canada from France, Germany, and Italy later that year. Unlike their professional colleagues who had arrived prior to the conclusion of the special program, the newly arrived doctors were required to complete a foreign

medical graduate exam, while their compatriots who had arrived earlier were required only to complete a screening test before assuming hospital internships. Although the recently arrived doctors were specialists in their fields—including anesthesia, epidemiology, gynecology, pathology, pediatrics, and surgery—their level of English comprehension was minimal. As a result, provincial authorities did not permit them to assume internships.

Toronto Life showcased the resettlement experience of an established surgeon with 23 years of professional experience (Hicks, 1969, p. 43). As one of approximately 100 doctors who were interviewed in Toronto by the College of Physicians and Surgeons of Ontario, Anton Haninec passed an oral clinical knowledge examination and was permitted to apply only for a junior internship at a local hospital. The 48-year-old experienced surgeon found an internship at the Lakeshore Psychiatric Hospital as a clinical clerk, a position that would normally have been filled by a fourth-year medical student. Haninec had left Czechoslovakia aware that he had another two decades of work left in him, and he did not want to do it under communism. With the understanding that he could work another 20–25 years, Haninec recognized that in order to practise medicine again, he would have to

seek Canadian certification by writing the Medical Council of Canada examinations (Hicks, 1969, p. 43). Like him, the majority of the doctors who were resettled in Canada with their families were in their 40s. Advocating on their behalf was Ruth Petříček, president of the Women's Council of the Czechoslovak National Association of Canada (CNAC). She notified provincial officials in Ontario that these refugees were informed that Canada needed medical professionals and that they were encouraged to come to Canada. Petříček hoped that health officials in Ontario would afford the same privileges to the 17 medical professionals as they had to those doctors and dentists who had arrived a year earlier during the special program (Petříček, 1970).

Evaluating the Resettlement and Integration of Prague Spring Refugees

Following the termination of the special program for Prague Spring refugees, six Ontario-based Canadian Czechoslovak organizations—CNAC, Women's Council of the CNAC, Canadian Fund for Czechoslovak Refugees, Masaryk Memorial Institute, Permanent Conference of Slovak Democratic Exiles, and the Czechoslovak Branch No. 601 of the Royal Canadian Legion—distributed a report entitled *Suggested Provincial Action and Programs Designed to Ease the Adjustment Problems of Czechoslovak Refugees* to the Department of the Provincial Secretary and Citizenship in Toronto (Colombo, 1969). The report sought to raise awareness of the unique problems involved in the integration of the Prague Spring refugees in Ontario. It argued that the existing programs to which government agencies reverted were designed for “sponsored” or “open-placement” immigrants, and the recently arrived refugees could not “be easily fitted into the two above categories as they have had hardly any time to consider immigration to a new country. Their decision to leave their own country is a move to[ward] survival and not a plan to settle in another country” (Colombo, 1969). Despite this criticism, the six organizations commended federal and provincial officials for using their established networks of immigrant aid services to provide the refugees with a relatively smooth transition to Canadian life.

The report recognized the work of the DMI for implementing the special program that had provided for the initial reception, financial assistance, and counselling of refugees from Czechoslovakia between September 1968 and January 1969. In cooperation with provincial and municipal authorities, every possible means of assistance was given to newly arrived refugees. The formation of an intergovernmental and interdepartmental committee was instrumental in facilitating the exchange of information necessary for the aforementioned resettlement program. The report also listed several examples of the intergovernmental cooperation

undertaken to facilitate the resettlement and integration of Prague Spring refugees in Ontario. In London, for example, the London International Services raised awareness of refugee issues among the local population. Using news outlets and personal networks, the voluntary service agency was able to assist recently resettled Prague Spring refugees in the area with housing, employment, clothing, and basic needs. In Cornwall, local agencies quickly recognized that the 20 refugees resettled to the area had existing professions and trades, but lacked much-needed winter clothing and footwear. Before they could begin their work placements, resettlement support workers sought out the necessary apparel. A small number of Prague Spring refugees were resettled in summer cottages in Northern Ontario. In the region, women's organizations were instrumental in securing clothing and basic necessities for the upcoming winter season. While the report applauded the work of the authorities and non-governmental organizations, it also pointed out that, in some cases, refugees were unsuccessful in adjusting to their new Canadian environment, while others continued to face difficulties in their new home (Colombo, 1969).

Given this reality, the DMI initiated its own study of the Prague Spring refugees' integration in Canada. The study consisted of a sample of 2,734 out of 6,639 heads of households and spanned the initial three-year period after resettlement in Canada. The results were based on the responses of 813 refugees (791 men and 22 unmarried women) to three questionnaires sent to them. Whether intentional or not, the study reaffirmed Cold War social norms by focusing on male heads of households. Immigration officials noted that the results were “reasonably representative,” even though respondents were largely male, middle-aged, technically skilled, and well-educated professionals. In addition, the respondents comprised less than 10% of the approximately 11,200 refugees who were brought to Canada under the special program (Ziegler, 1972). Unsurprisingly, the study found that the refugees were generally older and better educated, and consisted largely of professionals and craftspeople. Many were also married. Their employment conditions and level of income improved over the length of the study, and many reached the same level of employment as in Czechoslovakia. Most of the refugees were also able to maintain their employment and attained a higher level of income than the average immigrant in the same period. According to the surveys, the Prague Spring refugees worked 140 out of a possible 156 weeks. Over the three-year period, their monthly earnings increased from \$518 to \$726, and the average family income increased from \$6,620 to \$10,349 annually, slightly more than immigrants who had arrived in Canada at the same time. Unlike these same immigrants, many of the refugees from Czechoslovakia struggled with

underemployment, especially professionals who sought work in their respective fields. These included doctors, dentists, engineers, and lawyers who had to undergo additional training, examinations, and re-certifications in order to practise in Canada. This was due in part to the refugees' lack of acceptable qualifications and the state of the labour market at the time (Heatley, 1975, pp. 1–3).

In terms of social adaptation, approximately 85% of the refugees undertook courses—on life in Canada, for example—whereas only 50% of immigrants did so. When it came to language training, 80% of the refugees were enrolled in English-language courses across the country, while 41% of refugees in Quebec chose French-language training at the time. As they learned either of Canada's two official languages, only 29% of respondents indicated that they participated in social groups and associations. Within this group, 67% preferred organizations frequented by other Canadians. The study noted that a sizeable minority of the Prague Spring refugees began to identify more with Canada and slowly "relinquished" their cultural identity. By the third year of resettlement, 18% of refugee households spoke English rather than their mother tongue. In all, 67% of respondents claimed a greater sense of belonging to Canada than to Czechoslovakia. When compared to other newcomers who arrived in the late 1960s and early 1970s, the refugees from Czechoslovakia felt far more Canadian than did their immigrant peers in their first three years in Canada (Heatley, 1975, pp. 5–6).

Conclusion

During the special program for Prague Spring refugees to Canada, provincial and municipal agencies and services dealing with the resettlement of newcomers were more diverse than those that existed during the 1956 Hungarian refugee movement. Nevertheless, the successful resettlement and integration of the Prague Spring refugees depended on intergovernmental cooperation between Canada and its provinces, and the assistance provided by local Czech and Slovak communities across the country. In Ontario, refugee professionals from Czechoslovakia navigated language training, professional obstacles including securing accreditation of their foreign credentials, and underemployment in their respective fields. Their early experiences helped to shape bureaucratic and public views of refugee resettlement and integration.

The resettlement in Canada of approximately 37,500 Hungarians refugees, from 1956 to 1958, and 11,200 Czechs and Slovaks, from 1968 to 1969, demonstrated that federal refugee policy needed to move away from ad hoc responses to sudden Cold War crises and towards formalized programs

that offered admission and provided specific resettlement assistance according to the individual needs of refugees (Molloy & Madokoro, 2017). Less than five months after the termination of the special program for Prague Spring refugees, in June 1969, the Canadian government ratified the 1951 UN Convention Relating to Status of Refugees and its 1967 Protocol thereby recognizing asylum as an international right.

During the 1970s, Canadian officials relied on institutional learning gained from the two aforementioned special programs to better respond to successive refugee crises. While the resettlement of 228 Tibetan refugees in 1971 and 1972 was coordinated with provincial officials before their arrival in Canada (Raska, 2016, p. 571), efforts to bring expelled Ugandan Asians—who did not meet the convention refugee definition—to Canada in 1972 required the use of an earlier federal Cabinet directive. The Oppressed Minority Policy, which permitted the resettlement of displaced individuals who had not fled their homeland, was used to admit more than 7,000 Ugandan Asians to Canada (Molloy, 2012).

As Canadian officials recognized that refugee resettlement was becoming a necessity in Canadian immigration policy, Cold War ideology remained a major discriminatory factor in refugee admissibility, as evidenced by the Canadian government's initial reluctance to admit leftist Chilean refugees to Canada after the 1973 coup d'état (Dirks, 1977, p. 258). In response to lobbying by refugee advocates, churches, and humanitarian organizations, nearly 7,000 individuals were brought to Canada under a special Chilean movement (Kelley & Trebilcock, 2010, pp. 367–368).

In the mid-1970s, the Canadian government formalized its immigration policy on refugees with the creation of the 1976 Immigration Act. Under this legislation, Canada solidified its obligations under the UN refugee convention by implementing a humanitarian class for convention refugees, and other persecuted and displaced peoples who did not qualify under the UN convention definition (Kelley & Trebilcock, 2010, pp. 388–389, 395). The new immigration legislation permitted private groups (of five or more individuals) and organizations to participate in refugee resettlement by signing sponsorship agreements with the Canadian government. Under this groundbreaking initiative, between 1979 and 1980, over 60,000 Vietnamese, Cambodian, and Laotian refugees were brought to Canada, of which 34,000 were privately sponsored by some 7,000 groups (Canada, 1982, pp. 5, 7–8, 13–14). The successful resettlement of this latter group of refugees, which remains the largest refugee movement to Canada, evolved from lessons learned from the earlier special programs for Hungarian and Prague Spring refugees.

References

- Canada. Dominion Bureau of Statistics. (1959). *Canada year book 1959*. Minister of Trade and Commerce.
- Canada. Employment and Immigration Canada. (1982). *Indochinese refugees: The Canadian response, 1979 and 1980*. Employment and Immigration Canada.
- Canada. Parliament. (1969). *House of Commons debates: Official report, first session—twenty eighth Parliament, volume 1*. Queen's Printer for Canada.
- Canada. Parliament. (1970). *House of Commons debates: Official report, second session—twenty eight Parliament, volume 1*. Queen's Printer for Canada.
- Canada. Privy Council Office. (1968, September 5). Czechoslovak refugees, item 4431, file Cabinet Conclusions, vol. 6338, Privy Council Office fonds, RG 2, Library and Archives Canada, Ottawa.
- Canada. Privy Council Office. (1968, October 3). Assistance to Czechoslovak refugee students and other Czechoslovak refugees from special Czechoslovak Refugee Fund, item 4528, file Cabinet Conclusions, vol. 6338, Privy Council Office fonds, RG 2, Library and Archives Canada, Ottawa.
- Colombo, D. R. (1968, September 17). Memo to R. Welch, file Citizenship—Czech and Slovak Refugees, barcode B229098, Department of the Provincial Secretary and Citizenship fonds, RG 8-5, Archives of Ontario, Toronto.
- Colombo, D. R. (1969, February 11). Memo to J. S. Yoerger, file Citizenship—Czech and Slovak Refugees, barcode B229098, Department of the Provincial Secretary and Citizenship fonds, RG 8-5, Archives of Ontario, Toronto.
- Couillard, L. E. (1968, October 10). Memo to A. MacEachen, file 568-3-23, part 4, reel C-10688, vol. 691, Immigration Branch fonds, RG 76, Library and Archives Canada, Ottawa.
- Curry, R. B. (1968, October 15). Memo to A. MacEachen, file 20-Czech-1-4, part 3, vol. 8948, Department of External Affairs fonds, RG 25, Library and Archives Canada, Ottawa.
- Curry, R. B. (1968, October 16). Memo to A. MacEachen, file 568-3-23, part 4, reel C-10688, vol. 691, Immigration Branch fonds, RG 76, Library and Archives Canada, Ottawa.
- Dirks, G. (1977). *Canada's refugee policy: Indifference or opportunism?* McGill-Queen's University Press.
- Gellner, J., & Smerek, J. (1968). *The Czechs and Slovaks in Canada*. University of Toronto Press.
- Globe and Mail*. (1968, October 21). Tests urged to evaluate Czech dentists.
- Globe and Mail*. (1968, October 23). Review of rules set for Czech dentists.
- Globe and Mail*. (1968, October 24). 7,000 refugees seek Canadian visas with no sign of a letup.
- Globe and Mail*. (1968, November 13). Czech dentists offered test in Ontario.
- Globe and Mail*. (1969, January 4). Haven granted to 10,000, Czech program to end.
- Griffith, A. (2017). Telling the integration story. *CIHS Bulletin: The Newsletter of the Canadian Immigration Historical Society* 83, 5–6. <http://cihs-shic.ca/wp-content/uploads/2017/12/Bulletin-83-Final.pdf>
- Hawkins, F. (1988). *Canada and immigration: Public policy and public concern*. McGill-Queen's University Press.
- Head of Immigration Secretariat (1968, October 10). Letter to J. Bissett, file 568-3-23, part 4, reel C-10688, vol. 691, Immigration Branch fonds, RG 76, Library and Archives Canada, Ottawa.
- Heatley, R. (1975). *Czechoslovakian refugee study: A report on the three-year study of the economic and social adaptation of Czechoslovakian refugees to life in Canada, 1968–1969 to 1971–1972*. Manpower and Immigration Canada.
- Hicks, W. (1969). Toronto's Czechs: How successfully they have settled in. *Toronto Life* 3(5), 42–45, 75.
- Holborn, L. (1975). *Refugees: A problem of our time: The work of the United Nations high commissioner for refugees, 1951–1972*. Scarecrow Press.
- Kelley, N., & Trebilcock, M. (2010). *The making of the mosaic: A history of Canadian immigration policy*. University of Toronto Press.
- Lind, L. (1969, May 26). Czechs fail dentist's test for Ontario. *Globe and Mail*.
- Madokoro, L. (2009). Good material: Canada and the Prague Spring refugees. *Refuge: Canada's Journal on Refugees*, 26(1), 161–171. <https://doi.org/10.25071/1920-7336.30618>
- Molloy, M. J. (2012, October 3). Molloy: Reflecting on the Ugandan refugee movement. *Western News*. <https://doi.org/10.25071/1920-7336.40448>
- Molloy, M. J., & Madokoro, L. (2017). Effecting change: Civil servants and refugee policy in 1970s Canada. *Refuge: Canada's Journal on Refugees*, 33(1), 52–61. <https://refuge.journals.yorku.ca/index.php/refuge/article/view/40448>
- Petříček, R. (1970, January 12). Letter to W. J. Copeman, file 13, vol. 14, Czechoslovak National Association of Canada fonds, MG 28-V111, Library and Archives Canada, Ottawa.
- Raska, J. (2016). Humanitarian gesture: Canada and the Tibetan resettlement program, 1971–5. *Canadian Historical Review*, 97(4), 546–575. <https://doi.org/10.3138/chr.raska>
- Raska, J. (2018). *Czech refugees in Cold War Canada, 1945–1989*. University of Manitoba Press.

- St. Thomas Times-Journal*. (1969). St. Thomas-Elgin General Hospital—Czech doctors on hospital internships [photograph].
- Troper, H. (1993). Canadian immigration policy since 1945. *International Journal*, 48(2), 255–281. <https://doi.org/10.2307/40202881>
- Unknown [redacted]. (1968, October 8). Letter to D. Bales, file Citizenship—Czech and Slovak Refugees, barcode B229098, Department of the Provincial Secretary and Citizenship funds, RG 8-5, Archives of Ontario, Toronto.
- Welch, R. (1968, October 30). Memo to J. P. Robarts, file Citizenship—Czech and Slovak Refugees, barcode B229098, Department of the Provincial Secretary and Citizenship funds, RG 8-5, Archives of Ontario, Toronto, Ontario.
- Welch, R. (1968, November 1). Letter to Unknown (redacted), file Citizenship—Czech and Slovak Refugees, barcode B229098, Department of the Provincial Secretary and Citizenship funds, RG 8-5, Archives of Ontario, Toronto.
- Welch, R. (1968, November 19). Memo to J. Yaremko, file Citizenship—Czech and Slovak Refugees, barcode B229098, RG 8-5, Department of the Provincial Secretary and Citizenship funds, Archives of Ontario, Toronto.
- Whalen, P. (1968, September 16). 203 from Czechoslovakia combine joy and sorrow. *Globe and Mail*.
- Yoerger, J. S. (1968, October 18). Memo to R. Welch, file Citizenship—Czech and Slovak Refugees, barcode B229098, Department of the Provincial Secretary and Citizenship funds, RG 8-5, Archives of Ontario, Toronto.
- Yoerger, J. S. (1968, October 21). Memo to R. Welch, file Citizenship—Czech and Slovak Refugees, barcode B229098, Department of the Provincial Secretary and Citizenship funds, RG 8-5, Archives of Ontario, Toronto.
- Ziegler, E. (1972, November 7). Czechoslovakian refugees: Students, summary (D2014.103.1), Canadian Museum of Immigration at Pier 21, Halifax, Nova Scotia.

Jan Raska is a historian at the Canadian Museum of Immigration. He can be reached at jraska@pier21.ca.

Not Just the Luck of the Draw? Exploring Competency of Counsel and Other Qualitative Factors in Federal Court Refugee Leave Determinations (2005–2010)

JAMIE LIEW, PIA ZABELLI, PIERRE-ANDRÉ THÉRIAULT, AND MAUREEN SILCOFF¹

Abstract

Refugee claimants who have received a negative decision from the Immigration and Refugee Board sometimes seek judicial review at the Federal Court in Canada. Previous statistical studies, in particular Sean Rehaag's (2012) study, "The Luck of the Draw," have reported that rejected refugee claimants seeking judicial review face low and inconsistent

leave grant rates, with chances of success largely dependent on judge assignment. The present research looks beyond these quantitative findings to identify additional factors that may explain the troubling statistics. To this end, four researchers manually reviewed 50 leave applications submitted between 2005 and 2010 and included in Rehaag's (2012) data set. The results of this qualitative analysis are

1. Thanks are due to the editors and peer reviewers for their invaluable suggestions, as well as to the Registry of the Federal Court. Thank you to Angus Grant, Diane Nancy Doray, Cristina Rogov, and Adam Sandinsky for their assistance. We would also like to thank students at the University of Ottawa, Faculty of Law (Aditya Rao, Caroline Nguyen, Danny Yeo, Sarah Dodsworth, Salman Rana, Mariam Gagi, Janssen Dangzalan, Ursula Salas, and Gurpriya Kaberwal) for their research assistance in obtaining copies of full case files at the Federal Court. The authors have much gratitude for the helpful comments given by Hilary Evans Cameron and the commenters and organizers at both the 2018 Canadian Immigration Law Scholars Conference and the 2018 Ottawa Immigration Law Conference. Any opinions expressed in this article are those of the authors and should not be attributed to any organization of which they are or may have been a member.

© Jamie Liew et al., 2021. This open-access work is licensed under a Creative Commons Attribution-NonCommercial 4.0 International Licence, which permits use, reproduction, and distribution in any medium for non-commercial purposes, provided the original authorship is credited and the original publication in *Refuge: Canada's Journal on Refugees* is cited.

Cette œuvre en libre accès fait l'objet d'une licence Creative Commons Attribution-NonCommercial 4.0 International License, laquelle autorise l'utilisation, la reproduction et la distribution de l'œuvre sur tout support à des fins non commerciales, pourvu que l'auteur ou les auteurs originaux soient mentionnés et que la publication originale dans *Refuge: revue canadienne sur les réfugiés* soit citée.

disturbing: a significant number of rejected leave applications had been poorly prepared, and a number of facially strong cases were denied leave. These results suggest that leave grant rates could rise if the quality of legal representation were enhanced. They also indicate that rejected refugee claimants would benefit from clear and uniformly applied criteria for granting leave.

Résumé

Les demandeurs d'asile ayant reçu une décision négative de la Commission de l'immigration et du statut de réfugié font parfois une demande en révision judiciaire à la Cour fédérale du Canada. Des études statistiques antérieures, et particulièrement l'étude de Sean Rehaag (2012) « The Luck of the Draw », ont signalé que les demandeurs d'asile déboutés demandant une révision judiciaire font face à des taux d'acceptation des demandes d'autorisation bas et inconstants, les chances de succès dépendant largement du juge désigné. La présente recherche cherche à aller au-delà de ces résultats quantitatifs afin d'identifier des facteurs additionnels pouvant expliquer ces statistiques troublantes. À cette fin, quatre chercheurs ont révisé manuellement 50 demandes d'autorisation soumises entre 2005 et 2010, un échantillon des dossiers examinés par Rehaag (2012). Les résultats de cette analyse qualitative sont inquiétants. Un nombre significatif de demandes d'autorisation rejetées ont été mal préparées et un nombre de cas de prime abord solides se sont vus refuser l'autorisation. Ces résultats suggèrent que les taux d'autorisations accordées pourraient augmenter si la qualité de la représentation légale était améliorée. Ils indiquent également que les demandeurs d'asile déboutés bénéficieraient de la mise en place de critères clairs et uniformément appliqués en ce qui concerne l'acceptation des demandes d'autorisation.

Introduction and Overview: The Need to Go Beyond Numbers

Canada is touted internationally as having a refugee determination system designed to respect the principles of natural justice and fairness (Barutciski, 2012, p. 5). Refugee claimants within Canada have a right to an oral hearing at the Refugee

Protection Division (RPD) of the Immigration and Refugee Board (IRB) (*Singh v Canada*, 1985). Negative RPD decisions can be appealed to the Refugee Appeal Division (RAD) of the IRB and/or judicially reviewed at the Federal Court of Canada (*Immigration and Refugee Protection Act*, 2001).² In order to have a decision judicially reviewed, however, leave must first be granted (*Immigration and Refugee Protection Act*, 2001, s 72(1)).

Previous statistical studies have reported that rejected refugee claimants seeking judicial review before the Federal Court face low and inconsistent leave grant rates (Rehaag, 2012). This preliminary research attempts to look beyond the quantitative findings in Sean Rehaag's 2012 study that concluded that judge selection plays the dominant role in leave grant rates. To this end, we undertook a manual review of 50 leave files included in Rehaag's 2012 data set, in order to examine the nature and quality of the materials filed and better understand what qualitative factors affect the decision-making process.

The original intent of the present study was to expand on existing quantitative studies of the leave requirement. This study, to our knowledge, is the first qualitative review undertaken. As it turned out (and quite unexpectedly), our findings potentially have implications for other areas of scholarship as well—specifically, the study of the role of counsel in legal proceedings generally. In addition to serious issues in the legal soundness of the leave determinations themselves, we found a pattern of substandard representation by counsel throughout the case files, which correlated with below-average leave outcomes. This raises the question of whether the poor leave outcomes highlighted by Rehaag and others might hinge on multiple factors beyond judge assignment—factors that include quality of representation. As lawyers, the possibility of a counterpoint to the “luck of the draw” narrative prompts us to wonder whether (to quote Cassius, in *Julius Caesar*), “The fault, dear Brutus, is not in our stars, / But in ourselves, that we are underlings” (Shakespeare, 1984, 1.2.140–141).

Why Are Leave Determinations Important?

In Canada, rejected refugee claimants do not enjoy unfettered access to judicial review of the decision denying them asylum; it has long been the case that they (and all immigrants, for that matter) must first seek “leave” of the Feder-

2. Some refugee claimants do not have access to the RAD: those whose claim was referred as an exception to the Safe Third Country Agreement, Designated Foreign Nationals (mass land or sea arrivals), those whose claim was found to be manifestly unfounded and/or to have no credible basis, those whose claim was abandoned or withdrawn, and those whose claim was referred to the Immigration and Refugee Board before the RAD was implemented in December 2012 (“legacy claims”). All claimants, including those who do not have access to the RAD, can apply for leave for judicial review at the Federal Court.

al Court.³ This arrangement was referred to by the court in *Arulampalan* (1989) as a “right” to judicial review “subject to prior approval.” Legal scholars have noted, however, that the leave requirement, particularly in the refugee context, “directly and incontrovertibly breaches” the “guarantee of access to an independent and impartial court,” which is “one of the foundational tenets of the rule of law” (Macklin, 2009, pp. 105–105). Leave determinations are high stakes affairs: if a negative determination of refugee status is made, the individual in question becomes subject to removal to the country he or she fled. If the initial determination was wrong or unfairly reached and the decision is not scrutinized by a judge, then removal could mean persecution or even death.

In theory, the leave requirement should not pose a threat to refugees, because the test for leave is quite low. The Federal Court of Appeal noted in *Bains v Canada* (1990),

The only question to be considered in disposing of an application for leave under those provisions is whether or not a fairly arguable case is disclosed for the relief proposed to be sought if leave were to be granted.

Shortly thereafter, in *Virk v Canada* (1991) the Federal Court explained the test for leave as follows:

The purpose of the amendment to the Act in s. 82.1, requiring leave to file a s. 18 application, is to prevent the Court being flooded with s. 18 applications, made in many cases without any merit, merely to secure further delays so the applications for leave should not be lightly granted. On the other hand, if there appears to be any possibility of applicant succeeding at the hearing of the s. 18 application, applicant should be given the benefit of the doubt and given leave. Granting of leave does no more than give the applicant an opportunity for a full hearing on a s. 18 application and, therefore, should not consider in depth the merits of the proposed s. 18 application.

Nonetheless, in practice, the leave grant rate has historically been much lower than the test itself would suggest it should be: only 16% in refugee cases in 2005–2010 (Rehaag, 2012, Table 7)⁴ and 22.2% currently (Rehaag, 2019, Table 3).⁵ There have also been wide disparities in grant rates amongst

judges, ranging from 77.97% to 1.36% in 2005–2010 (Rehaag, 2012, Table 2), and ranging from 49.2% to 5.3% currently (Rehaag, 2019, Table 2).

With attempts to challenge its constitutionality perfunctorily dismissed (*Arulampalam*, 1989; *Bains*, 1990; *Krishnapillai v Canada*, 2001; Rehaag, 2019, pp. 37–38), the leave requirement remains an obstacle to fair and accurate refugee status determination in Canada. Even though most claimants now enjoy a right to a fact-based administrative appeal of negative decisions before the RAD, the RAD itself is not fool-proof and requires judicial scrutiny. A quantitative study of outcomes at the RAD conducted by Rehaag and Grant (2016) revealed inconsistent grant rates between RAD members and widely diverging views on the level of deference owed to RPD decisions. Accordingly, more resources, research, and attention must be devoted to the nature of the leave function in judicial review of refugee determinations, and the present qualitative study seeks to increase understanding and awareness in this regard. This is especially important given that, for the many refugee claimants who are barred from accessing the RAD appeal,⁶ the only recourse they may have is judicial review.

Previous Studies of the Federal Court Leave Requirement

The low and inconsistent grant rates have prompted researchers to hypothesize that the problem lies with the predisposition of individual judges. Several studies of the Federal Court leave requirement undertaken by legal scholars essentially support that hypothesis. All have been largely quantitative and have relied on varying data sets, making it somewhat difficult to generalize about the findings and to definitively determine to what extent such a hypothesis is correct. Since the initial goal of the present study was to add to and situate itself within this literature,⁷ it is important to review it briefly.

An initial study by Greene and Shaffer (1992) was based on a sample of 611 out of some 2,000 refugee and non-refugee leave applications filed in 1990.⁸ They found an unusual and pronounced degree of difference in leave grant rates amongst judges (p. 82) and concluded that “an association exists between individual judges on the Federal Court of Appeal and the rate of success of applicants for leave to appeal” (p. 81).

3. The leave requirement was introduced in the 1989 amendments to the *Immigration Act, 1976*, SC 1976-77, c 52, s 82.1h.

4. This figure excludes cases where the minister was the applicant and cases that were not opposed, discontinued, or not perfected.

5. Again, excluding the same types of cases as above.

6. See note 1.

7. Our ultimate findings relative to the impact of counsel in leave applications could also situate the present study within a broader range of literature on the effectiveness of counsel in the overall refugee context and beyond. This literature will be referred to in the “Implications” section.

8. At the time of the Green and Shaffer study, leave applications were decided by the Federal Court of Appeal.

This association remained strong, even when factoring in the possible effect of the human rights record of the claimant's country of origin (p. 80). These results were confirmed in a subsequent study conducted by Greene et al. (1998), which looked at all 2,081 applications filed in 1990.

A study by Gould et al. (2010) found that a number of factors were correlated to leave outcomes to a statistically significant level, including the existence and experience of counsel ("legal resource" factors), the region of filing, the gender, age, and nationality of the applicant ("structural" factors), and the gender of the judge and the judge's ideology ("judicial influence" factors) (p. 472). Interestingly for the purposes of the present study, Gould et al. found that representation by experienced legal counsel "strongly overshadowed the other explanations for the court's leave decisions" (p. 475). Ultimately, the authors acknowledged that their study did not "include a measure for legal legitimacy of the court's decisions" but still felt confident that the disparities they revealed strongly suggested that the Federal Court's immigration decisions "are heavily influenced by extralegal criteria" (p. 480).

Further research was conducted by Rehaag (2012), and this study is the work upon which the present study seeks to expand. In contrast to the previous studies, Rehaag's (2012) study was not based on a sample of leave decisions, but rather analyzed the entire body of leave applications filed during a given period (in total 23,000 leave applications filed between 2005 and 2010), and the study's data are disaggregated between applications filed by failed refugee claimants and those filed by the government. The stated goal of Rehaag's research was to examine "whether outcomes in these high-stakes applications turn on their merits or on which judge is assigned to decide the application" (Rehaag, 2012, p. 2). Like Greene and Shaffer (1992), Rehaag found massive variability in leave grant rates from judge to judge. As well, Rehaag noted that, despite a low leave grant rate in refugee cases, the overall grant rate on judicial review was relatively high—two to three times higher than the leave grant rate (Rehaag, 2012, p. 51).⁹ His inference on this score was that "some applications that could well succeed before most JR judges are prevented from reaching the merits stage by the fact that some leave judges are predisposed to deny leave" (p. 30). The overall conclusion of the Rehaag (2012) study was that outcomes in leave applications hinge partly on judge assignment—i.e., the "luck of the draw" (p. 30).

After the present research was completed (but prior to publication), Rehaag followed up with an updated quantitative study focusing on 33,000 leave applications filed between 2008 and 2016 (Rehaag, 2019). Rehaag's updated study found that while leave rates and ultimate judicial review outcomes for rejected refugee claimants had increased after 2012, there remained large variation between judges (p. 12, Table 3) and therefore outsized influence of the "luck of the draw" (p. 17).

The quantitative studies have been disseminated to the refugee bar, Federal Court judges, and the media. There is anecdotal evidence that this research, particularly Rehaag's (2012) study, has influenced how refugee lawyers currently view the fairness of the leave process (Rehaag, 2019, pp. 2–3; Butler, 2011). Yet, because the research takes a largely individualist judge-based approach to disparities in the leave granting process, it could be argued that lawyers (and the legal profession generally) may be tempted to off-load responsibility for outcomes. A perceived inability to affect outcomes might disincentivize diligent representation. These considerations undergird the need for a qualitative examination of leave decision-making as a complement to the previous quantitative research.

A Preliminary Qualitative Study of Leave Determinations

The variation in leave grant rates among judges is far outside the norm, and leave grant rates remain low, depriving thousands of refugee claimants the opportunity to have a judge review their denials of asylum. But can we trust numbers to provide the whole picture? The Federal Court has been very concerned about the implications of the statistical findings. One judge stated, "The numbers will never get at whether there was a high degree of merit to the application or not" (Butler, 2011).¹⁰ In the same vein, the former chief justice noted, "My colleagues and I are aware of too many variables that can skew what the numbers purport to say" (Butler, 2011).

In fact, many factors can affect a judge's assessment of a case, and this may be why, as noted earlier, Gould et al. (2010) highlighted an unfulfilled need for an assessment of the legal legitimacy of leave decision-making. Accordingly, the present research attempts to go beyond numbers and examine, qualitatively, the merits of a number of leave decisions within the group of cases initially studied by Rehaag (2012). Our purpose is to explore in a preliminary way not only *how* the leave test has been applied in practice, but also whether "variables" such as the strength or weakness of the

9. For all applications filed by failed claimants, including applications that were not opposed, not perfected, or discontinued, the leave grant rate was 14.18%, whereas the judicial review grant rate was 43.53%. If only perfected, opposed applications are considered, the leave grant rate was 16.38% and the judicial review grant rate was 39.54%.

10. The judge in question was reacting to Rehaag's 2012 research.

underlying refugee claim and/or the quality of the claimant's legal representation play a role in low grant rates. Our study hopes to ignite discussion for the purpose of not only more research, but more reflection by the legal community on the factors that lead to a successful leave application. We do not wish to minimize the reported issues in adjudication, but simply to explore whether other factors could be brought into the equation.

Methodology: Qualitative Review of 50 Leave Cases *Overall Study Design and Case Selection*

We conducted an in-depth exploratory analysis of 50 Federal Court files submitted between 2005 and 2010. The file period examined mirrored that of the Rehaag (2012) study. The files chosen also reflected the same parameters used by Rehaag: we selected only leave applications filed by refugee claimants who received a negative determination of their claim by the IRB, and only leave applications that were determined on the merits (i.e., not ones that were determined on consent or ones that were dismissed because they had not been perfected). A set of 50 cases seemed consistent with the number of cases examined in other qualitative studies in the refugee field (Rousseau et al., 2002; Canadian Council for Refugees, 2012, 2014).¹¹

The files were selected by generating a random integer that was then associated with a Federal Court docket number. We reviewed the recorded entries on each file (available on the Federal Court's website) to ensure that each file corresponded to our research criteria. Our method generated well over 50 files that met the criteria. We then adjusted the collection of files so as to align with Rehaag's (2012) overall findings on outcome (16% of refugee leave applications decided on the merits were allowed) and city of filing (37% in Montreal, 56% in Toronto, and 7% in Vancouver or other cities). This was done in order to avoid over-sampling files with any particular attributes. Thus, our set of 50 case files comprised 8 files where leave was granted, 42 where leave was refused, 28 that were filed in Toronto, 18 that were filed in Montreal, and 4 that were filed in other cities (2 in Vancouver, 1 in Edmonton, and 1 in Calgary). Our aim was not to conduct statistical analysis via a random sample, but simply to get a snapshot of the types of leave applications filed, in the hopes of learning more about the leave application decision-making process than had been revealed in the quantitative studies. We acknowledge the significant

limitations inherent in our sampling method from a statistical perspective, but our choice made the most sense to us as legal practitioners.

Assembling a Research Group with Refugee and Federal Court Experience

The study of the 50 files was conducted by the authors, with the help of an additional researcher. Our team is well versed in both refugee law and Federal Court practice and could objectively examine cases based on their experience across a range of roles within the refugee determination process.¹² The groups included a law professor who also practises refugee law, a PhD candidate researching Federal Court cases in the refugee context, two lawyers who were formerly IRB members for five and seven years respectively, and one lawyer who, at the time, had extensive experience practising refugee law.

Identification of Variables

Although the research group was largely agnostic about what manual review of the leave files would reveal, we did have some ideas about things to look out for. We felt that there were two variables that, in the words of the former chief justice, "can skew what the numbers purport to say": (1) effectiveness of legal representation, and (2) the strength or weakness of the underlying refugee claims. In the first variable, since a leave application is a legal proceeding, it seemed uncontroversial that the existence and quality of counsel could play a role in outcomes. In the second variable, we hypothesized that, despite the existence of errors of law in the negative decision, judges may deny leave where the underlying claim is perceived as weak in order to conserve judicial resources. There would be little point in returning a case for redetermination only to have it denied again or potentially take resources away from meritorious claims. We also postulated the converse case where judges might grant leave in cases where the underlying claim was strong, even in the face of negative factors such as a facially reasonable decision or a poorly prepared leave application. Accordingly, data were collected on both variables.

Data Collected

On the basis of the documents contained in a typical leave application,¹³ and with our two variables in mind, we estab-

11. Rousseau et al. reviewed 40 hearings; the Canadian Council for Refugees reviewed 70 cases.

12. These varying roles could be described as "practitioner," "decision-maker," and "observer" (academic).

13. As prescribed by the *Immigration Rules*, leave applications filed by refugee claimants against negative refugee status determinations are decided on the basis of an Applicant's Record (sometimes referred to as an "Application Record") filed by the refused claimant, a Respondent's Record filed by the relevant government minister, and, in some cases, a reply memorandum, filed by

lished a list of data to be collected. For each file we recorded the following: (1) the style of cause; (2) the date of filing; (3) the city of filing; (4) counsel's name; (5) the leave disposition; (6) the leave judge's name; (7) the judicial review disposition if leave was granted; (8) the applicant/claimant's country of origin; (9) his or her gender; (10) whether the case involved a family or a minor; (11) the ground(s) for the refugee claim; (12) the tribunal's reasons for refusing the claim; (13) the quality of the leave application itself; and (14) the researcher's overall impression of why leave had been granted or denied. Some of these data were for general identification and classification, some related to the variable of the strength or weakness of the underlying refugee claim,¹⁴ and some related to the variable of the quality of legal representation.

In regard to the latter variable, we established additional assessment criteria on the adequacy and effectiveness of the affidavit material and memoranda filed on behalf of the refugee claimant. Factors related to the affidavit material included: (1) compliance with the Rules; (2) format; (3) whether interpretation services were used; (4) whether the deponent was the applicant; (5) readability; and (6) whether the text and exhibits adequately recreated the record of the proceedings below. Factors related to the memoranda of argument included: (1) compliance with the Rules; (2) format; (3) inclusion of an overview, listing of issues, proper headings, proper citations; (4) readability; (5) summarization of facts; (6) issue identification; (7) quality of research and legal argument; (8) articulation of the test for leave; and (9) the filing of a reply memorandum. A pass or fail score was assigned to both form and substance of pleadings in accordance with the criteria outlined above. Failing scores in any area were highlighted. The goal was to reveal instances where a poorly prepared leave application could have led to information gaps in the mind of the judge, potentially leading to a negative outcome on the basis that the case for leave for judicial review had not been adequately proven.

Beyond just collecting data relevant to the two variables, the researchers also evaluated the soundness of the leave determinations by providing a general assessment of whether they believed that leave should have been granted,

taking into consideration the leave criteria and the content of the leave application. We recognize that the researchers' assessment of whether leave should have been granted will always be an essentially subjective exercise. Nonetheless, we attempted to assemble a group of refugee law experts who could operate as objectively as possible. On the basis of their knowledge of refugees, refugee law, and the thousands of judicial review decisions that have been issued over the past decade(s), they evaluated the material in the case files against the established legal test for the granting of leave. Again, the goal was simply to look at the materials filed and record impressions.

The 50 files were divided amongst the researchers, and each was asked to fill in an Excel worksheet containing the assessment criteria for each file. The researchers operated independently and not by consensus.¹⁵ One test case had been assigned and reviewed by all the researchers to establish consistency in evaluating the criteria. Once review was complete, the data received from each researcher were compiled into a master document for analysis.

Findings: Factors Beyond Judge Assignment

Demographics of the 50 Cases

Despite the fact that our set of files was not selected in strict accordance with the principles of random sampling, as it turned out, our case files were not skewed heavily in any one direction. There were a wide range of countries of origin represented (nine claimants from Mexico, four each from India and Colombia, three each from Israel, Haiti, China, and Russia, and one each from Uruguay, St. Vincent, Sri Lanka, Peru, Brazil, Pakistan, Guyana, Ghana, El Salvador, Paraguay, Ukraine, Kosovo, Nigeria, Tunisia, Dominican Republic, Angola, Bangladesh, Mauritania, Romania, Zimbabwe, and Kenya), and a fairly wide range of judges (24 of the 47 judges studied by Rehaag [2012] were represented in our case files). Furthermore, the aggregate average leave grant rate of our 24 judges was 17.8%, close to the overall 16% leave grant rate reported in Rehaag (2012). Thirteen applications were filed by single female claimants, 27 by single males, and 10 by couples

the refugee claimant. The Applicant's Record must include one or more affidavits and a Memorandum of Argument. Since the judge does not at the leave stage have a copy of tribunal's record, it is up to the applicant/claimant to recreate that record for the judge by way of material filed in an affidavit. The Respondent's Record contains generally the same items (affidavit material where appropriate and a Memorandum of Argument).

14. Data relating to this variable were country of origin, basis of claim, family composition, gender, and reasons for refusal. Some countries have poor human rights records and some do not. Some attributes or fact situations can ground a protection claim and some cannot. Likewise, refusals based on the claimant's lack of personal credibility as a witness might make a judge disposed to view the claim as fraudulent or to take a more deferential stance towards the Board's decision.

15. This approach proved unproblematic: each researcher's findings exhibited a similar pattern to the findings of the other researchers in terms of assessment of variables and overall legal soundness.

or families.¹⁶ A wide range of counsel was also represented in the case files.

Findings on the Legal Soundness of the Leave Determinations

The researchers' assessment of the overall legal soundness of the leave determinations (i.e., whether the test for leave was met) fell into three categories.

Leave Determination Justified

The first category comprised cases where the researchers felt that the leave determination (either positive or negative) was justified. Fifteen of the 50 files (30%) fell into this category, including all 8 where leave was granted and 7 where leave was denied. Generally, these were cases where the IRB's decision was solid or the underlying refugee claim was weak. For example, in one file, the researcher concluded that the denial of leave was justifiable because at the IRB "key documents were sent for verification and came back fraudulent—this led to reasonable credibility concerns." In another, the researcher's comments were that "denial of leave was understandable. It was a justifiable credibility decision."

Leave Determination Not Justified

The second category comprised cases where the researchers felt that the leave determination was legally wrong. Thirteen of the 50 files (26%) fell into this category. All of them were denied leave. These were cases where there were errors of law apparent on the face of the reasons or established by the materials filed. For example, in one such file, the researcher noted, "I believe leave should have been granted: the RPD panel ignored important evidence, including a corroborative letter and the fact that the applicant's father was granted refugee status on similar facts. These arguments were put to the court." In another, the researcher stated, "There was more than enough presented to have justified granting leave. The claim was strong, he complained 3x to the police. Serious allegation of rape in police custody."

Leave Determination Potentially Affected by Poor Legal Representation

There was a third category of cases that falls somewhere between the first two. This category comprised cases where the researchers could not assess the legal soundness of the leave determination because they felt that poor legal representation would have made it difficult, if not impossible, for the judge to have granted leave, despite indications that the tribunal's

decision was otherwise erroneous. Twenty-two of the 50 files (44%) reviewed fell into this category. In some instances, an error was apparent on the face of the reasons, but counsel had not adequately identified, addressed, or expounded on it in the application record. In other instances, counsel had failed to adequately recreate the record before the tribunal: this left the judge with little or no information to counter what was set forth in the reasons, rendering a denial of leave virtually inevitable. For example, in one file, the researcher found that the memorandum (factum) filed "was devoid of any legal analysis" and stated, "On the factum alone, leave should not be granted but there is an arguable case here and on that basis leave should be granted." In another, the researcher commented that the factum contained "long quotes of country evidence, claim is simply re-argued, doesn't address the errors which are very clear from the reasons," and, as to whether leave should have been granted, stated, "Yes based on reasons, but no based on record." In yet another, the researcher said of the memorandum, "Arguments not supported by legal authority; appearance of arguing with weight given to evidence," and as to the denial of leave stated, "The claim had its strengths—there was evidence to support key elements of the claim and the father was accepted in Canada two years earlier—leave could have been granted if a better record had been prepared."

In this category of cases, the conclusions of the researchers who examined the files were not that the judge had necessarily made a wrong determination. The burden of proof in any leave application is on the applicant. If the applicant (through counsel) fails to meet that burden, it would be acceptable judicial conduct to deny leave. On the other hand, it could also be acceptable judicial conduct (particularly in the life-and-death context of refugee determination) to go the extra mile, look beyond counsel's failings, and make an independent assessment of the application's overall merits. Thus, the third category of files is in a sort of grey zone in terms of assessing soundness; in some sense the leave determinations were justified, but in another sense, they were not.

Findings on the Variable of the Quality of Legal Representation

Globally, we found that 26 of 50 leave applications we studied suffered from poor legal representation (52%). These included 22 of the 50 files (44%) where poor legal representation was found by the researchers to have been a potential factor in the denial of leave, and 4 files where there had also been poor legal representation, but where the researchers felt that this had *not* been a factor in the leave determination. For instance, in one of the latter files the researcher gave

16. Leave was granted to two of the single females, three of the single males, and three of the families.

Table 1. Substantive Shortcomings of Affidavits and Memoranda

Type of substantive shortcoming	Number of files (out of 50)	%
Failed to adequately recreate record	21	42
Failed to provide sufficient summary of facts	18	36
Memoranda failed to correctly or completely identify legal issues	17	34
Failed to link the facts and evidence to legal issues	20	40
Failed to provide sufficient legal research and analysis	26	52
Little or no discussion of leave test	33	66
Provided no reply memorandum	39	78

the memorandum a failing grade but stated, “The claim was weak—it’s a better H&C [Humanitarian and Compassionate] case. It was family problems, family violence, but there was no nexus.... The denial of leave was justifiable.” In another file, the researcher found the factum poorly done but noted that denial of leave was justified because key documents had been sent for verification by the tribunal and had come back fraudulent.

In the 22 files where poor representation was considered a possible explanation for the denial of leave, it is interesting to speculate how things might have been different had representation been adequate. At best, all 22 might have been granted, since the researchers felt they were otherwise viable. If so, the number of leave grants over the 50 files could have risen from 8 to 30, raising the overall grant rate to 60%. At worst, the 22 cases would have simply been subject to the vagaries of judge assignment alone (like the other 28 files where representation had not been a factor). In other words, since the researchers found leave was “unjustifiably denied” 46% of the time where representation had *not* been a factor (i.e., in 13 of 28 cases), 10 of the 22 might have been denied anyway. This, however, implies a potential rise in the grant rate from 8 out of 50 to 20 out of 50—40% overall, which coincides with the 39.54% rate at which judges grant judicial review in refugee cases after a full hearing (Rehaag, 2012, p. 51). Accordingly, ineffective legal representation could potentially have been a variable “skewing” the results obtained in previous quantitative studies in that it might have artificially depressed grant rates—although extreme caution must be exercised in drawing generalized conclusions on account of the small size and non-random selection method of our set of case files.

Apart from the question of the effect on outcomes, the scope of the problem of inadequate legal representation (52%) was surprising to the researchers and gives the present

study an unexpected dimension. Regardless of any issues in the statistical reliability of our data across the entire corpus of leave decisions, poor representation was potentially catastrophic for the individual claimants represented in our case files and therefore deserves further exploration.

Table 1 reveals the precise nature of counsel’s shortcomings. For instance, 26 memoranda received a failing grade on substance and 11 on form. Fourteen affidavits (the vehicle through which the tribunal’s record is recreated for the court) received a failing grade on substance and seven on form. The types of errors of form found by the researchers related to things such as failing to number paragraphs or employ headings in a memorandum and failing to attach exhibits in an affidavit. On substance, several affidavits were found to include large swaths of argument. More seriously, 21 affidavits failed to adequately recreate the entire record, in some cases leaving the judge with, quite literally, nothing to work with. Most of the problems, however, were with the memorandum. Seventeen memoranda failed to adequately or completely identify the legal issues, 18 failed to provide a sufficient summary of the facts, and 20 failed to link the facts and evidence to the legal issues. As for the legal research and analysis provided in the memoranda, all 26 files received a failing grade from the researchers. Some comments were: “Very little if any relevant case law was presented and there was probably quite a bit of relevant case law on delay”; “No research, sparse arguments.... Very poor. Arguments not supported by reference to the evidence in the record. Counsel argues bias without any evidentiary foundation”; “Little [research and analysis]. The factum felt like a re-arguing of a refugee claim”; “No legal analysis virtually”; and “Some legal research but the legal analysis was not focused, and it was hard to discern what argument the lawyer was making.”

The use of boilerplate was identified in four cases. Disturbingly, six memoranda were of such a poor quality that

the researchers suspected them to have been “ghostwritten”—i.e., a person not qualified to practise law prepared the application in the claimant’s name, as if the claimant were unrepresented. In one such file, the researcher wrote,

The style of the factum was unorthodox and amateurish, and there was some boilerplate (for instance text from a stay factum was included). Serious issues were presented but with minimal supporting material. Some of the language was inflammatory. [For example:] “*The Petitioner did not convince the panel ... that her spouse would still be interested in her. Let us send her back and we will see. 14000 women in Russia were killed in 2004 in domestic violence.*”¹⁷

In addition, in 39 files (78%), no reply memorandum was filed. This is potentially problematic in that, if no reply is filed, it is theoretically open to the judge to conclude that the claimant is not disputing the government’s arguments or has no counter-arguments. Likewise, in 33 files (66%), there was little, if any, time spent on discussion of the test for leave. The test to be applied by the judge would seem to be a crucial threshold issue in any leave application.

What was most striking about the files that suffered from ineffective legal representation was that counsel did not seem to have a solid grasp of administrative law principles or the scope and nature of judicial review. In other words, their focus tended to be on why their client deserved refugee status rather than why the RPD decision should be quashed on judicial review principles. For Federal Court judges, however, the reverse is true; they need to be pointed to reviewable errors in the underlying decision, and they need to have the record recreated for them. In the files we examined, far too many counsel neglected to do this. Examples of some claimants who appeared to be ill-served by their lawyers at the Federal Court included: a Chechen victim of domestic violence and rape in police custody who was refused solely on the basis of a lack of identity documents; a Chinese Christian who was held to an unreasonably high standard of religious knowledge at his refugee hearing; and a couple who feared the FARC guerrilla group in Colombia but were refused in a laconic and incoherent decision based on failure to claim in the United States.

Our findings on quality of legal representation were surprising, given what is at stake in refugee cases. We were

cognizant that our study was based essentially on 8- to 13-year-old case files and that there had been several initiatives in the intervening years to improve training and supervision of refugee lawyers.¹⁸ Thus, we did some limited supplemental research into more recent case files. Using the same method and most of the same criteria as outlined above, one researcher selected and reviewed 10 negative refugee leave applications from 2016.¹⁹ In this substantially smaller group of files, we found that 5 out of the 10 files (50%) displayed inadequate legal representation. Given that the incidence of inadequate representation essentially matched that in our original set of files (52%), we felt fairly confident in concluding, even on the basis of this very small sample, that poorly prepared leave applications are possibly still a problem, and that it was still worth presenting our findings on the 50 original case files.

Findings on the Variable of the Strength or Weakness of the Underlying Refugee Claim

As noted above, the present research also explored whether Federal Court judges might be refusing leave at greater rates than the leave test would normally allow because a significant number of the underlying refugee claims were being perceived as “weak” in some way—i.e., the facts manifestly did not meet the refugee definition, the claims were proven fraudulent, or the claimant did not present as a credible witness. In the final analysis, five leave applications were identified as being “weak,” based on the facts of the underlying refugee claim or because of fraud. All were found by the researchers to have been justifiably denied leave. In addition, twenty-nine leave applications involved cases where the claimant was found non-credible to some degree. Of these, two were granted.

It is very difficult to draw any reliable inferences from these observations, particularly within the confines of our qualitative approach. Nonetheless, only five cases qualified as “weak” based on the facts of the underlying claim, and one would likely need a larger number in order to support a postulate that this variable has the potential to explain low grant rates. Furthermore, the seeming correlation between negative leave outcomes and claimants with personal credibility problems is deceptive: practical experience suggests that a significant percentage of refugee claim refusals are based in some measure on adverse credibility findings to

17. The researcher also noted that the consultant who had very likely ghostwritten the application had been jailed for immigration fraud.

18. See, for example, Legal Aid Ontario, “Refugee Law Panel Standards.”

19. Cases were generated by file number via a random integer generator, and only perfected leave applications involving leave applications filed by refused refugee claimants were included (but this time from *either* the initial hearing or the RAD). The group of files was not adjusted to reflect the geographical distribution found by Rehaag (2012); however, it just so happened that five were filed in Montreal and five in Toronto.

begin with.²⁰ Accordingly, our particular research does not readily support a conclusion that “weak” underlying refugee claims are skewing the leave grant rate to artificially low levels—although the door certainly remains open to further examination.

Implications

This exploratory study recognizes that refugee determinations are complex, difficult, and fraught with pitfalls. Our qualitative analysis of 50 leave files suggests that the refugee claimants who come before the Federal Court requesting leave for judicial review do not necessarily have weak underlying refugee claims. It also reinforces anecdotal discussion amongst refugee lawyers that the leave rate does not seem to coincide with the number of cases that *could be heard* at the Federal Court. Previous studies have focused on the presiding judge and the leave grant rates of the judges. Our manual review noted that many applications that deserved leave were inexplicably denied.²¹ This raises a question of whether the Court is actually applying the test for leave set out in the established case law, or whether the Court utilizes a different test.

Nonetheless, our analysis suggests that there is more at play here. Our findings imply that one of the most significant factors in obtaining leave at the Federal Court is not just that one has counsel, but that one’s counsel is of high quality and puts forward a proper, professional, and sound application record. Our findings reinforce other research in the refugee law field indicating that legal representation matters (Rehaag, 2011; Schoeholtz and Jacobs, 2002; Kagan, 2006; Barutciski, 2012; Tomkinson, 2014, 2018, 2019). The study also supports research outside of refugee law that finds that the competency of one’s legal representation can drive the outcome (Anderson & Heaton, 2012; Thornton & Gwin, 2012; Shanahan, Carpenter, & Mark, 2016; Poppe & Rachlinski, 2016; Miller, Keith, & Holmes, 2015). While the methodology of our study had some limitations, being “in

the trenches” allowed us to partially lift the veil on judicial decision making to reveal different findings from a purely quantitative study.

Indeed, this research exposes the limitations and potential distortions associated with purely statistical analysis. For instance, Gould et al. did attempt to measure the effect of legal representation on leave grant rates, but came to the conclusion that judge assignment was likely still the determinative factor notwithstanding (Gould et al., 2010, p. 475). This conclusion is not supported by our qualitative study. Likewise, Rehaag’s 2012 study discussed the possibility that variations in quality of counsel could account for low and inconsistent grant rates, but ultimately concluded that it was “unlikely” that poor counsel could account for these phenomena (Rehaag, 2012, p. 28).²² Again, our study does not support this conclusion. Further, our findings support Rehaag’s earlier work on the impact of legal representation in refugee cases in his 2011 study on the role of counsel in IRB decisions (Rehaag, 2011). Our findings (and indeed together with Rehaag’s 2011 study) posit that we should not be so quick to dismiss the quality of legal representation as a major factor in the context of leave applications. It also worth noting that the statistical studies paint a somewhat dystopian picture at the Federal Court because of their persistent focus on the massive grant-rate variations across judges. Our qualitative study arguably presents a more nuanced picture.²³

Overall, we found that 52% of the leave applications we examined suffered from ineffective legal representation. These preliminary findings not only have policy implications but also raise questions. Are refugee lawyers sufficiently educated or trained in submitting leave applications or in administrative law? Do they have adequate resources to devote to improving the quality of their submissions to the Federal Court, or are there constraints, such as limited legal aid funding (Mojtehdzadeh, 2019; Keung, 2017; CBC News, 2017)? Indeed, this question is of more relevance today, given

20. An informal survey of judicial review judgments in immigration cases for June 2005 and June 2010 was conducted by the researchers. In June 2005, 39% of immigration judgments involved judicial review of a negative RPD decision. In 59% of these cases, the underlying RPD decision had been based at least partly on an adverse finding of credibility. For June 2010, 16% of immigration judgments involved judicial review of a negative RPD decision, and 52% of these decisions had been based at least partly on adverse findings of credibility.

21. As noted earlier, we found 13 applications that were unjustifiably denied leave, despite adequate legal representation.

22. Rehaag (2012) did not code for quality of counsel, but seemed to have used city of filing as a proxy on the grounds that legal aid might be more accessible in some cities than others. He found that leave applications filed in Toronto were 1.42% more likely to be granted than those filed in Montreal; however, this was not a big enough difference statistically to account for the massive variations in grant rates across judges (pp. 28–29). In our data, in 8 of the 18 Montreal files (44%) and 18 of the 28 Toronto files (64%) there was poor legal representation. Two of the 18 Montreal files were granted, and 2 of the 28 Toronto files were granted.

23. As noted above, the researchers agreed with the judges’ decisions in 15 of the 28 files where quality of counsel was not a factor. Of these 15, the researchers agreed with seven negative decisions and eight positive ones.

recent cuts to Legal Aid Ontario eliminating provincial legal aid funding for refugee cases (Canadian Press, 2019). Is the situation serious enough to warrant the involvement of provincial law societies, particularly given the vulnerability of the clientele? Does the Federal Court itself need to develop a policy for dealing with substandard counsel on leave applications or review how they are assessing leave applications? Follow-up research and policy attention is urgently required on these points.

As it stands, this exploratory study is a good and bad news story. The bad news is that some lawyers may not be doing all they can and should be doing. The result is dire, as such claimants lose access to a review process that is otherwise guaranteed by law. The good news is that we as lawyers can do something about this; we are more in control of leave outcomes than previously thought and therefore less subjugated to the judicial “luck of the draw.”

Conclusion

This research is a gateway to further, in-depth qualitative research on the leave process in Federal Court refugee proceedings. While in the context of this study we cannot definitively assess the extent and relative importance of poor-quality legal representation as a factor influencing leave rates, our research does indicate that it is an important issue in the lives behind the cases. To this extent, we hope that our research provokes a moment of self-reflection among all refugee lawyers, one in which we ask ourselves whether and how we can better advocate for a population that requires the very best in legal representation.

References

- Anderson, J. M., & Heaton, P. (2012). How much difference does the lawyer make? The effect of defense counsel on murder case outcomes. *Yale Law Journal*, 122(1), 154–217.
- Arulampalan v Canada* (1989), 8 Imm LR (2d) 172.
- Bains v Canada* (1990), 47 Admin LR 317.
- Barutciski, M. (2012). *The impact of the lack of legal representation in the Canadian asylum process*. UNHCR. <https://www.refworld.org/docid/5100fbe02.html>
- Butler, D. (2011, November 27). Federal court judges independent and free of ideology, retired chief justice says. *Ottawa Citizen*.
- Canadian Council for Refugees. (2012). *The experience of refugee claimants at refugee hearings at the immigration and refugee board*.
- Canadian Council for Refugees. (2014). *The experience of refugee claimants at refugee hearings at the immigration and refugee board*.
- Canadian Press. (2019, April 15). Legal Aid Ontario will stop accepting new immigration, refugee cases following cuts. <https://www.cbc.ca/news/canada/toronto/legal-aid-ontario-cuts-1.5099348>
- CBC News. (2017, June 28). BC legal aid suspends immigration and refugee services due to lack of funding. <https://www.cbc.ca/news/canada/british-columbia/b-c-legal-aid-suspends-immigration-and-refugee-services-due-to-lack-of-funding-1.4181352>
- Federal Courts Citizenship. *Immigration and Refugee Protection Rules*, SOR/93-22, s 5.
- Gould, J. B., Sheppard, C., & Wheeldon, J. (2010). A refugee from justice? Disparate treatment in the federal court of Canada. *Law & Policy*, 34(4), 454–486. <https://doi.org/10.1111/j.1467-9930.2010.00325.x>
- Greene, I., Baar, C., McCormick, P., Szablowski, G. & Thomas, M. (1998). *Final appeal: Decision-making in Canadian courts of appeal*. James Lorimer & Company.
- Greene, I., & Shaffer, P. (1992). Leave to appeal and leave to commence judicial review in Canada's refugee-determination system: Is the process fair? *International Journal of Refugee Law*, 4(2), 71–83. <https://doi.org/10.1093/ijrl/4.1.71>
- Immigration and Refugee Protection Act*, SC 2001, c 27.
- Kagan, M. (2006). Frontier justice: Legal aid and UNHCR refugee status determination in Egypt. *Journal of Refugee Studies*, 19(1), 45–68. <https://doi.org/10.1093/jrs/fej002>
- Keung, N. (2017, March 31). As refugee numbers surge, federal legal aid funding shrinks. *Toronto Star*.
- Krishnapillai v Canada* (2001) 378 FCA, [2002] 3 FC 4.
- Legal Aid Ontario. Refugee law panel standards. http://www.legalaid.on.ca/en/info/panel_standards_refugee.asp
- Macklin, A. (2009). Asylum and the rule of law in Canada: Hearing the other (side). In S. Kneebone (Ed.), *Refugees, asylum seekers and the rule of law: Comparative perspectives* (pp. 78–121). Cambridge University Press.
- Miller, B., Keith L. C., & Holmes, J. S. (2015). Leveling the odds: The effect of quality legal representation in cases of asymmetrical capability. *Law & Society Review* 49(1), 209–239. <https://doi.org/10.1111/lasr.12123>
- Mojtehdzadeh, S. (2019, April 11). Cuts to legal aid leave refugees, immigrants in the lurch. *Toronto Star*.
- Poppe, E. S. T., & Rachlinski, J. J. (2016). Do lawyers matter? The effect of legal representation in civil disputes. *Pepardine Law Review* 43(4), 881–942.
- Rehaag, S. (2011). The role of counsel in Canada's refugee determination system: An empirical assessment. *Osgoode Hall Law Journal*, 49(1), 71–116. <https://digitalcommons.osgoode.yorku.ca/ohlj/vol49/iss1/3/>
- Rehaag, S. (2012). Judicial review of refugee determinations: The luck of the draw? *Queens Law Journal*, 38(1), 1–58. <https://journal.queenslaw.ca/sites/journal/files/Issues/Vol%2038%201/1.%20Rehaag.pdf>

- Rehaag, S. (2019). Judicial review of refugee determinations (II): Revisiting the luck of the draw. *Queen's Law Journal* 45(1) 1–36.
- Rehaag, S., & Grant, A. (2016). Unappealing: An assessment of the limits on appeal rights in Canada's new refugee determination system. *UBC Law Review*, 49(1), 203–274.
- Rousseau, C., Crépeau, F., Foxen, P., & Houle, P. (2002). The complexity of determining refugeehood: A multi-disciplinary analysis of the Canadian immigration and refugee board. *Journal of Refugee Studies*, 15(1), 43–70. <https://doi.org/10.1093/jrs/15.1.43>
- Schoenholtz, A. I., & Jacobs, J. (2002). The state of asylum representation: Ideas for change. *Georgetown Immigration Law Journal*, 16(4), 739–772.
- Shakespeare, W. (1984). *The Oxford Shakespeare: Julius Caesar* (A. Humphreys, Ed.). Oxford University Press.
- Shanahan, C. F., Carpenter A. E., & Mark, A. (2016). Lawyers, power, and strategic expertise. *Denver Law Review*, 93(2), 469–522.
- Singh v Canada (Minister of Employment and Immigration)*, [1985] 1 SCR 177.
- Thornton, E., & Gwin, B. (2012). High-quality legal representation for parents in child welfare cases results in improved outcomes for families and potential cost savings. *Family Law Quarterly*, 46(1), 139–154.
- Tomkinson, S. (2014). The impact of procedural capital and quality counsel in the Canadian refugee determination process. *International Journal of Migration and Border Studies*, 1(3), 276–290. <https://doi.org/10.1504/IJMBS.2014.068969>
- Tomkinson, S. (2018). Who are you afraid of and why? Inside the black box of refugee tribunals. *Canadian Public Administration*, 61(2), 184–204. <https://doi.org/10.1111/capa.12275>
- Tomkinson, S. (2019). Trois nuances de l'expertise stratégique: le rôle des avocats dans la procédure d'asile. *Politique et Sociétés*, 38(1), 99–128. <https://doi.org/10.7202/1058292ar>
- Virk v Canada* (1991), 13 Imm LR (2d) 119.

Jamie Liew is an immigration lawyer and an associate professor at the University of Ottawa, Faculty of Law. She can be reached at jamie.liew@uottawa.ca.

Pia Zambelli is a refugee lawyer practising in Montreal and a former member of the Immigration and Refugee Board of Canada. She can be reached at zambelli@videotron.ca.

Pierre-André Thériault is a doctoral candidate at Osgoode Hall Law School. He can be reached at theriaultpa@gmail.com.

Maureen Silcoff is a partner at Silcoff Shacter. She can be reached at msilcoff@silcoffshacter.com.

Book Reviews

Refugee Law's Fact-Finding Crisis: Truth, Risk, and the Wrong Mistake



Hilary Evans Cameron

Cambridge University Press, 2018, pp. 219

To make nothing but positive decisions, or nothing but negative decisions, all he needs is uncertainty – which, in a refugee hearing, is not hard to come by. (p. 41)

In a period when forced migration rates are unparalleled, Cameron's book is a timely account of how “the hole” in refugee law's foundation may destabilize refugee protection endeavours across the world. *Refugee Law's Fact-Finding Crisis: Truth, Risk, and the Wrong Mistake* is less focused on individual decision-makers themselves (i.e., Immigration and Refugee Board members and federal court judges), and more on the law that governs their decision-making. The book proposes a model to prevent decision-makers from making the worst mistake—denying a genuine refugee recognition. This innovative approach, which is based on risk assessments that resolve doubt in the claimant's favour, will lend itself useful to any refugee determination system.

The Wrong Mistake: The Role of Error Preference in the Law

In refugee determination hearings, Cameron asks, which mistake is the worst to make? Is it the one that will cause the most harm, or the one that the institution of law prefers? In Part 1, Cameron sets the context for her study by analyzing the role of refugee law's fact-finding structures (i.e., standard of proof, burden of proof, evidentiary burden, and legal burden). She specifically demonstrates how these fact-finding structures allow decision-makers to shift their doubt into findings of fact. Cameron's analysis of criminal and civil legal systems shows which types of error the law prefers. However, in Canada's refugee law, the court (i.e., Federal Court of Canada) fails to demonstrate a consistent preference, fluctuating

between erring in the claimant's favour or against. Such a discretionary stance allows decision-makers to come to either a positive or negative decision when presented with the same evidence. Cameron employs a psychology-based theory of risk premised on the conceptual themes of “salience” and “framing” (i.e., certain kinds of harm will resonate with some people more than others, since people tend to overemphasize different types of information in their minds) to investigate how decision-makers respond when presented with identical risks. As decision-makers fear certain harms more than others, salience and framing ultimately influence their error preference. Cameron explores how refugee law frames a problem, and, in turn, she presents why the law may prefer certain errors over others (i.e., denying a “genuine” refugee claimant recognition with a negative decision vs. recognizing a “fraudulent” refugee claimant with a positive decision).

Refugee Law Through the Lens of Error Preference

Cameron analyzes the judgments of decision-makers who find themselves at either end of the spectrum in instances of great uncertainty—those who resolve doubt in the claimant's favour and those who resolve doubt against the claimant, eschewing court judgments that fall on the middle ground. Cameron analyzes particular judgments that more clearly illustrate the court's perspective on error preference. If a judge can uphold only tribunal determinations that are deemed reasonable, and the court itself has two completely different perspectives on what reasonable fact-finding is, then the refugee determination system is “vulnerable to influence and abuse” (p. 41). Cameron analyses dozens of judgments where the court had found that the Immigration and Refugee Board of Canada had assessed evidence unfairly in denying a refu-

gee claimant recognition. The court warned that genuine refugees may encounter dire circumstances when board members make erroneous decisions, which may occur from their rigid application of procedures or the dismissal of claimants' vulnerability. In one example, a board member chose to make a personal judgment of a claimant's mental health, despite a psychiatric report that warned that formal questioning could trigger PTSD, and irrespective of the fact that the claimant needed to be taken to the hospital during the hearing as a result of breathing difficulties from crying (see *Kuta v Canada*, 2009). Cameron also reviews instances where the court prefers to resolve doubt in the claimant's favour, demonstrating a concern for the potential harm a mistaken rejection may cause in instances of uncertainty. In these cases, the court reiterates that while the burden of proof rests predominantly with the claimant, the decision-maker must also share that burden. Here the court has a low threshold of risk, ultimately tasked with determining if a claimant faces "more than a mere possibility" (p. 87) of harm.

Cameron also documents judgments in which the court resolves uncertainty and doubt against the claimant, helping the board avoid the mistake of granting an unfounded claim. In these judgments, the court finds that refugee law is not different from other areas of law and demonstrates a preference of resolving doubt against claimants, treating them like any other type of litigant. Cameron suggests that the court's judgments here are guided by the comfort and the familiarity of traditional civil proceedings, where judgments that resolve doubt in the claimant's favour are governed by risk assessments. Finally, Cameron analyzes the law's fact-finding structure to help illustrate how Canada's refugee law allows the board in instances of doubt to "reach whichever conclusion they prefer for whatever reason they want" (p. 160).

A Way Forward: Resolving Doubt in the Claimant's Favour

The most compelling part of Cameron's work is her proposed solution. What should reasonable fact-finding look like when

the court is of two minds on the matter? Cameron draws from British and Australian judgments (see *Karanakaran v Secretary of the Home Department*, 2000) to develop what she terms the Karanakaran approach. This method would require that decision-makers undertake a risk assessment by using abductive reasoning (as opposed to deductive or inductive reasoning), which in instances of great uncertainty could pass as one of the most effective ways to assess risk. With abductive reasoning, decision-makers are required to identify and contemplate counter-theories of explanations. The Karanakaran approach further requires decision-makers to carry all their doubts into the final stages of decision-making (as opposed to dropping them earlier on), enabling a rather global assessment of evidence. This approach would also require decision-makers to resolve doubt in the claimant's favour, as denying a genuine convention refugee recognition would be the more harmful mistake to make.

Cameron's book is impressive in its own right in the sheer quantity of court judgments that were reviewed, but also in her ability to explain administrative law concepts clearly to readers from non-legal backgrounds. While Cameron provides detailed and concrete legal solutions for legal scholars and administrative stakeholders alike, this work does not engage with the critical socio-legal theories of discretion. Considering that discretion is such a large theme woven throughout her text, it would have been helpful, from a socio-legal perspective, to engage with a broader theoretical analysis of discretion that goes beyond a simplistic law-discretion binary. Nonetheless, Cameron's research would make a great companion to coursework on topics of forced migration, as it is highly relevant to cross-disciplinary scholars interested in refugee determination systems in the Global North.

Melissa M. Anderson is a PhD student in socio-legal studies at York University. She can be reached at andersm@yorku.ca.

Lights in the Distance: Exile and Refuge at the Borders of Europe



Daniel Trilling

Picador, 2018, pp. 304

L'auteur de *Lights in the Distance*, Daniel Trilling, est un journaliste et auteur britannique. En cohérence avec sa sensibilité humaniste, puisqu'il a été éditeur du magazine *New Humanist* de 2013 à 2019, il nous propose ici un ouvrage brossant les portraits de femmes et d'hommes contraints par les circonstances de la vie à quitter leur région d'origine et à chercher asile dans un pays de l'Union européenne (UE).

Dans cet ouvrage, Daniel Trilling remet intelligemment l'humain, non pas au-dessus de tout, mais au centre des débats et réflexions sur la crise des frontières qu'ont traversé les pays membres de l'UE et/ou de l'espace Schengen entre 2014 et 2018. Dès les premières pages, l'auteur explique qu'il s'agit davantage d'une crise des frontières que d'une crise des réfugiés (p. x). Parler de crise des réfugiés apparaît comme un raccourci sémantique et une erreur d'analyse. Pour Daniel Trilling, le système d'asile européen échoue dans son devoir de protection. Il est destiné à filtrer, souvent de façon violente et complexe, les individus aux frontières en les catégorisant de façon artificielle selon qu'ils sont migrants économiques ou demandeurs d'asile. L'auteur partage tout au long du livre son positionnement défavorable à l'égard du système d'asile européen. À cause de ce système, explique-t-il, les mouvements sont restreints, le droit au travail est limité, et l'accès à la protection sociale renié ou sévèrement limité (p. xi). Par conséquent, l'objet principal de l'ouvrage est d'enquêter sur les effets de la crise des frontières sur la vie des personnes prises à l'intérieur de ce système (p. xi) et de révéler le dysfonctionnement et les incohérences de ce dernier (p. 64).

C'est ainsi que le lecteur fait la connaissance de Jamal, rencontré par l'auteur pour la première fois à Calais en 2014. Soudanais, désireux de s'installer au Royaume-Uni, Jamal quitte son pays natal en 2009 pour une « meilleure vie » (p. 7). Il transite par la Turquie, la Grèce, l'Italie avant de rejoindre Calais. Après le conseil d'un ami vétérinaire, il choisit finalement de s'installer en Norvège où sa demande d'asile est acceptée et son premier passeport délivré (p. 66). Pudiquement, Jamal décrit son expérience à Calais, la xénophobie et le racisme dont il fait l'objet et les réseaux de passeurs kurdes et afghans qui rythment la vie quotidienne des migrants aux abords des frontières de l'Europe.

Daniel Trilling dresse également le portrait de personnes mineurs non accompagnés, comme Ousmane et Caesar, rencontrés dans le port sicilien d'Augusta en Italie.

Ousmane a dix-sept ans lors de sa première rencontre avec l'auteur. Guinéen, il étudie au Sénégal, travaille en Mauritanie puis en Libye, avant d'atteindre l'Italie. Caesar quant à lui est Malien, électricien de métier et père d'un enfant resté au pays avec son épouse. Tous deux décrivent leur parcours respectif, s'arrêtant notamment sur leur expérience difficile vécue en Libye.

En outre, les femmes ont une place importante dans l'ouvrage. Qu'il s'agisse de Zainab, Iraquienne d'une trentaine d'années et mère de trois enfants qui, après des mois passés dans la banlieue de Calais, obtient le statut de réfugié au Royaume-Uni en 2016, de Fatima, jeune femme nigérienne, veuve et mère de deux enfants laissés au pays, qui vit dans un ghetto pour la première fois de sa vie à Syracuse et subit en Libye racisme et discrimination, ou encore d'Hakima, trentenaire afghane, mère de trois enfants et arrivée en Grèce via la Turquie en 2008 pour rejoindre son mari parti quatre années plus tôt, le lecteur découvre les expériences de vie de femmes migrantes seules en quête de sécurité et stabilité en Europe et qui se retrouvent finalement ostracisées et rejetées, devenant la cible d'un ressentiment d'une société anxieuse (p. 184).

L'avant dernier chapitre de cet ouvrage est plus personnel avec l'évocation brève et instructive de l'histoire de la grand-mère maternelle de Daniel Trilling, elle-même réfugiée à deux reprises en 1917 et 1939. Cette réflexion permet de conclure dans un dernier chapitre davantage analytique que descriptif. L'auteur y fait notamment part de sa croyance – qui motive aussi l'écriture de ce livre – selon laquelle les erreurs commises aujourd'hui n'auraient sans doute pas eu lieu si les Européens avaient davantage porté leur attention sur les récits passés de réfugiés, notamment des réfugiés somaliens dans les années 1990 (p. 244). À cette époque déjà, les actes de torture, d'abus et d'extorsion étaient dénoncés par des organisations non-gouvernementales et les Européens avaient dit « plus jamais » (p. 243).

Finalement, cet ouvrage, agréable à la lecture, présente une description très riche et très documentée sur la problématique de la politique d'asile de l'UE. La principale contribution de *Lights in the Distance* est de mettre au premier plan les histoires et expériences de ces migrants, demandeurs d'asile ou réfugiés pris dans l'engrenage du système d'asile européen. Durant cinq années de recherche et de voyage, Daniel Trilling est ainsi parti à la rencontre de l'Autre, à Calais en France ou encore à Syracuse, Augusta ou

Catane en Italie. Par petites touches, il injecte habilement de nombreux éléments de contextualisation qui rappellent au lecteur que chaque individu nourrit des chiffres et des tendances largement documentés par les pouvoirs publics et les médias. Par rapport aux récits rapportés par ces derniers, l'étude de l'auteur se distingue par son approche longue, les individus étant interviewés à plusieurs reprises sur plusieurs années. En prenant ce temps, il peut ainsi discuter avec eux de leurs succès, leurs échecs, leurs craintes et leurs espoirs.

Toutefois, les récits et portraits d'individus cherchant l'asile peuvent sembler anecdotiques pour le lecteur scientifique, même non spécialiste. L'analyse n'est pas toujours présente et nombre de parties de l'ouvrage demeurent trop descriptives. Certes, l'ouvrage fait allusion à l'ensemble des sujets sensibles ou controversés qui gravitent autour de la

migration forcée tels que motivations et aspirations, trafic de migrants et traite d'êtres humains, xénophobie et racisme, ou encore santé mentale, mais, traités en second plan, ils ne font pas l'objet d'un examen approfondi systématique. La contribution académique de l'auteur peut ainsi paraître limitée pour les spécialistes de ces questions. Ces quelques remarques ne remettent néanmoins pas en cause l'intérêt que le lectorat grand public trouve à lire cet ouvrage.

Hélène Syed Zwick is executive director of the Ecole Supérieure Libre des Sciences Commerciales Appliquées University Research Center in Egypt. She can be reached at helene.syed@eslsc.edu.eg.

International Migration Law



Vincent Chetail

Oxford University Press, 2019, pp. 512

Reading *International Migration Law* by Vincent Chetail has been an intellectual journey. Consisting of three parts and seven chapters, the book provides new insights about the international legal framework that applies to the movement of people around the globe.

The first part of the book examines the history and principles of international migration law. It offers a great variety of perspectives to help the reader understand and conceptualize the philosophy and legal history behind the movement of people: from Francisco de Vitoria's idea that the free movement of persons should be acknowledged as a rule of international law through the right of communication between people (pp. 19–23); Hugo Grotius's thesis about two corresponding rights—the right to leave one's own country and the right to remain in a foreign country (pp. 23–26); Christian Wolff's concept of emigration understood as a “permission to go to voluntary exile” (p. 30); Alfred Verdross's theory of the “international law of aliens” that establishes universal rules binding nation-states (pp. 62–64); to modern human rights law as the primary source of protection for those on the move.

The second part of the book examines the treaty regimes of international migration law and outlines definitions of refugees, migrant workers, trafficked and smuggled migrants, as well as their treatment within the global migration order and contemporary migration governance schemes.

The third part of the book analyzes the functions of soft law as a collection of non-binding norms outlining the division of responsibility between United Nations bodies, its specialized agencies, and affiliated organizations on the overall architecture of global migration governance.

Capturing a Complex Reality of Modern Migration and Asylum Law and Practice

The migration crisis that unfolded in Europe starting in 2015 forced a discussion on conceptualizing who is a refugee and has the right to asylum and who is ineligible for refugee status but can be protected under the European Union member states' obligation of non-refoulement. A fundamental principle of international human rights law, non-refoulement prohibits states from removing individuals from their jurisdiction when they are at risk of irreparable harm upon return, including persecution, torture, ill-treatment, or other serious human rights violations.

Quoting several court statements, the author makes a distinction between the state's duty of non-refoulement and the state's right to grant asylum (p. 191). The cornerstone of international refugee protection consists of a negative obligation forbidding the exclusion of a refugee (i.e., the principle of non-refoulement) and a positive obligation of granting refuge and residence in opposition to the jurisdiction of another state. Each state has a right, rather than a duty, to grant asylum. The non-refoulement obligation applies to both asylum seekers and recognized refugees and is binding on all the state's bodies, personnel, or entities acting on its behalf (pp. 186–190).

This conceptual distinction is crucial to people in search of refuge. With the decline of successful asylum claims around the globe, the question remains whether the non-refoulement obligation of a state can or cannot become the last resort for people in need. As Chetail notes, non-refoulement is weak in providing comprehensive protection, because it depends on the legal framework of a sovereign state where treaty law, domestic legislation, and court practices continue to be more powerful than customary international law (pp. 186–199).

Another point that attracted the author's attention is the issue of migrant trafficking and smuggling. Chetail insists on definitions of trafficking and their constitutive elements; linkages between trafficking, smuggling, and unauthorized migration; and the system of international protection of trafficked persons and smuggled migrants. He then argues that migrant trafficking and smuggling have become new challenges that involve not only the countries of origin but also those of transit and destination, while creating ambiguity in law and enforcement practice. Most migrants who arrived in Europe using irregular migration routes did so by crossing the Mediterranean with assistance from human handlers. Nowadays, trafficking and smuggling have become almost indistinguishable from each other because a migrant can be smuggled and trafficked at the same time.

While trafficking and smuggling seem to have similar cumulative elements, such as the procurement of illegal entry, victims of trafficking are considered victims of a crime under international law, while the victims of smuggling are not. Chetail gives an explanation of trafficking as an offence against a person, while smuggling is an offence against a state. He makes clear why smuggling and

trafficking are “two different offences that are governed by separate legal instruments” (p. 258) and why it is the duty of states to protect smuggled migrants and trafficked persons under general human rights instruments such as the UN treaty bodies. Implementing restrictive immigration controls and enforced border security measures (pp. 252–277) often ignores the fact that restrictive migration controls are more likely to exacerbate smuggling and trafficking rather than stopping them.

The book assessed the modern architecture of global migration governance in detail, as it is anchored in the UN system through its political structures, specialized agencies, and affiliated organizations. Chetail’s strongest contribution lies in his review of the pillars of global migration governance: (1) the intergovernmental pillar through the Global Forum on Migration and Development and (2) the inter-agency pillar through the Global Migration Group. The author searches for answers: What constitutes, institutionally, the global governance of migration? What kind of governance and why does a specific type of governance exist? Why do mandates and competencies among UN agencies and organizations working on migration overlap and compete with one another? Some questions remain unresolved, some find detailed answers in the book.

The author analyzes the evolution of the global migration-development nexus (pp. 300–340) and classifies the UN framework on migration into three types, depending on its functions and objectives: (1) organizations with an exclusive focus on migration and refugee protection such as the International Organization for Migration, UN High

Commissioner for Refugees, the UN Relief and Works Agency for Palestine Refugees in the Near East, etc.; (2) organizations with a mandate that includes the movement of persons across borders, such as The International Labour Organization, the Office of the UN High Commissioner for Human Rights, the World Trade Organization, etc; and (3) organizations with a mandate that fractionally intersects with the movement of persons across borders, such as the UN Development Programme, the UN Children’s Fund, the World Health Organization, etc. (pp. 346–347).

Vincent Chetail’s book explains what international migration law actually is, how it has been applied, the consequences for disconnections between international migration law and national legal guidelines, and what impact migration (dis)order has on migrants’ rights across borders (p. 400). It is a notable and timely book that captures and revises the modern reality of human mobility, while it contests the migration regulations that national, intergovernmental, and international institutions have adopted at different times. *International Migration Law* is analytical yet written in a highly readable style. It will be of great interest to legal scholars, political scientists, practitioners, and policy-makers.

Olga R. Gulina is a senior researcher at the Institute on Migration Policy (RUSMPI UG) in Berlin. She can be reached at contact@rusmpi.org.

The Palestinian Authority in the West Bank: Theatrics of a Woeful Statecraft



Michelle Pace and Somdeep Sen
Abingdon, UK: Routledge, 2019, pp. 99

The *Palestinian Authority in the West Bank: Theatrics of a Woeful Statecraft* describes, in an analytical, multi-disciplinary approach, the facade of state-building in the occupied Palestinian territories (oPt). Pace and Sen assess the long-term impacts of the 1993 Oslo Accords on Palestinian state-building. The accords comprise a series of agreements between Israel and Palestine, facilitated by the Norwegian government with the explicit objective of building peace in this region. Here Pace and Sen interrogate the integrity of the objectives outlined in these negotiations. They question statecraft by using the analogy of a theatre performance: stakeholders are described as performers, some of whom are more willing to participate in the production than others. In this performance, the Palestinian Authority (PA) is described as both a source of hope and great impediment to statehood. Sen and Pace witness this paradoxical “cruel optimism” in their interviews with a multitude of actors and use their research to outline the theatrics of woeful statecraft in the oPt.

Perhaps most poignantly, Pace and Sen artfully remind readers that the ongoing colonial occupation of Palestine is seemingly deleted from the dominant narrative, the script, and the performance in its entirety. Like actors in a play refusing to acknowledge that their set is ablaze, stakeholders continually refuse to acknowledge Israel’s colonial occupation as the foundational political context for the Palestinian struggle.

The authors are immediately clear in their intentions to problematize the Oslo Accords and to undermine the performativity of statehood in the oPt. They repeatedly ask, “Why perform the functions of a state that does not yet exist?” Additionally, they speculate about what opportunities for independence have been omitted in this overwhelming preoccupation with statehood. One such speculation derives from economic opportunities lost in the failure of the accords to prioritize Palestinian financial interests for development.

Physical violence in the oPt is well documented. In Chapter 1, Pace and Sen reorient the reader’s attention to more symbolic forms of violence, wherein subjective identities are split and individuals are incentivised to contribute to state building—an objective that cannot be reached. To unpack these performances, Pace and Sen interview stakeholders from four identified groups: the international community, PA functionaries, Palestinian civil society, and “subjects” of the “state.”

Chapter 2 focuses on the international community in the oPt, which largely comprises European governments, specifically Norway as shown in the Oslo Accords, and wealthy donors who demand “good governance” as a prerequisite to statehood. Pace and Sen give a detailed history of the international community’s role in creating statecraft theatrics, before acknowledging the ways in which these global actors have hindered collective capacity to meaningfully address the colonial context in which Palestinian statecraft operates. The authors note that these stakeholders are aware of their “hollow performance” as an embodiment of the paradox: building a state that will never exist. Yet these foreign actors desperately reorient responsibility to the academic community while remaining preoccupied with their own identity as exporters of peace.

In this chapter, readers are also made aware of the paradox associated with foreign aid, which relieves Israeli occupiers of financial burden while implementing punishingly impossible criteria for statehood. State legitimacy often facilitates good governance, yet the oPt is required to practise it without political legitimacy in order to gain that same legitimacy. This leaves hopeful Palestinian actors amidst a contradiction between good governance and statehood.

In Chapter 3, Pace and Sen interview stateless employees of a non-existent state to insist on the performative aspect of state-building. Individual experiences of anxiety stem from skepticism that that state may never be fully realized, despite the infatuation with state-building at the international level. In a self-fulfilling prophecy, state functionaries perform their duties in order to feed their families and legitimize their roles as employees of the state; this performance is rehearsed while awaiting an independence that may never arrive.

Another paradox is quickly outlined as the authors reveal that PA functionaries are hopeful and dedicated to the idea of Palestinian sovereignty yet maintain full awareness of their own futility in this project: “Statecraft and state-building become fuzzy and intangible concepts, operating in the realm of imagination” (p. 39).

Chapter 4 focuses on Palestinian civil society and non-governmental organizations (NGOs). Pace and Sen interview representatives from three different NGOs, all of whom are critical (some more explicitly than others) of the barriers to Palestinian sovereignty. Nonetheless, all participants inevitably contribute to the theatrical production.

Pace and Sen discuss the “NGO-ization of state-building efforts in the oPt” (p. 52); NGOs, including the interviewees, contribute to the state-building narrative while detaching from the expectation of Palestinian sovereignty.

Civil society and NGOs share the anxious experience of PA functionaries, as their existence is similarly injected into the script, thus inextricably bonding their performance with long-term survival. The status of NGOs in the oPt is a product of their historical context, which is deeply informed by political processes such as the Oslo Accords, the neo-liberalization of global aid, and the financial strings attached to provision of relief (i.e., conditioned on markers of good governance). NGOs strive to further connect citizens with their government (PA), which ultimately influences the behaviour of both. In turn, the authors explain, the theatrical performance of statecraft shapes civil society. Despite these actors’ attempts at neutrality, which Pace and Sen recognize as an unsuccessful effort to be removed from theatrical performance, NGOs are labelled as in opposition to the PA.

In Chapter 5 the authors bring attention to the “state” and its unwilling “subjects.” Unlike the PA, the international community, and civil society, the subjects of the Palestinian state are unwilling performers. Pace and Sen turn to dominant literature in the field to reiterate the citizenry’s experience as “strangled twice”—by the PA, who supposedly share a common goal, and the Israeli occupation.

By opposing the PA, Pace and Sen argue, these unwilling performers provide an opportunity for the institution to use force against the general population in an attempt to resemble statehood. Moreover, in “being censured [the subjects]

become personifications of the dominance of the theater as the ‘approved’ brand of political conduct in the oPt” (p. 80).

Pace and Sen interrupt the dominant narrative of the Israeli-Palestinian conflict, which focuses on state-building, to reconsider Palestine and the deeper meaning of statehood and its implications. They question the presumptive importance of the state and invite the reader to reflect on the elements of Palestinian national aspirations that are missed in this preoccupation with statecraft. Perhaps, as the authors note, state-building should not be viewed through a lens of “anarchy prevention.” Alternatively, the authors ponder a world in which Palestine is reframed as an opportunity to explore alternatives to the state-seeking narrative that dominates international relations.

As we witness the normalization of diplomatic relations between the United Arab Emirates and Bahrain with Israel, the authors’ demand for a reinterpretation of Palestinian peace and state-building could not be more relevant. Pace and Sen’s work is valuable to migration and refugee scholars more broadly because it adopts a perspective that is rarely employed in scholarly discussions of the Israeli-Palestinian conflict. By revealing and dismantling the myths of woeful statecraft, Pace and Sen reorient their audience’s attention to the contemporary implications of failed attempts at statecraft and peace-building in the oPt.

Delaney Campbell is an msw graduate from the University of Toronto. She can be reached at delaney.campbell01@gmail.com.

Film Review

Sky and Ground



Directed by Talya Tibbon and Joshua Bennett
Humanity on the Move, 2017. 86 minutes

Various community groups have engaged in online political and social activism to bring their messages to a broader international audience since the outset of the civil war in Syria—“the most socially mediated” conflict in history (Lynch et al., 2014). Citizens, journalists, artists, and activists have taken tremendous risks to document civilian deaths that have occurred during the Syrian conflict, yet only a select portion of those efforts have found a wide audience (Lynch et al., 2014). Among the underrepresented narratives of ethnic minorities affected by the war, the film *Sky and Ground* (initial release, 2017) offers a compelling account of the perilous experiences of a Kurdish Syrian family, bombed out of their home in Aleppo, seeking to migrate to Berlin to join family members already settled there. Financed by four American filmmakers and directed by Talya Tibbon and Joshua Bennett, *Sky and Ground* has garnered awards and nominations at international film festivals.

Fleeing from the Assad regime and Islamic militants, the Nabis clan planned their risky journey by sea and land in search of a measure of peace and a new beginning. The movie opens with a series of short videos documenting atrocities committed in Aleppo in 2012. The videos were produced by one member of the family, the favourite uncle, dubbed Guevara, for his admiration for the Argentinian Marxist. Like thousands of other Syrian refugees, the family began its journey by travelling 571 miles, much of it across Turkey, to embark from Izmir on a dangerous passage across the Aegean Sea in a small smuggler’s craft to Greece, and then travelled overland to the Idomeni refugee camp in Paeonia (Malek, 2016). Macedonian authorities captured the family on their first attempt to trek westward from the difficult conditions of that camp. Not long thereafter, the group set

out once again to journey the 2,000 miles across Macedonia, Serbia, Hungary, Austria, and a share of Germany to reach their final destination. The film traces their odyssey, which involved hiking, hiring a car, and stints on trains and buses, in an itinerary designed foremost to avoid police or local citizen scrutiny.

The documentary’s dialogue is replete with characters’ longing for “home,” with several family members suggesting that if they were not keen to protect other relatives, they would have stayed in Syria, a contention that Müller-Funk (2019) also observed during interviews with Syrian refugees in Turkey. The group carried only survival basics throughout their journey, with one exception: a doll belonging to 9-year-old Rita. As the film and the family’s trip unfold, Rita’s doll comes to symbolize the enduring power of artifacts and memories of home amidst the group’s travails. Müller-Funk has suggested that life satisfaction, images of the future, and hope are among the major factors that influence refugees’ decisions to seek a new home. The tension-filled and often hazardous travels of the Nabis family and those of other Syrian refugees they encountered on their journey underscore the fact that even on their safe arrival in Germany, the refugees were forced to consider the long-term viability of their choices.

The family’s experiences also highlight the fragile normative foundations of civil and human rights. Indeed, the suspense of their story concerned whether the nations whose boundaries they had to traverse would honour their rights. An inhumane police confrontation with refugees peacefully requesting the reopening of Macedonia’s borders; the lack of even basic services at Idomeni and the Kelebija camp in Serbia; and Guevara’s detention and investigation

as an allegedly threatening criminal in Tompa, Hungary (Palickova, 2019) were examples of European governments' choices to violate human rights that they had sworn to uphold. As a reflection of this cruel reality, at one point in the film, Heba, a member of the family who had studied law at the University of Aleppo, observed, "I don't believe there is such a thing as human rights. I don't think it exists at all."

Sky and Ground questions dominant, reductive, and binary images of refugees by portraying their lived realities and deeply fraught choices. The audience observes multiple examples of independent women making decisions for themselves and their families. Aside from challenging "oppressed Muslim Women" stereotypes, the documentary also deftly illustrates the heterogeneity of choices and representations among female Islamic believers. Throughout the film, the Nabis mother and her daughters adopted strategies of self-representation in claiming their "politics of belonging" (Es, 2019). By choosing not to wear headscarves, the daughters rejected the stereotype that all "Muslim women wear hijabs." On the other hand, even when the family was trying to look "normal" to avoid drawing attention of the Austrian police, their mother wore her hijab (perceived by many as a symbol of Islamic devotion). Nonetheless, her self-assured and friendly conduct deflected suspicion and conveyed that "being a pious Muslim is not mutually exclusive with being an emancipated woman" (Es, 2019, p. 383).

While many European leaders have claimed that their nations' values were at risk with the large Syrian migration in recent years, this documentary demonstrates that this family and its hopes and desires were more similar to than unlike those who so feared them. The common humanity and shared dreams, fears, determination, and love of the Nabis family belie their supposed Otherness and reveal their very human ties with those whom they now call neighbours.

References

- Es, M. A. van. (2019). Muslim women as "ambassadors" of Islam: Breaking stereotypes in everyday life. *Identities*, 26(4), 375–392. <https://doi.org/10.1080/1070289X.2017.1346985>
- Lynch, M., Freelon, D., & Aday, S. (2014). *Syria's socially mediated civil war*. United States Institute of Peace. <https://www.usip.org/publications/2014/01/syrias-socially-mediated-civil-war>
- Malek, A. (2016). *The road to Germany: \$2400*. Foreign Policy. <https://foreignpolicy.com/2016/01/29/the-road-to-germany-2400-refugee-syria-migrant-germany-non-fiction-comic/>
- Müller-Funk, L. (2019). Adapting to staying, or imagining futures elsewhere: Migration decision-making of Syrian refugees in Turkey. *International Migration Institute*, 154, Working Paper.
- Palickova, A. (2019, July 19). UN expert describes Hungarian migrant camps as places of detention and deterrence. Euractive. <https://www.euractiv.com/section/global-europe/news/un-expert-describes-hungarian-migrant-camps-as-places-of-detention-and-deterrence/>

Neda Moayerian is a postdoctoral research associate at the Virginia Tech Institute for Policy and Governance and Virginia Tech Office of Economic Development. She can be reached at mnedai4@vt.edu.

Max Stephenson Jr. serves as professor of public and international affairs at Virginia Tech and director of the Virginia Tech Institute for Policy and Governance. He can be reached at mstephen@vt.edu.