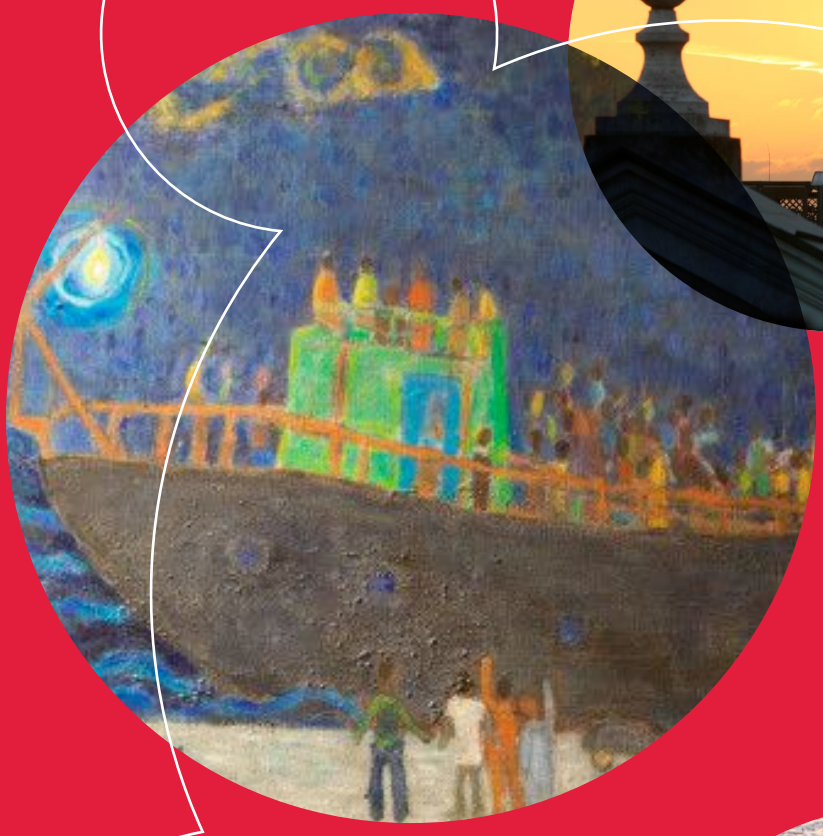
Policy Paper

Faith and the Asylum Crisis

The role of religion in responding to displacement



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Policy Paper
Faith and the Asylum Crisis
The role of religion in responding to displacement

This briefing paper is a distillation of the main points and recommendations that arose during two two-day workshops held in Washington DC in May 2014 and Brussels in June 2014. The workshops, funded by the British Council USA Bridging Voices program, assembled scholars, policymakers and practitioners focused on issues of asylum, refuge and protection in contemporary global politics and the current and potential future roles of faith and faith actors across the US and Europe.

Key recommendations

1. **Religion and spirituality should be considered as aspects of human experience that also require protection in every response to mass forced displacement and incorporated in the global protection regime.**

2. **Adopt broader, more flexible interpretations of "protection"** and of the criteria and definitions set out in the Refugee Convention and its associated legal architecture, to recognize the deprivation of rights, not just the abuse of rights, as legitimate grounds for providing protection.

3. Include consideration that, **even once a conflict is ended and the political and social environment of a country is relatively stable, the sources of persecution and deprivation of rights for certain individuals and groups may remain** and may even have become more acute. This includes the entrenchment of discriminatory structures and practices against particular religious groups, ethnic minorities, gender and sexual orientation.

4. **Politicians, policymakers, journalists, scholars and practitioners should encourage responsible, balanced discussion of issues of migration and asylum.**

5. **Offering protection should be conceived as a crucial dimension of the constitution of our individual and collective identities and of our democratic credentials,** not only as a form of protection of human rights, as an act of good will in the name of a common humanity, or as a duty imposed by international law which should impinge as little as possible on our way of life.

6. **Media and public education campaigns, welcome programs and school education curricula could contribute to promoting balanced discussion and understanding providing protection as part of the identity of democratic societies.** Such campaigns should pay attention to community values, both religious and secular.

7. **Move the language of migration away from "tolerance" to "mutual respect" and understanding.** "Tolerance" is being recognized as an increasingly problematic societal value, since it implies a power imbalance (the one who tolerates has greater power than the one who is tolerated). Instead of tolerance, politicians, policymakers, journalists, scholars and practitioners can promote deeper, meaningful engagement with others, to understand and come to terms with different values and perspectives, developing common goals and values for how to live together.

8. **A spiritual approach to the question of displacement and forced migration**, by emphasizing dimensions of responsibility, piety, and reciprocity **can provide the language and conceptual resources to recast**, or at least resist and contest, **existing logics of securitization of migration**.

9. **Faith-based actors and civil society actors should be part of discussions with politicians and policymakers thinking creatively about how to strategically reframe migration debates.** By championing universal values of solidarity and piety that do not stop at national borders, these organisations are critical in processes of desecuritization. They should (as many already do) also participate in and even spearhead civic education campaigns on these issues.

10. **Ensure that migrants and host populations alike share the burden of integration.** Refugees, asylum seekers and migrants should not be solely expected to adapt to their new society, but populations within Europe must also be open, accommodating, welcoming and willing to adapt to new realities, as they have been doing for millennia.

11. **Make space for religious actors to take on a greater role in determining who is in need of protection and what that protection looks like.**

12. **Incorporate religious actors further into the patchwork of institutions offering assistance.** This can substantially contribute to broadening the areas and spaces in which protection is offered and granted. The inclusion of FBOs in these networks is happening already in some cases, but they can be even further integrated.

13. **Avoid an "add religion and stir" approach to religion and displacement that leaves secularist structures and assumptions largely in place.** Policymakers, politicians and practitioners must be encouraged to critically self-reflect on the partiality of their own values and assumptions, secular or religious.

14. **Ensure sensitivity to a wide variety of understandings of what "religion" and "faith" are.**

15. **Make space for greater dialogue across different worldviews in policy deliberations and daily activities in relation to displacement.**

16. **Incorporate religious language and understanding into policy discussions.**

17. **Consult directly with displaced persons** about how they understand their situation, the main causes and problems they face, and who they want to help them, including if and how they would like religious actors and religious language to be part of that process.

18. **Become aware of the requirements of different religions regarding responses to displacement**, with reference to those in need of protection as well as those in a position to offer protection.

19. **Draw on religious worldviews in developing different understandings and perspectives of what "persecution" and "protection" mean.**

Introduction

Iraq, Syria, Afghanistan, Somalia, Sudan, the DRC. In each of these contexts, and numerous others, complex dynamics around politics, resources, religion and power are contributing to the creation of a global crisis of displacement of unprecedented scale, with a record number of 51.2 million people displaced in 2013.[1] Dominant state-centric modes of asylum and protection are experiencing widespread challenges. In industrialized, predominantly Western countries, governments of both left and right have introduced increasingly strict asylum policies in an effort to deter asylum seekers. At the same time, the causes for people to flee and seek asylum are becoming more varied. These dynamics are contributing to a breakdown in asylum and refugee protection. This dilemma has become particularly acute in a global context where individuals are still overwhelmingly only able to access their rights through membership of a state.

Amid this breakdown, religious actors have emerged as major providers of services for displaced persons,[2] as well as significant campaigners for alternative modes of protection and belonging. Persecution on the basis of religion is often one of the factors leading people to seek protection, and can be a cause of insecurity even during their residence in supposedly safe refugee camps. Yet faith plays a significant role in the way people understand and respond to experiences of displacement and make sense of what is happening to them. It can also be a powerful motivating factor for the decision to seek asylum, as well as the decision to provide support for displaced persons. Faith-based groups are an increasingly important part of asylum and protection mechanisms. Their activities draw on rich traditions and histories of providing sanctuary and asylum to foreigners, strangers and outcasts. As such, it is increasingly difficult to adequately understand and respond to the problem of displacement without taking into account the complex role of faith, spirituality and religion.

[1] UNHCR. 2014. *Global Trends Report 2013: War's Human Cost*, pp2, 15. Available at http://unhcr.org/trends2013/ Accessed 23 September 2014

[2] Whilst acknowledging the vast range of legal categories of displacement – refugee, asylum seeker, internally displaced person, stateless person, persons in refugee-like situations – we use the term "displaced persons" throughout this briefing paper to encompass all such categories. This is in part an effort at simplification, but also because such categories form part of the problems that we highlight in the briefing paper.

Many of the themes touched on in this briefing paper are given more extensive treatment in a forthcoming book that includes contributions from the workshop participants. We encourage all those interested in pursuing these discussions further to read the contributions and engage with the authors.

We hope that the briefing paper will assist all actors involved in asylum and refuge to think more broadly, critically and reflectively about the role of faith in this acute global problem, and open up further dialogue and discussion on how to meet the needs of displaced persons around the world.

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Key Issue #1
Defining "protection" in policy, law and practice

There is significant disagreement in the global governance of displacement over who should be offered protection, how and what kind of protection they should be offered. The initial intention of international refugee law was to offer protection to those whose rights were being abused (those suffering from or in fear of persecution "for reasons of race, religion, nationality, membership of a particular social group or political opinion"[3] – with the notable absence of gender, disability, age and sexual orientation, to name a few, from the Convention definition). Today, however, the vast majority of displaced persons are in need of protection not because their rights are being abused through persecution, but because their rights are being deprived. What makes it more difficult is that there is not always an identifiable culprit or perpetrator who is depriving displaced persons of their rights.[4]

A second problem is that "protection" is often conceptualized with reference to physical needs – sufficient food, clothing, safety from violence[5] and persecution, medical care and so on. This usually includes a consideration of the emotional and psychological well being of refugees and asylum seekers. Yet their need for spiritual protection is often not consciously considered as a part of the protection that needs to be offered. This is to some extent a consequence of the secular worldview that pushes spirituality and faith to the boundaries of common life, designating it a private, personal issue and thus something that each individual must be allowed to resolve for themselves. Yet, in Islamic human rights law, for example, spirituality is recognized as one of five core areas of human life that requires active protection. Spirituality is a core part of who we are as human beings, whether you understand that as the desire to believe in a God, a system of guidelines and rituals for how to live a fulfilling and ethical life, as a sense of awe and wonder that transcends the here and now, or numerous other possibilities.

Article 1A(2) of the 1951 *Convention relating to the Status of Refugees* as modified by article I (2) of the 1967 *Protocol Relating to the Status of Refugees*.

[4] For more on this idea, see Betts, Alexander. 2013. *Survival Migration: Failed Governance and the Crisis of Displacement*. Ithaca: Cornell University Press.

[5] This includes conflict, mass indiscriminate violence, and other forms of violence and insecurity that can be experienced inside camps, such as sexual and gender-based violence.

Recommendations

1. **Religion and spirituality should be considered as aspects of human experience that also require protection in every response to mass forced displacement and incorporated in the global protection regime.**

2. Rather than redrafting international conventions governing asylum, refuge and protection to address the shortcomings of existing definitions to deal with contemporary complexities of protection, we recommend **adopting broader, more flexible interpretations of "protection" and of the criteria and definitions set out in the Refugee Convention and its associated legal architecture, to recognize the deprivation of rights, not just the abuse of rights, as legitimate grounds for providing protection.** Deprivation of rights can include food insecurity, climate change and extreme poverty,[6] which may or may not result from discriminatory policies, that make remaining in a location untenable for survival. This is different from the abuse of rights through persecution, though no less serious a threat to life. Yet deprivation is currently not recognised in international law as a legitimate reason for seeking protection. We advise taking the deprivation of rights into greater consideration when determining applications for asylum and protection.

3. Include consideration that, **even once a conflict is ended and the political and social environment of a country is relatively stable, the sources of persecution and deprivation of rights for certain individuals and groups may remain and may even have become more acute.** This includes the entrenchment of discriminatory structures and practices against particular religious groups, ethnic minorities, gender and sexual orientation.[7]

[6] Betts, A. "From Persecution to Deprivation: How Refugee Norms Adapt at Implementation" in Betts, A. and P. Orchard (eds). *Implementation and World Politics: How International Norms Change Practice.* (Oxford: Oxford University Press, 2014), p30.

[7] E. Fiddian-Qasmiyeh. 2014. "Gender and Forced Migration" in Elena Fiddian-Qasmiyeh, Gil Loescher, Katy Long, and Nando Sigona (eds). *The Oxford Handbook of Refugee and Forced Migration Studies*. Oxford: Oxford University Press, p406.

Key Issue #2
De-securitizing protection in policy, law and practice

Security has become the predominant driving principle of contemporary state foreign and immigration policy and the primary lens through which states interpret the Refugee Convention. States, and particularly wealthy Western states, are increasingly framing forced migration as a security, rather than a humanitarian issue, thus portraying forced migrants and asylum seekers as a 'wave' or an 'invasion' which threatens "our way of life" in terms of culture or economic sustainability. At issue here is a disjuncture between the host populations and the immigrant populations, the idea that the identities and interests of the former stand in substantial conflict with those of the latter and the belief that Western democratic states share most of the burden of the global displacement crisis. These ideas have in part fed the new populism that is sweeping Western states, resulting in harsher asylum and immigration regimes in the US, Europe and Australia and the stigmatisation of certain groups (for example, Muslims, Roma, Moroccans, Haitians, Cubans).

Recommendations

4. **Politicians, policymakers, journalists, scholars and practitioners should encourage responsible, balanced discussion of issues of migration and asylum**, setting the example. This would entail, for instance, making clear how in the global asylum crisis, it is non-Western and predominantly poorer countries that share most of the burden of the global asylum crisis (Pakistan, Jordan, Syria and Iran have more than 70% of the total world refugee population, of which 41% are children and more than half are women[8]). Western states thus host a comparatively small proportion of the total world refugee population – which is even smaller if the comparison is made in terms of GNP per capita.

[8] http://www.un.org/en/globalissues/briefingpapers/refugees/

5. **Offering protection should be conceived as a crucial dimension of the constitution of our individual and collective identities and of our democratic credentials**, not only as a form of protection of human rights, as an act of good will in the name of a common humanity, or as a duty imposed by international law which should impinge as little as possible on our way of life.

6. **Media and public education campaigns, welcome programs and school education curricula could contribute to promoting balanced discussion and understanding providing protection as part of the identity of democratic societies.** Such campaigns should pay attention to community values, both religious and secular. Focusing on the values that underlie community identities, especially in Western industrialized countries, can assist in shifting the discourse of security away from fear to one of openness and inclusion. Host populations should be encouraged to consider that a commitment to the protection of displaced persons is not just an act of magnanimity, but a fundamental measure of their commitment to the values of freedom, dignity and human rights and, as such, a fundamental part of their national identity.

7. **Move the language of migration away from "tolerance" to "mutual respect" and understanding.** "Tolerance" is being recognized as an increasingly problematic societal value, since it implies a power imbalance (the one who tolerates has greater power than the one who is tolerated). Instead of tolerance, politicians, policymakers, journalists, scholars and practitioners can promote deeper, meaningful engagement with others, to understand and come to terms with different values and perspectives, developing common goals and values for how to live together.

8. **A spiritual approach to the question of displacement and forced migration**, by emphasizing dimensions of responsibility, piety, and reciprocity, **can provide the language and conceptual resources to recast, or at least resist and contest, existing logics of securitization of migration.**

9. **Faith-based actors and civil society actors should be part of discussions with politicians and policymakers thinking creatively about how to strategically reframe migration debates.** By championing universal values of solidarity and piety that do not stop at national borders, these organisations are critical in processes of desecuritization. They should (as many already do) also participate in and even spearhead civic education campaigns on these issues. Political and societal leaders should facilitate the involvement of religious organizations and actors further in these processes – civic education, citizenship training and advocacy, creating spaces for meeting between refugees and migrants and resident population, advocate on behalf of citizens who want more humane policy towards refugees and asylum seekers.

10. **Ensure that migrants and host populations alike share the burden of integration.** Refugees, asylum seekers and migrants should not be solely expected to adapt to their new society, but populations within Europe must also be open, accommodating, welcoming and willing to adapt to new realities, as they have been doing for millennia.

Promoting Peace and Hygiene in Jordan
An Islamic Relief Worldwide and Lutheran World Federation Collaboration

The presence of over 600,000 Syrian refugees living among urban and rural areas in Jordan has put enormous pressure on public services such as schools and hospitals, and has created extra demand for water, housing and food. The subsequent strain on already-scarce resources in the Mafraq Governate, one of the poorest governates in Jordan, has led to tensions and violent clashes between host and refugee communities. Where Jordanian communities were initially welcoming to Syrian refugees, hostilities are now rising as many poor Jordanians, struggling with the rising costs of living and shortages in food and water, feel sidelined by aid agencies who seem more intent on providing assistance to Syrian refugees.

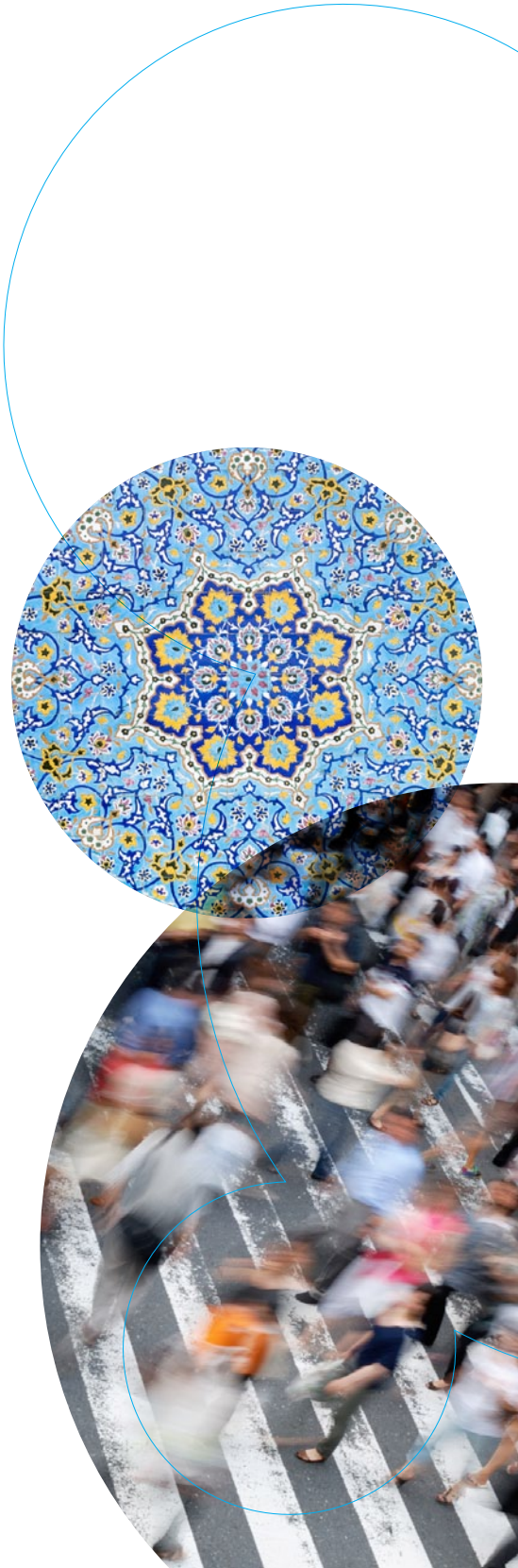
The Jordanian government strives to respond to the urgent, intermediate and long-term needs of both refugees and hosts, but now finds itself in a precarious financial position. The government, which has strongly supported interfaith dialogues, has initiated a call to action of Jordanian faith leaders to respond to the suffering caused by the Syrian crisis. As such, Islamic Relief Worldwide and the Lutheran World Federation have initiated an interfaith project in Jordan to promote peace-building and hygiene awareness amongst Jordanian host communities and Syrian refugees in the Mafraq Government to promote better social cohesion and cross-community understanding. Through developing a project that is led jointly by a Christian and an Islamic NGO, the project seeks to provide a practical example of cross-community collaboration, acceptance and peaceful coexistence.

The project, initiated at the end of the September, consists of a series of six 5-day workshops, and brings together 300 Jordanian hosts and Syrian refugees (both men and women). The workshops call on participants to share their personal experiences of the situation in Mafraq to shed light on both the suffering on the refugees and the challenges faced by the hosts, in order to create mutual understanding and build bridges based on sympathy and compassion. The parallel distribution of hygiene kits to both Jordanian hosts and Syrian refugees seeks to mitigate tensions by addressing perceived imbalances in assistance, whilst also addressing community needs which are unmet by the government or markets and which were previously a potential source of conflict. Currently, 118 individuals have completed the training and received vouchers for hygiene kits, with positive feedback from the communities. Future plans for the project include hopes to involve faith leaders to enable a broader reach, and ensure the greater participation of Christian communities.

Example courtesy of Sadia Kidwai, Islamic Relief Worldwide

Key Issue #3
The changing role of the state

Currently, states determine who is entitled to protection, what that protection should entail and how it can be realized in practice. In a globalized context, however, the state is often no longer able to fulfil this role as the primary actor and provider of protection. Other actors, including other states, intergovernmental organizations, multinational corporations and faith-based organizations, amongst others, may be more able or more willing to provide adequate protection than the state in many circumstances. This requires thinking creatively about how to broaden out responsibility for protection beyond the state. Such burden sharing is already occurring in some cases, and can provide examples for how to include more actors in these processes in other contexts.



Recommendations

11. **Make space for religious actors to take on a greater role in determining who is in need of protection and what that protection looks like.** Faith-based actors could, for example, manage the refugee status determination process, with oversight from the state, alongside providing protection through accommodation, welfare assistance, legal advice, health care and so on.

12. **Incorporate religious actors further into the patchwork of institutions offering assistance.** This can substantially contribute to broadening the areas and spaces in which protection is offered and granted. The inclusion of faith-based organizations in these networks is happening already in some cases, but they can be even further integrated.

The Welcome Network: Jesuit Refugee Services France

In 2009, JRS France instituted a project where volunteer families and religious organizations provide accommodation for destitute asylum seekers unable to access support via the state. In France, while the state offers relatively good support for those seeking asylum, there are only 24,000 beds available in the state-run accommodation centres, while the number of asylum seekers in France is almost three times this, at approximately 65,000 registered asylum seekers as of the end of 2013. Although the government has taken measures to address this shortfall, the waiting time for a bed can still be up to three months.

As part of the JRS France project, families and religious organizations provide accommodation and meals for one month at a time, sometimes more. JRS assigns a tutor to the asylum seeker to assist them with language skills and navigating the bureaucratic processes involved in applying for refugee status. The tutor also helps the host family or organization and the asylum seeker to navigate their new relationship and living arrangement. The program serves multiple purposes. Not only do asylum seekers have a safe place to sleep and support while they are going through the refugee application process, it has also helped to build relationships amongst asylum seekers and the national population in France, breaking stigmatization and stereotypes. The relationships are by no means easy – the asylum seekers are often experiencing significant mental health problems, alongside the uncertainty of their situation, and the host families and organizations must adapt to the new experiences and challenges they encounter, but almost all have described it as a positive, enriching, life-changing experience. The JRS France Welcome Network demonstrates one way in which faith-based organizations can become more integrated in the processes of providing asylum and at the same time facilitate closer, more welcoming and understanding relationships amongst asylum seekers and national host populations. By providing an avenue through which citizens can meet and develop relationships with asylum seekers, the Welcome Network provides a means for diminishing hostility and increasing acceptance and hospitality.

Key Issue #4
Lack of religious literacy amongst policymakers

Few scholars, policymakers or practitioners would deny that faith-based actors are important and significant in global protection, at a number of different levels. Yet while space has been opened up within policy and practice for greater collaboration with and recognition of faith-based organizations, there has arguably not been the same recognition that faith and spirituality are important. There is not the same collaboration between religious and secular discourses and worldviews in making sense of and responding to displacement as there has been across religious and secular organizations. For example, in contemporary secular political language, we frequently speak of the right to seek asylum and protection, in accordance with international human rights law. This emphasis on rights can also be associated with assumptions about individual choice and agency. Yet in Islam, there is also a recognized duty to seek asylum if the life and wellbeing of your family are threatened. As such, seeking asylum is not just a matter of personal choice, but is a responsibility towards yourself and your family that is expected of you by your faith and your community. This view gives quite different weight and meaning to the act of seeking asylum. Yet there is little awareness or recognition of this or other spiritual and religious imperatives that can affect an individual or family's decision to seek asylum.

In addition, secular actors have a tendency to essentialize "religion" and "religious actors" as defined by pre-existing, predominantly Christian, characteristics of what faith and spirituality are. This results in a focus on institutionalized forms of religion, with recognized canons of scripture and leadership hierarchies, when local religious formations on the ground may look quite different. This may also impact on gender inequality in responses to displacement and protection, since many religious institutions are male-dominated, especially at the higher levels of national and global leadership. The focus on institutionalized forms of religion also contributes to the exclusion of the spiritual, the transcendent and the metaphysical from policy discussions on issues such as displacement because these are considered primarily personal individual experiences, not something to be openly shared and discussed.

This exclusion of the spiritual, metaphysical and transcendent also, in part, contributes to the exclusion of the views and perspectives of displaced persons themselves, especially those of marginalized groups, such as women, children, LGBTI and differently able. The language and values of displacement policy and practice continue to be governed by the logic of secularism, and religion is permitted only in so far as it can demonstrate its "added value" to the mechanisms and approaches offered by secular agencies. As a result, there is still a tendency amongst policymakers and practitioners, including amongst faith-based actors themselves, to give primacy to expertise and perspectives measured against secular criteria of immanence and a specific kind of rationality and reasoning. This approach has also contributed to a prevailing "good religion/bad religion" dichotomy, where religion is considered "good" if it is consistent with and promotes secular democratic (and frequently also neoliberal market-based) values and programs endorsed by the state, while religion is "bad" when it does not conform to secular agendas and expectations. Such a dichotomy overly simplifies a complex array of actors and motivations.

Further, different worldviews, secular and religious, understand the world through different categories. People that Western/global secular governance regimes recognize as "displaced" or as "asylum seekers" or "refugees" may not think of themselves in these categories, or understand their situation through this lens, but may comprehend it through a spiritual or religious framework. This also applies to other actors – states, non-government organizations and so on - where the prevailing worldview is not governed by secularism. Consequently, these actors will conceptualise responses to mass displacement quite differently from the prevailing approaches adopted by governments and refugee agencies. This can contribute to heightened tensions, misunderstandings and competing expectations on the ground that can significantly impede efforts to provide protection. As such, there is a need for consultation and dialogue with displaced peoples themselves that makes space for alternative ways of conceptualising the problems of displacement and protection, including religious and spiritual frameworks that go beyond (largely male-dominated) religious institutions and leadership hierarchies.

Recommendations

13. **Avoid an "add religion and stir" approach to religion and displacement that leaves secularist structures and assumptions largely in place.** Policymakers, politicians and practitioners must be encouraged to critically self-reflect on the partiality of their own values and assumptions, secular or religious. Secularism is not a neutral universal perspective and can be perceived as an ideology that makes its own attempts at conversion and proselytizing. Greater sensitivity to such perceptions is needed in asylum policy and practice.

14. **Ensure sensitivity to a wide variety of understandings of what "religion" and "faith" are.** This can be done by encouraging recognition amongst policymakers and practitioners that "religion" is never the same thing from one place and time to the next, from one actor or group of actors to the next. Rather than attempting to develop "one-size-fits-all" policy engagements with the role of religion in displacement, there is a need for greater contextual embedding and reflection in these processes.

15. **Make space for greater dialogue across different worldviews in policy deliberations and daily activities in relation to displacement,** going beyond institutionalized religious structures to ensure a balance of perspectives (with special attention to gender, age, ability and diversity). Such initiatives could include grassroots consultations with displaced persons in refugee camps, detention centres, and the increasing numbers of irregular migrants and displaced persons in urban contexts.

16. **Incorporate religious language and understanding into policy discussions.**

17. **Consult directly with displaced persons about how they understand their situation,** the main causes and problems they face, and who they want to help them, including if and how they would like religious actors and religious language to be part of that process.

18. **Become aware of the requirements of different religions regarding responses to displacement,** with reference to those in need of protection as well as those in a position to offer protection. This will facilitate greater knowledge about some of the motivations for people to seek asylum as well as the motivation for different actors to become part of offering asylum.

19. **Draw on religious worldviews in developing different understandings and perspectives of what "persecution" and "protection" mean.**

The authors would like to gratefully acknowledge the contributions of the workshop participants, whose rich reflections and interventions in the discussions substantially shaped the recommendations put forward in this briefing paper.

The University of Groningen (NL) Centre for 'Religion, Conflict and the Public Domain' explores, from various perspectives, the contentious role of religion in the public sphere in contemporary Western and global society. Combining theoretical and methodological approaches from history, philosophy, law, religious studies, theology and social and political science, the Centre engages in research that is particularly focused on the intersection of religion with culture, politics and society across a variety of settings and issues. Moving beyond secularist assumptions concerning the irrelevance of religion, the Centre aims to provide critical, self-reflective insight regarding the role religion has played and continues to play in social, political, philosophical and legal contexts.

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