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Dispossession, human security, and undocumented migration: narrative accounts of Afghani and Sri Lankan Tamil asylum seekers

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Abstract
In the globalised world of the twenty-first century, material and symbolic goods travel relatively freely across national borders. At the same time, movements of people, or at least particular categories of people, are becoming increasingly understood as a problem in need of control (Briskman and Cemlyn 2005; de Haas 2007; Turner 2010). Migration has become 'one of the most controversial areas of policy and practice facing virtually all countries' (Crawley 2006: 25). Perceptions of porous boundaries and unlimited opportunities coexist in the public imaginary with hardened attitudes towards desperate humans who seek to cross-national borders without authorisation by receiving states. Throughout the Global North, humanitarian ideals of social justice towards asylum seekers have given way to a preoccupation with national security and border control (Ganguly-Scrase et. al 2006; Innes 2010; Porter 2003; Sales 2002; Stalker 2001) and the consequent criminalisation of 'undocumented' migrants who arrive without authorisation (De Giorgi 2010; Fekete and Webber 2010; Hornqvist 2004; Welch and Schuster 2005). When formalised in law, these take the form of increasingly restrictive immigration legislation and regulations, intensified border controls, carrier sanctions, deterrent policies, and return migration policies (de Haas 2007: 823-24). While Fassin and d'Halluin (2007: 308) point out that 'there has never been a Golden Age for refugees' and that '[a]lways, in practice, asylum has come second to nations' economies and securities', the hardening of global attitudes towards asylum seekers is reaching unprecedented levels in popular and institutional discourses. Even previously generous states, such as Denmark, are seeking to reduce their intake of asylum seekers (Betts 2003). Within the contrasting debates between the undesirability of undocumented migrants and advocates of the humanitarian intake of asylum seekers, rarely are the perspectives of those seeking refuge taken into consideration. Based on research among internally displaced people in Afghanistan and Sri Lanka, this chapter examines the intentionality of those seeking refuge.

Keywords
tamil, seekers, lankan, asylum, sri, afghani, accounts, narrative, migration, undocumented, security, human, dispossession, ERA2015

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Chapter 13
Dispossession, Human Security, and Undocumented Migration
Narratives Accounts of Afghani and Sri Lankan Tamil Asylum Seekers

Ruchira Ganguly-Scrase and Lynnaire Sheridan

Introduction
In the globalised world of the twenty-first century, material and symbolic goods travel relatively freely across national borders. At the same time, movements of people, or at least particular categories of people, are becoming increasingly understood as a problem in need of control (Briskman and Cemlyn 2005; de Haas 2007; Turner 2010). Migration has become ‘one of the most controversial areas of policy and practice facing virtually all countries’ (Crawley 2006: 25). Perceptions of porous boundaries and unlimited opportunities coexist in the public imaginary with hardened attitudes towards desperate humans who seek to cross-national borders without authorisation by receiving states. Throughout the Global North, humanitarian ideals of social justice towards asylum seekers have given way to a preoccupation with national security and border control (Ganguly–Scrase et al. 2006; Innes 2010; Porter 2003; Sales 2002; Stalker 2001) and the consequent criminalisation of ‘undocumented’ migrants who arrive without authorisation (De Giorgi 2010; Fekete and Webber 2010; Hörnqvist 2004; Welch and Schuster 2005). When formalised in law, these take the form of increasingly restrictive immigration legislation and regulations, intensified border controls, carrier sanctions, deterrent policies, and return migration policies (de Haas 2007: 823–24). While Fassin and d’Halluin (2007: 308) point out that ‘there has never been a Golden Age for refugees’ and that ‘[a]lways, in practice, asylum has come second to nations’ economies and securities’, the hardening of global attitudes towards asylum seekers is reaching unprecedented levels in popular and institutional discourses. Even previously generous states, such as Denmark, are seeking to reduce their intake of asylum seekers (Betts 2003). Within the contrasting debates between the undesirability of undocumented migrants and advocates of the humanitarian intake of asylum seekers, rarely are the
perspectives of those seeking refuge taken into consideration. Based on research among internally
displaced people in Afghanistan and Sri Lanka, this chapter examines the intentionality of those
seeking refuge.

Asylum seekers embody ‘the contradiction between the national logic of migration control and
the transnational logic of international migration’ (Castles 2007: 31), and are, thus, disruptive to
argues that ‘[t]he arrival of persons without a legal right to stay in a nation-state is often seen as a
challenge to the sovereignty of that state’. As a consequence, governments of receiving states strive to
contain and repel those whose life trajectories belie the salience of nation states under conditions of
globalisation. In defiance of international treaties to which they themselves have been signatories,
governments around the world are adopting legislation designed to restrict citizenship, secure national
borders, and send a strong message of deterrence to those contemplating unauthorised migration.
These include stressful assessment procedures, detention under inhumane conditions, denial of the
opportunity to work and to participate in civic life, and barriers to family reunion, social security
support, and a range of health services (Rees and Silove 2006).

The association of unauthorised travel with securitisation discourages has given rise to suspicion
towards asylum seekers. Once a legitimate political status, the identity of ‘asylum seeker’ has been re-
classified as ‘deviant’ and is now highly stigmatised, being ‘synonymous with “sponger”, “beggar”,
“cheat”, and “scrounger”’ (Linden 2007: 123). Advocates for the rights of asylums are labelled
‘naïve’, or ‘politically correct’, or otherwise marginalised (Fairclough 2003; Poynting and Mason
2007). In the receiving countries of the Global North, asylum seekers are represented as an ‘out-of-
control, agentless, unwanted natural disaster’ (Wodak et al. 2008: 287). A common device employed
by politicians and journalists alike to convey images of non-personhood is the liquid metaphor
(Bleasdale 2008), which discursively transforms asylum seekers into a mindless, overwhelming, and
potentially unstoppable mass.

The Significance of Asylum Seeker Perspectives

There has been scant research into the agency of potential asylum seekers, that is, their intentions and
the structural enablers and constraints they encounter in fulfilling those intentions, prior to setting out
for a host country. More typically, and often with benign intent, public representations serve to obscure the intentionality of asylum seekers. Academic discourses, for example, tend to focus on the macro-political causes of refugee flight. While essential for understanding the wider context of asylum seeking, such approaches tend to frame refugees collectively as reactive ‘masses’ or ‘surges’, which ‘spill helplessly across the globe away from war, famine, and persecution in search of sanctuary’ (Shawcross 1979: 3). Rose (1981: 8) depicts refugees as

… human flotsam and jetsam caught in the cross-currents of conflicts which are not of their direct concern, … untargeted victims, bystanders sucked into the maelstrom then washed ashore (or along a muddy trail or fetid campsite) with other frightened hungry and bewildered displaced persons.

In rejecting the use of the term ‘dynamics’ in relation to the movement of refugees, Kunz (1973: 131) argues that

… when used in social sciences [the term] suggests the existence of an inner self-propelling force. In the writer’s view this inner force is singularly absent from the movement of refugees. Their progress more often than not resembles the movement of the billiard ball: devoid of inner direction their path is governed by the kinetic factors of inertia, friction and the vectors of outside forces applied on them.

In such discourses, the intentionality of the individuals caught up in such ‘surges’ is of less salience than the actions of states or antagonistic ethnic groups.

In their focus on the suffering and trauma experienced by refugees, humanitarian discourses can also homogenise the refugee experience, drawing on powerful categorisations such as ‘women and children’ in order to engage the sympathies of ever more sceptical Western donors (see Malkki 1995). Moreover, the ‘malignant positioning’ (Sabat 2003) of asylum seekers in popular and political discourses is an issue of great concern, since, rather than overlooking or subordinating the intentionality of asylum seekers, it instead misrepresents and misattributes that intentionality in terms of greed and wilful deception. For Sinapi (2008: 534) the ‘connotation of the term “refugee” has changed … increasingly … [being] suspected of secrecy and lies, of being a “false refugee”’. The aim of our research is to challenge these assumptions and demonstrate the complex decision-making processes on the ground.
Attention to the intentionality of individual asylum seekers can forestall dangerous ‘category errors’ (Clarkson 2003), such as merging the category of ‘people’ with ‘water’, which are born of confusion, misinformation, and ideological contamination. An Australian study by Pedersen et al. (2006) connects the kinds of negative beliefs about asylum seekers outlined above with false beliefs on the parts of government officials and the public, and proposes that the correction of those beliefs might offer a way forward to more equitable treatment of this vulnerable category of the migrant. This position is supported by Pearce and Stockdale (2009), who quote one British participant, who had expressed particularly negative views on asylum seekers by saying ‘[i]f I could understand why they left their country and stuff and I knew them I might have a different view’. Another respondent in the same study had commented ‘I can’t see what they have to offer us, but maybe if I was educated then I may have a better understanding of it’ (2009: 152).

In order to comprehend the complexities of asylum seeking, there is a pressing need to prioritise the voices, experiences, expectations, and explanations of those at the centre of the debate—asylum seekers themselves (Dwyer 2008; Zimmerman 2009). Attending to the voices of asylum seekers can then serve to challenge the dominant perspectives that inform the creation of policy (Zimmerman 2009: 204). When the voices of asylum seekers are rendered audible through grounded qualitative research, the stories they tell reveal intentions and circumstances that differ markedly from the discrediting representations outlined above. Moreover, they confirm asylum seekers as active agents rather than passive and helpless victims, who, as noted by Moore and Shellman (2007: 812), are ‘making choices under highly constrained circumstances’.

As McKee (2003) observes, how people make sense of their own life experiences can be important in determining their survival. However, despite the centrality of motivations in the legal and normative classification of refugees, plans and intentions do not ensure safe passage to a peaceful life, as the high rates of asylum seeker mortality attest. A concrete example of thwarted intentionality is provided in Antonopoulos and Winterdyk’s (2006) account of a dead Kurdish refugee, who was found to have Greek drachmas, Italian liras, German marks, and American dollars sewn on to his belt—a clear indication of the route he had hoped to follow. Like other forms of migration, the movement of refugees is shaped by interactions between people, their resources, and their structural contexts.
By seeking and recounting the lived experiences of prospective asylum seekers, a nuanced picture emerges that challenges a number of preconceived ideas.

**Methodology**

As Australian researchers, we purposefully chose to focus on the experiences of the internally displaced in Afghanistan and Sri Lanka as the Australian government has identified these two countries as having the push factors that encourage people to seek asylum (AAP General News Wire 2009). Subsequently, these communities are of interest to both Australian and international organisations as decisions made by the Afghan and Sri Lankan refugees will impact on refugee-receiving nations for, at least, the short to medium term. Yet, in public discourse, they are the most maligned despite these structural factors that currently compel people to flee their homeland.

In general, research on decision-making by asylum seekers is based on retrospective interviews with refugees. Agier (2002: 363) stresses the importance of understanding the precise context of refugees’ situations given the diversity of the places, histories, and trajectories of their lives. Interviewing in the place and time where decisions are being formulated by potential asylum seekers enables the researcher to recognise temporal and spatial aspects of decision-making, issues, and contexts specific to particular groups and emergent patterns in data transcripts. Perceptions of time within the context of particular lives affect larger macropolitical processes, by shaping the assessment and intentions of social actors. When potential asylum seekers are considering flight options, their temporal orientation is towards the future. Brown and Michael (2003: 4) point to a ‘need for scholarship to engage with the future as an analytical object, and not simply a neutral temporal space into which objective expectations can be projected’. After resettlement, ‘migrants may be far removed in both time and space from their experiences of departure so that their reasons for leaving no longer have the relevance that they once did’ (Collyer 2010: 279). While studies undertaken after settlement have provided useful data, asylum claimants are likely to emphasise reasons that they believe decision-makers want to hear when arguing their case after arrival in the host country (see Barsky 1995). Koser and Pinkerton (2002) claim that people who have reached a country of potential asylum may be inclined to focus on positive experiences or to misrepresent their experiences. By contrast, the present study focuses on those who are potential asylum seekers. To understand the complex decision-
making processes of internally displaced people intending to travel via undocumented means to seek asylum, a qualitative methodological framework comprising largely of semi-structured in-depth interviews was carried out with people in their countries of origin.

Our approach was to let the voices of the displaced dominate because they are the ones who make the decision and then experience the risk of unauthorised migration across borders. This is particularly important as the undocumented migrants have little opportunity to express their views to the broader society. Becker (cited in Taylor and Bogdan 1998) suggests that if a researcher must choose to present ‘reality’ from someone’s point of view, why not choose the powerless who have few avenues for exposing their views. Moreover, Strauss and Corbin (1994) state that it is crucial to present the perspectives and voices of the group studied rather than the assumptions made by others.

Indeed, previous research by Sheridan (2009) on the unauthorised migration of Mexicans to the United States has revealed that while some actively sought to avoid risk by seeking out pseudo legal means by utilising documents belonging to others in order to cross the border entry checkpoints safely with legal documentation, others relied on undocumented migration in the rugged terrain. Interestingly further still was that where there was a perception of an increasing level of risk in the homeland, there seemed to be a greater propensity for undocumented travel if the reward would be a chance at a safer and more prosperous life in the longer term. It is, therefore, not clear why asylum seekers would select riskier undocumented journeys if safer options were available. Moreover, the complexities of decision-making is such that asylum seekers may not always seek to settle in countries of the industrialised Global North; instead, they may prefer to live among familiar cultures, bordering their own nation states, which have currently reviled and dispossessed them.

**Findings**

Interviews were carried out over a period of several months in 2010–2011 among Sri Lankan Tamils in Jaffna and Afghanis in Kabul and Jalalabad; the latter were drawn from several different minority ethnic groups, namely, Balouchis, Hazaras, and Tajiks.

Our findings show that most people fled to neighbouring countries; over the protracted period of conflict, most Afghanis had been in Pakistan and Sri Lankans were living in the southern Indian state of Tamil Nadu—only to return in periods of relative calm. While all Sri Lankan Tamils
interviewed were planning to undertake unauthorised travel to a Western country to seek asylum, a number of Afghani respondents expressed the desire to settle in nearby countries that they had previously travelled to. This difference is in part due to the diverse socio-economic and cultural backgrounds of the Afghanis, ranging from wealthy businessmen, who had fallen on hard times, to professionals to petty traders. In comparison, Sri Lankan Tamils were from much poorer, working class backgrounds; many also had relatives in Western countries and, thus, were prepared to risk the journey. Although both societies have been affected by civil wars resulting in displacement, the causes and manifestations of conflicts are distinctive. Therefore, we examine the responses of our participants separately. However, we bring together their perceptions of the role of international organisations, particularly that of the United Nations (UN) agencies in assisting the displaced since there is a commonality in their experiences.

Afghani Experiences of Displacement

Increases in violent encounters at home were the primary motivation for participants to relocate to another, relatively safer, part of Afghanistan. Living in a country with many different cultural groups and differing political affiliations, participants found circumstances in their communities changed quickly, as well as frequently, during conflict. People fled when their cultural identity or past affiliations meant that they were perceived to be allied with the ‘then’ enemy of that community. The enemy, rather than being one group consistently, shifted and changed with different facets of the war and the dominance of one or other cultural group in a region.

A 32-year-old female college professor, from a Tajik community fled when her father was murdered for unknown motives. A Hazara man in his late 40s was forced out of his community when he was suspected of being a spy for the Taliban; in his words: ‘First my father was killed at the hands of Mujahideen and then my nephew was killed by Taliban. We would have met the same fate if we did not migrate.’

On the other side of the conflict, a middle-aged Baluchi male was harassed by the Taliban:

They threatened to blast my shop as well as target my family. Honestly, I have no political affiliation with any party or any connection with army. One day, they fired in the air in front of our house which frightened us a lot. We had only one option to
migrate to some safer place. I left my home along with old mother, three kids, and a wife. Now I am living in extreme poverty.

A nurse in her early 30s also suffered a Taliban attack: ‘Many a girl including me were made victim of sexual harassment that night. It was very hard to bear such humiliation and mental torture again.’

Businessman Mr Askari was at risk since running their business required political alliances and the family became increasingly unpopular among different groups but, finally, he said, ‘in the last days of 2002, my brother was killed…. It was the time of high uncertainty for us and we had no idea of our destination.’

A 52-year-old poetry-loving Tajik male, appropriately named Omar Khyayam, was living Gardez district, a relatively peaceful area until the Taliban stepped up attacks. Another Tajik male, Dr Ahmed, from Surkhi Parsa district also a relatively peaceful region, had left just before crisis point:

When we were leaving, Taliban had almost reached our area. Afterward, our people also took up arms against Taliban because there was no other option left except to face them. One of my relatives has lost their two sons at the time of their migration.

It goes without saying that the displacement experiences were chaotic and traumatic. The decision to leave was quick and people only left at the point they feared for their lives. In general, in the case of the Afghanis, there was no migration plan; instead, they were fleeing without a clear destination or fleeing to family or trusted friends.

A woman informant explained that she escaped without considering a destination or help:

It was not possible to ask for anybody’s help. The whole area was engulfed in a war. Saving one’s own life than [that of] others was the top priority of every one at that time. Neither we had time to ask for somebody’s help nor did any one extend it.

Shahram, a Tajik man from Parwan province, stated similarly: ‘Asking help from those who are also passing through the same situation seems quite ridiculous. Nobody has enough time to think of other.’

Others felt entirely reliant on family or friends. While Kalsoom left her home in Farah province with her mother and sisters to a small village in Anar Dara, and then onto Kabul, Gul Sher, from Fayzabad travelled to Kabul, but this was worse than home. So he wanted to seek refuge among his relatives in Qandahar, but was trapped when he realised that he was now an enemy of a different cultural group who had aligned themselves with the United States forces in Qandahar. Gul Sher reflected on the importance of kinship support:
We would have vanished long before had we not been supported by relatives and friends. In Afghanistan we have strong bonds of relationships and friendships. Many others like us were supported by relatives and friends.

Samiaullah from Nimroz province when narrating his experiences about taking refuge with relatives in a nearby village pointed out that it being a Pakhtun-dominated area, the Taliban’s visits were frequent. Subsequently, the local people began to suspect them. At first the family was considered to be friends of Russia and now loyal to the United States. As a result, he said, ‘we had to leave that place also after a brief stay there and came to Nanghar in a very miserable condition’. Ahmad recalled the chaos in the following words:

[T]he situation had worsened beyond imagination. It was before US attack on al Qaeda or Afghanistan. I am not sure but one of the groups either of Hib-e-Islami or Taliban was after us. We had a very huge business and it was really very difficult for us to leave all at once. Moreover, a big chunk of our money was still tied up in the market. But when life is in danger then money has little importance.

Most people perceived that their current location was only marginally safer than their own villages and towns. A common explanation was: ‘Here in Kabul, the conditions are not much favourable, but comparatively better than ours back home.’ It was inferred that this would be a temporary measure until returning home. While most did not aspire to immigrate, when considering this option, they preferred Uzbekistan, Kazistan, and Tijikistan as destinations as these countries were perceived to be culturally suitable and more liberal than neighbouring Pakistan or Iran. ‘They are near to us. We are also familiar with their cultures’, was a common saying. Additionally, Faiz, a Hazara, explained, ‘in the past, we had been migrating to these countries’, while Shaihak, a Baluchi would select Uzbekistan as an option because ‘they still respect us’. Omar, a Tajik added: ‘I have been to Uzbekistan, Kazikistan and Tajikistan. They are really very friendly and open hearted people. We do not consider ourselves strangers there.’

Our respondents tended not to mention the immediately neighbouring countries as potential places where they could migrate to because they felt they had handled the burden of various waves of migrations during different wars in the region and, economically, could not be expected to bear the burden without further support from the international community. For example, a Hazara Taxi driver stated:
Giving shelter to someone for whole 30 years is indeed a difficult job. I have heard that Iran and Pakistan is already on the way to expel the migrants. It will be quite unfair to expect too much from these countries as they are already burdened by their own problems.

Moreover, neighbouring countries were becoming less of a migration option because, as some respondents with a cosmopolitan outlook explained, in the past, they had the opportunity to go to Central Asian States for higher education or employment. However, migrating to these states became progressively difficult due to certain activities of militants. Subsequently, the Afghans were labelled as either extremists or terrorists. ‘We face same kind of situation in Iran and Pakistan now,’ noted Gulzaar. This is a broader problem too as many participants were afraid that the reception in these countries might not be very positive. According to a middle aged man,

> we have very few friends or sympathizers in other countries. In the beginning, these countries accepted and received us with open hearts, but now things have changed. These countries are suspicious and a bit scared of us.

This unfair treatment was considered to be the underlying reason for many Afghani refugees in Pakistan returning home. In analysing their situation, the well-educated participants looked further abroad towards Western countries. Ahmad felt that he had reasonable chances of settlement abroad and would seek political asylum if there were appropriate business opportunities became available in France.

Suleman, a businessman would also select a Western country if given the option:

My kids were used to a luxurious life and were insisting on shifting to America. Actually, the issue of my kids’ education was compelling me to think over the option of taking refuge in some foreign country. We wanted to leave our area and move to US by hook or by crook because, I had heard that many of my friends who had left earlier than us were still struggling to survive in other areas [of Afghanistan].

However, even for the educated authorised migration as a refugee was not perceived to be easily achievable. Despite the difficulties in obtaining authorised migration, no Afghani interviewee was considering unauthorised travel. This stands in stark contrast to the sentiments of the Sri Lankan Tamils, which will be discussed ahead. According to the internally displaced persons (IDPs) in Afghanistan, the human traffickers required to facilitate this migration were perceived as untrustworthy. The following remark sums up the overall sentiments of respondents:
They are fraudsters. They have cheated many people. Many people have made it to Europe, US, and Central Asian States by paying hefty amounts to these agents. But personally, I don’t trust these agents. These agents are only good at hoodwinking helpless people like us.

Moreover, participants feared criminalisation. This was exemplified by drawing attention to the story of a family who hired a human trafficker who had promised to take them to Germany or Norway, but the agent disappeared in Peshawar. The Pakistani authorities arrested the family and sent them to jail and served a sentence of seven months. Most people were aware of the consequences of paying people smugglers. It would lead to either arrest or loss of money, and, more seriously, they knew that once a person is arrested then he or she would be banned from that country. All respondents pointed to numerous cases of people being held in detention for many years instead of securing political asylum in Western countries.

Kalsoom Nazoo perceived that a peaceful and orderly life would not be achieved by breaking rules to reach that safer destination: ‘I will respect their law because I myself am fed up with lawlessness here. I can only travel with proper documents.’ Clearly, for many people the financial resources required were beyond their reach. One informant explained:

I am a head of nine family members and they ask about 5 million for the whole family, which is beyond my affordability. Secondly, these agents do not give you any guarantee whether I will get settled abroad or not. This is only possible when it is done on a state level. And I see no hope of that.

Although some respondents felt that theoretically the only secure option was the internationally coordinated, legal, migration, they were thoroughly sceptical of it coming to fruition. This issue will be taken up in greater detail later in this chapter. Our findings from Afghanistan challenge the conventional understanding of authorised migration coordinated by the international community as the safest and best option, since participants repeatedly emphasised that they were not hopeful that the international community would step in to aid their safety. Firoza, a teacher lamented:

The international community turned a blind eye to the problems of peaceful Afghans like us. They left us at the mercy of these ignorant people. We had many hopes from the international community but they were only after their vested interests due to which our country is at the verge of destruction.
In some cases people felt that international intervention had destabilised Afghanistan in the first place, leading to the continual conflict and the displacement they experience today. This was a strongly held view with comments, such as, ‘Foreign interference is the root of all evil’ and ‘If foreign interference is ended today, peace will return to this unfortunate land in days not in months’. Nousafarin was emphatic: ‘We were living happily and peacefully with one another for centuries but when foreign powers started interference the situation deteriorated beyond imagination.’ The respondent added that peace and safety in Afghanistan would only be achieved if ‘the people of Afghanistan realize that we have to build this country on our own and not with the help of some foreign power which has its own vested interests’. Haamein, on the other hand, felt that the international community could facilitate peace, but with appropriate solutions, not merely sending aid: ‘I ask one favour from international community to please bring peace to our country, instead of useless funds.’

Against popular misconceptions about motivations of asylum seekers, it is interesting to note that some Afghans did not want to go anywhere; rather they had the overwhelming desire for conditions to return to a state of normalcy and security. ‘Migrations are no solution. I ask one thing from the powers that be…. I appeal to them to come and work sincerely for the rebuilding of our beloved country,’ implored Kalsoom. Some were passionate about their homeland and said: ‘I will never leave Afghanistan. It is my mother country and very beautiful’. Golzaar reflected on the futile nature of migrating from place to place: ‘Sometimes, it seems as if our whole life would be wasted in shifting from one place to another.’ Ghulam summed it up succinctly when he said ‘it is indeed very disheartening to leave one’s own land’. Yet, they all recognised that it was still too violent to return home.

Overall, the internally displaced Afghans in our study felt helpless about their personal circumstances and did not demonstrate a sense of empowerment regarding their future. Ideally, they hoped for a return to home if peace prevailed, and felt that finding peace in a foreign country was an unattainable goal not worth serious consideration—particularly when there was little logistical support on the ground. Their focus was on day-to-day survival. For those for whom migration is to be an option, they would like it to be safe and have the desire to return home once stability is achieved.
These accounts also dispel the popular myth prevailing in Western countries that asylum seekers are inherently economic migrants seeking a better lifestyle.

**Sri Lankan Experiences of Displacement**

Unlike in Afghanistan, where many respondents attributed their troubles to be entirely due to the outcome of several decades of international intervention, Sri Lankan Tamils felt intensely insecure as an identifiable ethnic minority, with the civil war exacerbating their misery. The ongoing police brutality is a key factor in their desire to flee elsewhere. However, many, who had past associations with Tamil resistance groups, were quick to point to the current insecurity stemming from the factions emerging within these organisations, while others, who had no specific allegiances to any of them, held them partly responsible for the threats against them. Yet, they too maintained that as a minority they were under constant surveillance and faced repeated assaults by militias, the army, and security forces.

Since Independence, as a minority ethnic group, Sri Lankan Tamils have been progressively marginalised. Some of our respondents as idealistic young persons had joined either the Tamil Eelam Liberation Organization (TELO) or the Liberation Tigers of Tamil Eelam (LTTE). However, since the end of the Eelam War in May 2009, many factions have emerged; one TELO movement member has become Member of Parliament (MP), and some former LTTE members now assist the government to identify other ex-LTTE cadres and ex-members of the paramilitary groups. The following vignette highlights complexities of the threats against families.

Murugan is a former member of the TELO paramilitary group, but now works as an organiser for the MP Vinogaralingam. Previously, Murugan had fled to Jeddah temporarily, leaving his family in Mannar district in the northern province of Sri Lanka. There they received threats that if Murugan was not returned to the TELO, the whole family would be kidnapped or killed. In 2010, when Murugan was campaigning on behalf of an MP, he started getting threats. By then the TELO movement had split into two groups and the new TELO began to pressure Murugan (as an old TELO) member to join them. His refusal resulted in threats and assaults:

In December I had gone to Trincomalee Town on the motorbike to purchase some rations for the house. On my return I was stopped by a group of strangers and they assaulted me with wooden poles. When I screamed in pain, the strangers just ran...
away and vanished. I returned home and underwent native treatment for the shoulder dislocation, but remained silent as I was afraid to go to the hospital or make a complaint to the Police. The threats have continued … at first I was not sure of the reasons, but now I realize that we are being threatened because I was from the TELO paramilitary group. But the threats are not just from one party or group; possibly it could be the new faction of the TELO and on the other side it could be the government forces. There is a high level of insecurity for the family and in this situation we are forced to leave our home and hide from our enemies as we are not even able to go before the law or seek legal measures.

The cases of Sekharan and Henrietta also illustrate the continuing uncertainties and threats faced by those caught up in the civil war. In 2006, as teenagers, Sekharan and Henrietta were forcibly abducted by LTTE cadres in Triconamalee and Jaffna, respectively. While Sekharan escaped shortly afterwards and lived in the Uthamapatti Welfare Centre in India, Henrietta managed to run away after two years, returning home and surrendering herself to the Tellipalai Rehabilitation Centre in Jaffna, managed by the Government Military Forces. In the case of Sekharan, he returned to Sri Lanka along with several families in late 2010 with the support of the United Nations High Commission for Refugees (UNHCR). However, his mother was unable to find him at Colombo airport. When she made inquiries at the UNHCR sub-office in Triconamalee, she came to learn that he was arrested by the Terrorist Investigation Division. It transpired that UNHCR were not informed of his arrest. None of the UNHCR officials had been present at the airport to check the names on the list of the persons arriving that day. While Sekharan’s mother regrets not sending her son abroad via illegal means, Henrietta’s plight highlights the aftermath of a war that has ‘officially’ ended, but continues to haunt many people attempting to re-adjust. As Henrietta explained:

I want to live a normal life that a girl would usually want to live, but most people do not want to accept me as a normal girl and because of this my attempt to find a life partner too has failed. Even though there had been marriage proposals from Tamil boys living in the West, these proposals always fall through once they find out that I am an ex-combatant. According to the Tamil culture, I have to get married soon so that my sisters too could be given in marriage at the right age. My parents are also unhappy due to this and fear that I may have to face threats in life if the situation in the country changes again. I don’t want to leave the country, but my parents are
pressurising me to go to the West so that the stigma will disappear. It will automatically erase the image that others have about me.

Although her family cannot afford to send her abroad legally, she is planning to migrate illegally to the West. She is unaware of the procedure to travel illegally, but has made up her mind to go. In her view, since there are many North and East Sri Lankan Tamils living in Australia, Canada, and the UK, she feels she should migrate to any of these countries soon in order to fulfil her parents’ wish and also find herself a new life.

Afghani and Sri Lankan Tamil Response to UN ‘Benevolence’ and ‘Rescue’

The disdain towards the role of international organisations, particularly the UN bodies, came into sharp relief when we raised the issues of assistance in resettlement. The UN, as an impartial entity to protect the well-being of peaceful Afghans caught up in the conflict, was not viewed as particularly effective. It was perceived as apathy on behalf of the international community. While Gul Sher simply did not know of or understand their function, Suleman recognised the logistical challenges facing aid agencies. Likewise, Kalsoom Nazoo understood the problems facing the UN. When she did try for help, it was her persistent efforts that ‘made it possible for us to procure some edible items from UNHCR’. She was the only person to report a positive encounter. Samiaullah remarked with deep sarcasm whether it was even appropriate for the UN to provide assistance:

In my opinion, it would be asking too much from UN to bring peace to our country.

Sometimes, I think that these organizations have made it their business to extract money from the donors in the name of sending people abroad.

Indeed, a number of people inferred that international organisations on the ground in Afghanistan were corruptible and help was more attainable to people who had political connections and some power in the situation. Faiz felt that ‘… all their help is availed by leaders, warlords, commanders and many other influential people. In the end, there is left little for poor people like us in the relief goods.’ In terms of opportunities to migrate, Omar believed that people who had migrated to foreign countries ‘had political connection while we had none’.

Refugee services were perceived by all participants as unattainable with systems and processes making it impossible to meet the criteria for migration as a refugee. Most were not familiar with the
processes; the following comment by a woman in her early 30s typifies the perceptions of respondents:

[T]here are many loopholes in their procedures; otherwise people would not face such kind of hardships. The IDPs in Kabul and many others living in the camps on the other side of the border complain about lack of proper arrangements on the part of the international organizations … migrants in Pakistani camps are in a miserable condition. Whereas, the common perception is that migrants on the Iranian side are in a comparatively better condition.

According to the overwhelming majority of the respondents, it was impossible for lay people ‘like us’ to meet the strict criteria set by UN missions. Ahmed has observed and has heard that migration is near impossible even after the tiring and lengthy procedures that are compulsory. In his view, ‘[i]f any UN mission was serious or active in this regard we would have been settled long ago’. As a medical practitioner, Meherzad has registered to migrate; but he noted with exasperation the following:

I have filed my papers three times, but still on waiting list. I have been called twice for interview. I think something is lacking in my case to qualify their requirement. If an educated person like me is passing through such ordeal then you can imagine the fate of uneducated ones.

Most participants were unfamiliar with the processes, except to understand that it was complicated and those who had applied experienced it as an ‘ordeal’. Banki (2008: 9; see also Doornbos et al. 2001) writes of the confusion and anxiety that can affect the capacity of refugees to apply for asylum through regular channels.

There is also confusion surrounding the process of applying and interviewing for resettlement. Depending on the resettlement country, refugees may be asked to meet with different personnel (UNHCR, resettlement country representatives and IOM staff) as many as five times. The process, from first interview to flight departure, is expected to take six months on average, if no extenuating circumstances present themselves. But some refugees confuse an expression of interest (made by letter or in person at UNHCR) with an interview, and the wait thereafter feeds their anxiety.

Many of our respondents in Sri Lanka had made repeated attempts to seek the help of the International Committee of the Red Cross (ICRC), UNHCR, and the Human Rights Commission of Sri Lanka office in their respective areas requesting these institutions to offer a letter to them in order to apply for asylum in a country like Canada or Australia. Ultimately, however, these institutions had refused
their requests and informed them that they were not in a position to submit such a letter to these particular individuals. For example, earlier this year, Muralidaran had been blindfolded and kidnapped by vigilante groups. In his absence, his wife and children were assaulted. After fleeing his captors, he sought the assistance of the ICRC, but was advised that ICRC could not investigate this incidence given that the Eelam War had now come to an end. He continues to receive threats from ‘unknown persons’. Thus, such participants in our study could not understand why their request for asylum was refused, ‘whereas some others who are more secure than us have got selected to go to different countries without much difficulties,’ queried Devika, a 35-year-old volunteer health care worker and a mother of three children.

A number of Sri Lankan people had also tried to migrate to the UK and Canada, but their applications were not successful. In some instances they did not receive the sponsorship from relatives as they had hoped to secure. In other instances, their bank balances did not support the requirements of the UK High Commission. Although most had relatives in India and were being constantly asked to join them there, in general, Sri Lankan Tamils did not see this as a viable option for their children’s future. A frequently used explanation was:

> Already in India there are Sri Lankan Tamils living as refugees, but this is not what I want for my children. If an opportunity comes to go towards the West, we would do so as this is a more secure environment than in Sri Lanka or India.

In this regard, their perspectives resembled those of the Afghan respondents who argued that neighbouring countries were suffering from ‘compassion fatigue’ and that there was little future for refugees. However, unlike the Afghans, the Sri Lankan families were deeply upset at their failure to secure asylum despite repeated earnest attempts; it led them to conclude that they would resort to illegal means given that legal pathways failed. The case of Chinnappan, a farmer in his early 40s, typifies this dilemma. Although he had never had any political affiliations, Chinnapan was abducted and severely beaten by strangers. His family members were continually threatened. He made several attempts to seek asylum. He had previously worked legally in Qatar in the late 1990s. However, he noted, ‘because of my age I can’t get a work permit…. I’m planning to travel illegally to Italy and then will try to proceed to [another] Western country.’ It seems that the protracted processes of asylum seeking among our Sri Lankan participants led to resentment and despair. According to Jansen
seeking to improve the quality of life does not mean that the displaced are not desperate. Poverty is itself a form of insecurity, and, as Battersby (2008: 16) remarks, it is hardly surprising that ‘people with sufficient economic means will take extraordinary steps to ensure that they and their families find safe haven’.

**Last Resort: Unauthorised Migration**

When facing peril to themselves and those closest to them, people must take action, and such action often necessitates making a choice to engage with conditions of high risk (Hayenhjelm 2006). Robinson and Segrott (2002) note the need for awareness that the term ‘choice’ is contentious when used in the context of asylum seeker migration. For asylum seekers, they emphasise that

… personal decision making is rarely a rational exercise in which people have full knowledge of all the alternatives and weigh them in some conscious process designed to maximise returns…. Instead, [they are] active agents who search out both information and contacts and change, circumvent, and create institutions in order to achieve desired objectives. (Robinson and Segrott 2002: 6–7)

Undocumented international migration is a hazardous undertaking, with the risks and costs of travel increasing with the level of ‘clandestinity’ (Düvell 2008: 492). Precluded from using regular and safe means of transport, undocumented migrants are at risk of drowning at sea, freezing to death in plane undercarriages, asphyxiating in lorries, being killed on roads as they leave trucks, or being electrocuted or falling as they cling to the roofs and sides of trains (Athwal and Bourne 2007). Taking to the oceans in cramped, often unseaworthy, vessels is a patently hazardous activity, and those attempting it have a low chance of surviving the experience unscathed, if at all. Compounding the risk of storm damage, drowning, and starvation is the threat of attacks by pirates, who are known to rob, rape, and/or murder those without protection on the sea (Kirkpatrick 1988: 400). Asylum seekers are commonly at the mercy of unscrupulous people smugglers, who transport them under inhumane conditions. They can be crammed into inadequate spaces or locked in freight containers without sufficient air, water, or food, and may be abandoned en route if detection by authorities appears imminent (Schloenhardt 2003: 139).

Despite these hazardous journeys, our Sri Lankan informants were prepared to put themselves in great danger in their search for freedom from war and persecution. They emphasised that
unauthorised travel relying on the use of people smugglers (termed ‘agents’ by Robinson and Segrott 2002) was one of the options that was relatively freely available to them. Although most had limited financial means, they were prepared to borrow, sell their possessions, or negotiate with the agents to pay a portion later when they reached safety. According to Loescher and Milner (2003), the services of smugglers become more valuable when receiving countries limit access to state protection and opportunities, and people smuggling is consequently on the rise around the world (Antonopoulos and Winterdyk 2006). We have already demonstrated the difficulties in accessing official channels and the respondents’ perceptions of their ineffective approaches. In contrast, human smugglers are often highly visible and easy to contact directly or through social networks (Koser and Pinkerton 2002; Doornbos et al. 2001). Specific services performed by agents include providing travel documents, facilitating journeys (sometimes accompanying refugees and reclaiming false documentation at the destination point) and channelling individuals towards or away from particular countries (Robinson and Segrott 2002).

Robinson and Segrott’s (2002) study showed that the vast majority of asylum seekers assisted by ‘agents’ had originated from Sri Lanka and Iran. These respondents reported that, without the agents, they would have had no hope of being able to escape their country of origin and reach a place where they could claim asylum. Although our research found no Afghans willing to undertake irregular migration, it is worth dwelling on the situation of Afghan asylum seekers embracing this path. Cashmore (2006) recounts the story of a young Afghani man whose only chance of escaping abduction by the Taliban had lain with a people smuggler known to a contact of his father. From such powerless positions, many asylum seekers are compelled to cede control over logistical decision making, with some having no idea where they were going until after they had arrived. Some agents—especially in Sri Lanka—had previously negotiated with older relatives of asylum seekers, but the asylum seekers themselves had not been consulted about potential destinations. Others had more negotiating power, depending on their own capacity to pay and the agent’s capacity to deliver favoured destinations. In some instances, only one destination was on offer by smugglers and asylum seekers needed to seize that opportunity or risk further persecution or deportation if they remained (Robinson and Segrott 2002).
For those seeking to travel on the open sea, smugglers will usually be their only option. Hoffman’s (2007) research documenting asylum seekers travelling in boats arranged by smugglers points to a disjuncture in accounts given by academic researchers and the Australian Federal Police regarding the scale and nature of people smuggling in the Asia Pacific region. While academic sources report a prevalence of loose, informal networks based on ethnic or kinship ties, police sources depict smuggling syndicates as criminal gangs. Common language and ethnicity facilitates pragmatic communication between client and agent, she argues, but it does not necessarily lead to greater trust. Smugglers are overwhelmingly driven by the prospect of economic gain and migrants with few monetary resources and often taken for short distances or over more dangerous routes (van Liempt and Doomernik 2006). Smuggled migrants may arrive at destination countries with no money left after paying the agents (Koser and Pinkerton 2002), placing themselves at even higher risk. While some former asylum seekers attribute humanitarian motives to the agents they used (Doornbos et al. 2001; Neske and Doomernik 2006; van Liempt and Doomernik 2006), in the majority of cases, as we have highlighted, they are utilised, not because they have any particular personal qualities, but because no other effective alternatives were at their disposal. As Hayenhjelm (2006: 192–3) observes, … risks from vulnerability need social and political attention rather than good advice to individuals, since it is the very lack of alternatives that makes people take these risks. If these conditions are not altered the risks will be taken nonetheless.

Nevertheless, in light of the recent tragedy when a boat carrying refugees capsized off Ashmore Reef (Christmas Island) in northern Australia and the resulting deaths, the Human Rights Commissioner in Sri Lanka who had assisted us to carry out the interviews noted that he wanted to start information campaigns to warn potential asylum seekers of the perils of such journeys. Rather than exercising a judgemental approach towards undocumented migration, his main concern was the exploitation of vulnerable people by smugglers. Whether such an approach would have deterred any our respondents is rather debatable.

The case of Perumal illustrates the tragic consequences of seeking the assistance of human traffickers and the ensuing failed asylum claim. Perumal’s family fled their home in the 1990s to Chilaw in the North western province. During this period, to support his family, he had made several attempts to secure overseas contract work, but failed. When they returned to their home village in
Jaffna in the mid-2000s, he not only began receiving threats, but was also arrested despite having no political affiliations to Tamil secessionist groups. His arrest meant that he could not obtain a police clearance for legal overseas travel and, therefore, sought the assistance of people smugglers to go to Britain. Unfortunately, his claim for asylum did not eventuate and he ended up in detention and was deported.

As a labourer with limited means, Perumal lamented about what he perceived to be the arbitrariness of those being granted asylum.

I have now lost all my money and also the belongings that I possessed before I left to UK. People I met in London have also paid well known smugglers and got false clearance documents prepared in Sri Lanka in order to obtain a visa. After going there these people seek Refugee Status and it is also granted to most of these people—except for a very few. There is no proper inquiry made about the people seeking Refugee Status. The authorities in UK do not follow any proper procedure to grant or reject the Refugee Status of these people. I feel that they just pick and choose as per their interest. It is also luck that plays a role in here. Now as I have been deported, I will never be able to travel again to any country outside Sri Lanka. This is a real difficult situation for me and my family. I have the responsibility of taking care of both my mother who is a widow, and as well as my wife's mother who is a disabled person. It is difficult to find jobs in Jaffna. I do not know how to survive after this heavy loss. I have lost my reputation too.

Had Perumal been aware of the intricacies of people smuggling and the limited possibilities of securing asylum, it is difficult to imagine whether the information would have acted as a deterrent.

**Conclusion**

Popular and political discourses continue to routinely condemn asylum seekers for not adhering to rules of law or of 'fair play'. However, as we have shown throughout this chapter, the presence of a neat and methodical structure for decision-making implied in this notion does not apply to the chaotic conditions experienced by many asylum seekers. Battersby (2008: 15) sums up this argument succinctly:

> Both the policies and the rhetoric deployed by Western governments against asylum seekers are designed to dampen public sympathy for genuine and extreme human
suffering. The chaotic nature of refugee dispersal and ... the resettlement process does not function according to developed country notions of efficient social service.

Our findings in Sri Lanka and Afghanistan affirm a number of the arguments put forward by several researchers. First, as the former Liberal Party MP Petro Georgiou (cited in Gordon, 2005: 9) suggested, ‘[i]f the uninvited offend against our preference for an orderly migration process’, attending to the stories of asylum seekers themselves can ‘persuasively elucidate why escaping from persecution is not an orderly process’. Second, clearly the spaces occupied by forced migrants are ‘typically defined by social chaos ... where affected populations experience a profound sense of confusion and disorientation’ (Rodgers 2004: 48). Third, Silove’s (2002) contention that not only are the opportunities to access sites of regularised authority limited, the chances of a positive outcome are also slight. Our research also dovetails with the findings from the Edmund Rice Centre for Justice and Community Education (ERC) (2009: 1) that highlights the unfortunate reality that the imagined orderly world where asylum seekers are protected elsewhere until they are selected and settled in Australia is by no means a certainty.

In the final analysis, the value of investigating the circumstances of displaced people in their countries of origin from the two dominant groups currently seeking asylum in Australia, the Afghanis and the Sri Lankan Tamils provide us the ability to better understand the differing contexts for their internal displacement and the factors that make displaced people candidates for seeking asylum. It offers us an insight into the vulnerability of specific communities towards human trafficking as a mechanism to achieve this. This approach has facilitated the comparison of differences and similarities between these two groups which, once in Australia, are often perceived by Australian society as one, homogeneous, group known as ‘boat people’. By understanding their varied responses and decision-making processes while still in country, key learnings could then emerge to inform this complex issue and its management.

References


